

A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as, but not limited to, right-of-way abandonments.

ARIZONA BILTMORE RESORT & SPA

PLANNED UNIT DEVELOPMENT

Z-71-08-6

Volume II: Development Standards & Design Guidelines and Implementation

JULY 2009

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ARIZONA BILTMORE RESORT AND SPA
Planned Unit Development
Volume II: Development Standards & design Guidelines & Implementation

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November 17, 2008

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Executive Summary

The Executive Summary of the Arizona Biltmore Resort & Spa summarizes the standards, guidelines and procedures that comprise Volume II. Volume I (under separate cover) includes the existing conditions and master plans, which set a solid foundation for this document. The Executive Summary is organized in the following three sections:

- Overview
- Development Standards and Guidelines
- Implementation Program

Overview

Introduction. For nearly 80 years, the Arizona Biltmore Resort & Spa has been synonymous with a gracious resort experience for its patrons. A long term winter destination for celebrities and U.S. presidents alike, the “Jewel of the Desert” continues its reputation as one of the premier resort facilities in the world. When initially developed, the Arizona Biltmore Resort & Spa was sited in an isolated patch of desert at the base of Squaw Peak, on the north side of the Arizona Canal. As a part of the City of Phoenix since 1959, the Resort campus totals approximately 36 acres and is now surrounded by adjacent residential and employment development as shown on **Figure 1, Project Context**. The Resort is also identified as a *Phoenix Point of Pride*, one of thirty favorite landmarks in the City, as identified by its residents.



It is important to note that the Resort presently contains a mix of uses that translate to nearly 700,000 square feet of developed space.

ARIZONA BILTMORE RESORT & SPA

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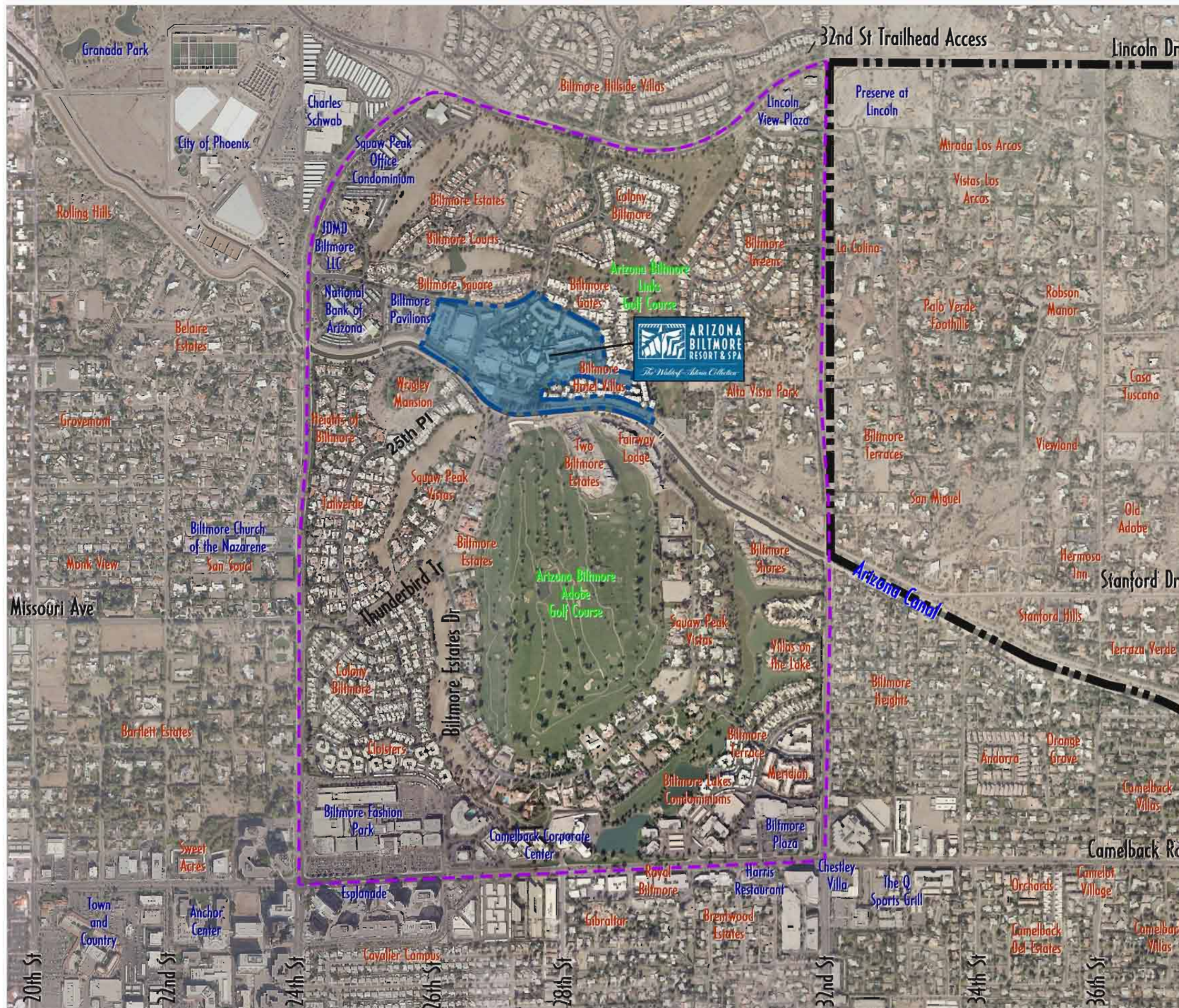
Request. The Arizona Biltmore Resort & Spa respectfully requests the rezoning of its 36-acre campus to the Planned Unit Development (PUD) Zoning District as shown on **Figure 2, Existing Resort Development**. The property owner and operator of the Resort believe the PUD district is the most appropriate category in the City's ordinance. The PUD will also provide the surrounding Arizona Biltmore Estates Community with assurances relative to the intentions for the property, how the improvements will comply with the design standards and advance the design guidelines to ensure a quality development within the surrounding built environment. It will also outline the procedures by which these improvements will be prepared, reviewed and approved to allow their construction.

This request is not inclusive of the Biltmore Hotel Villas (the villas). The Villas were developed and sold as individually owned condominium units on a subdivided property in 1994 – 1996. These individually owned units enjoy a contractual relationship with the Arizona Biltmore Resort. Under individual contract the Resort manages public access to the majority of the Villa units as an extension of the hotel rooms. The villas are made available to guests of the Hotel thereby supporting the occupancy of the Resort. The Resort and the villa owners share revenue generate by the guest use of the Villa space.

Principles. The guiding principles of the Biltmore Resort & Spa Planned Unit Development are embodied in the following:

- Value the historic context of the property
- Respect the architectural heritage of this landmark
- Provide a quality resort experience for guests and visitors
- Make the environment participatory
- Utilize sustainable building and site design practices
- Strategically implement resort revitalization, redevelopment and development improvements


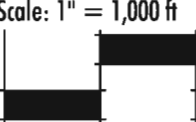
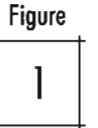




Project Context

-  PUD Project Boundary
-  Town of Paradise Valley Boundary
-  PUD Study Area
-  Existing Residential Subdivisions
-  Existing Non-Residential Uses




Source: Maricopa County Assessor, 2008




 Revised: 11.5.08
 Revised: 7.3.08
 Revised: 6.26.08
 Date: 6.20.08
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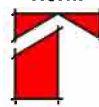
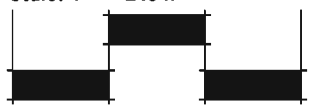
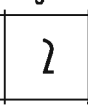


Existing Resort Development







- On-Site Uses**
- | | |
|---|--|
| 1. Parking Structure | 16. Tennis Courts |
| 2. McArthur Ballroom | 17. Spa |
| 3. Frank Lloyd Wright Ballroom | 18. Paradise Pool |
| 4. Tent (No longer erected) | 19. Paradise Wing |
| 5. Conference Center | 20. Kids Korral |
| 6. Arizona Biltmore Ballroom | 21. Paradise Garden |
| 7. Grand Ballroom | 22. Garden Wing |
| 8. Gold Room | 23. Valley Wing |
| 9. Aztec Room | 24. Arizona Wing |
| 10. Biltmore Grill & Patio | 25. Terrace Court |
| 11. Lobby | 26. Court Pool |
| 12. Squaw Peak Lawn & Terrace | 27. Cottage Court |
| 13. East Wing | 28. Biltmore Championship Putting Course |
| 14. The Cafe & Wright's at the Biltmore | 29. Maintenance |
| 15. Cabana Club Restaurant | 30. Accounting |

- Off-Site Uses**
-  Golf Courses (Adobe/Links)
 -  Phoenix Points of Pride
 -  PUD Project Boundary

Source: Arizona Biltmore, Maricopa County Assessor, 2008

North  Scale: 1" = 240 ft  Figure 2  Revised: 11.5.08
 Revised: 7.3.08
 Revised: 6.26.08
 Date: 6.20.08
 Project #: 0811

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Development Standards and Design Guidelines

Introduction. The Development Standards and Design Guidelines include regulatory provisions designed to promote the preservation, revitalization and improvement goals of the Resort while ensuring the protection of the public health, safety and welfare. The purpose of this chapter is to promote the ongoing improvement of a suburban, multi-use, multi-floor, nationally recognized resort destination in the heart of Phoenix. Further, the Resort campus currently functions, and is intended to continue to function, as a destination where the needs of guests can be fulfilled entirely on-site.

Design Standards. The standards addressed in this document include land use, development, historic preservation, landscape, vehicular access, parking and loading, lighting and signs. Land use standards include the list of Permitted Principal Uses, Uses Subject to Performance Standards, Uses Subject to Conditional Use Permit, and Accessory Uses and Structures. The inclusion of development standards within the Arizona Biltmore Resort & Spa PUD protects not only the existing property owners within the boundaries of the PUD, but also adjacent property owners within the Biltmore Study Area. These standards guide the preservation of the public health, safety and welfare and pertain to yard, height, bulk and area of the proposed development. They also dictate an appropriate transition and compatibility among various uses and adjacent owner occupied residential uses to the north, south and east. The landscape standards are focused on both on and off site landscape areas. The Resort's historic use of water intensive vegetation will now be augmented with additional vegetative varieties that can provide the characteristics desired with a reduced need for irrigation. Landscaping within parking areas is also important to screen and integrate parking lots into the Resort site. Vehicle access, parking and loading standards provide a very specific approach to the provision of vehicular access and storage addressing off-street parking, parking plan requirements and review, access, spaces and aisle dimensions, accessible parking, control, requirements and loading, shared use and parking reduction methodology. The inclusion of exterior lighting standards promotes safe, efficient and compatible illumination at the Arizona Biltmore Resort & Spa site on vehicular drives, pedestrian walkways along the perimeter of the site and canal; pedestrian walkways within the site, water features; entrance features;



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landscaping; building entrances and facades; monument entrance signs, site entrance signs; way-finding signage; and entry/exit portals. The sign provisions promote fair, comprehensive, and enforceable regulations that will foster a good visual environment for the Arizona Biltmore Resort & Spa PUD. These standards balance the need to protect the public safety and welfare, the need for a well-maintained and attractive resort hotel, as well as the need for adequate identification, communication and advertising for existing and proposed land uses.

Uses. The careful selection of appropriate uses for the Arizona Biltmore Resort & Spa Planned Unit Development (PUD) identifies permitted, conditional and accessory uses. Other uses may be permissible, but require additional criteria to ensure they are compatible with the other existing internal uses of the property as well as external uses in the surrounding area. These criteria are embodied in the creation of performance standards, which have been established to provide additional protection from potential nuisances and other negative factors that could be generated from these uses.

Design Guidelines. The Arizona Biltmore Resort & Spa is arguably one of the most significant historic resources of the Valley, reflecting many of the facets of Phoenix's cultural, architectural, economic and social heritage. A highly recognized community landmark, its preservation is important to maintain the distinctive architectural character of the City as well as retain a historic resource much valued by its citizenry. The design guidelines have been created to ensure not only the continued preservation of the contributing elements of the hotel complex but to acknowledge its function as a viable resort that must respond to its clientele and the hospitality market. However, the citizenry also recognizes that the hotel complex has evolved over the course of its eighty year history and it will continue to change. These guidelines are not an attempt to freeze the Arizona Biltmore Resort & Spa in time. Rather, they are intended to guide the alterations, additions and new construction, which will be needed for its functional and economic viability as a world class resort. The guidelines are organized into two divisions including site development guidelines which include landscape architecture, open space amenities, trails and paths, parking and circulation, public amenities and environmental protection, site lighting, Arizona Canal, screening, walls and fences, grading and drainage, signs; and building development guidelines include building design and construction, and architecture.

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Implementation

Introduction. The Implementation identifies the mechanisms that will foster the successful revitalization, redevelopment and development of the Arizona Biltmore Resort & Spa over the short and long term. To that end, it is important to outline the various procedures that will be undertaken through the near and long term in an effort to document the necessary steps required of all project participants to consider, review and approve future improvements to the Resort property.

Site Plan Review. In accordance with the Development Review Approval Section of the Zoning Ordinance each building within each phase will be subject to the review procedures as defined by the provisions of the Development Review Approval Section. It is through the Site Plan Review process that the development regulations defined within this PUD will be implemented, and the intent expressed in the master plans will be achieved. The provisions of the Development Review Approval Section of the Zoning Ordinance shall apply to the Arizona Biltmore Resort and Spa PUD except for the provisions provided within Tab A. The Design Guidelines provided in the PUD replace and supersede the provisions contained within Tab A. The process included herein outlines the steps from pre-application conference to follow-up inspection.



Easement Abandonment and Dedications. The tenure of this property and its location internal to the Arizona Biltmore Estates Community demonstrates the need for procedures to abandon public vehicular and pedestrian easements. Over the past 80 years, numerous easements have been formally dedicated and recorded for vehicular and pedestrian use by the public. The approval of this PUD specifically recognizes that all right-of-way dedications have formally been made with respect to the Arizona Biltmore Resort and Spa PUD property in accordance with the adopted and ratified General Plan for the City of Phoenix and all applicable transportation plans. In the future, the owner(s) of the Arizona Biltmore Resort and Spa property may seek abandonment, relocations and re-dedications, and/or dedications of various utility, drainage and vehicular and pedestrian access easements to implement the 2010 and 2030 Master Plans.

Planned Unit Development Amendment Procedures. Provisions have been included in the PUD to provide criteria for the determination of major and minor

Executive Summary

amendments to the Arizona Biltmore Hotel and Resort PUD. The provisions provided within this PUD are intended to supplement current provisions defined within the City of Phoenix Zoning Ordinance by the PUD Zoning District.

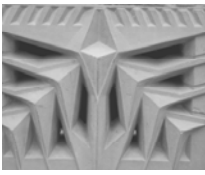
Administrative Amendments and Interpretations. Based on the long term timeframe expected to complete the improvements identified in this PUD, it may be necessary to request formal or informal interpretation related to the administration, implementation and/or interpretation on occasion. These circumstances may relate to the interpretation of project intent, proposed use(s) and/or development standards as may be applicable to the intended improvement requested within the PUD boundary.



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A. Development Standards & Design Guidelines

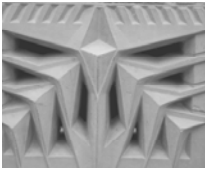
The Development Standards and Design Guidelines chapter of the Arizona Biltmore Resort & Spa PUD includes regulatory provisions designed to promote the preservation, revitalization and improvement goals of the Resort while ensuring the protection of the public health, safety and welfare. This chapter is organized in the following nine sections:

- Purpose and Intent
- Land Use Standards
- Performance Standards for Specific Land Uses
- Historic Preservation
- Development Standards
- Landscape Improvement Standards
- Vehicle Access, Parking & Loading Standards
- Lighting Standards
- Sign Standards
- City Administered Design Guidelines

1. Purpose and Intent

It is the purpose of these provisions to promote the ongoing improvement of a suburban, multi-use, multi-floor, nationally recognized resort destination in the heart of Phoenix. Further, the Resort campus currently functions, and is intended to continue to function, as a destination where the needs of guests can be fulfilled entirely on-site, while promoting land use and operational compatibility with the surrounding Arizona Biltmore Estates Village Association members.

This chapter is intended to provide the regulatory zoning provisions designed to guide the implementation of the related master plans presented under separate cover (Volume I: Existing Conditions and Master Plans) through the City of Phoenix development review and development permit processes. The provisions provided in this chapter shall apply to all property (see Appendix A, Legal Description) within the PUD Project Boundary and is intended for all revitalization, redevelopment and new development located within the Arizona Biltmore Resort & Spa PUD. The zoning and development provisions provided herein are intended to amend the provisions provided by the City of Phoenix Zoning Ordinance (as adopted and periodically amended). Any use, structure or parcel that has become nonconforming as a result of the adoption of these regulations or any subsequent amendment to these regulations may be continued or maintained only in accordance with the terms of Chapter 9 of the City of Phoenix Zoning Ordinance.



A. Development Standards & Design Guidelines

In the event of a conflict between a development standard, a described development procedure or a defined term between the City of Phoenix Zoning Ordinance and the Arizona Biltmore Resort & Spa PUD, the PUD shall prevail.



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A. Development Standards & Design Guidelines

2. Land Use Standards

The Land Use Standards identify the uses that are allowed within the Biltmore Resort & Spa PUD. These uses are organized into four topical areas. These areas range from uses that are allowed as of right (Permitted), uses that could be allowable with proper regulations (i.e. Uses Subject to Performance Standards and Uses Subject to a Use Permit), and uses that support these identified uses (i.e. Accessory Uses).

a. Permitted Principal Uses

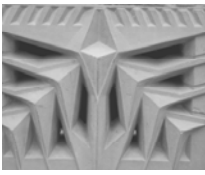
The following list of uses is intended to define authorized principal uses within the Arizona Biltmore Resort & Spa PUD. While this list is not inclusive of the full extent of permitted uses that are appropriate in a resort setting, they convey its predominant uses. Uses that are analogous or are commonly associated with resort hotel operations are, if not listed below, intended to be permitted in addition to:

- Barber/Beauty Parlor
- Convention Meeting
- Health/Fitness Facilities
- Hotel Rooms, Hotel Suites
- Residential Condominium
- Resort
- Restaurant
- Real Estate Office
- Spa

b. Uses Subject to Performance Standards

The following list identifies the authorized uses within the Arizona Biltmore Resort & Spa PUD that are subject to performance standards, as defined within Section 8 of this chapter.

- Antiques, Crafts and Collectibles Sales, Indoor
- Apparel Sales, Indoor
- Automatic Teller Machine (ATM), Indoor
- Automobile Rental Facility, Indoor
- Bar, Main (Indoor/Outdoor)
- Bar, Poolside (Outdoor)
- Bar, Special Events (Outdoor)
- Book, Stationary and Greeting Card Store, Indoor
- Business Center, Indoor
- Candy and Ice Cream Store, Indoor
- Coffee Shop, Indoor/Outdoor



A. Development Standards & Design Guidelines

Delicatessen, Indoor/Outdoor
Dining, Outdoor
Galleries, Indoor
Gift, Novelty and Souvenir Shop, Indoor
Live Entertainment, Indoor
Live Entertainment, Outdoor
Newsstand, Indoor
Personal Service Offices, Indoor
Pharmacy, Indoor
Photographic Studio, Developing and Printing, Indoor
Retail, General (Indoor)
Shoe Sales and Service and Clothing Alteration, Indoor
Sightseeing Tour Operator, Indoor
Special Events, Outdoor
Tent, Outdoor
Watch Repair Shop, Indoor
Wireless Communication Facility, Cell on Wheels

c. Uses Subject to Use Permit

The following list identified below includes those uses that are authorized within the Arizona Biltmore Resort & Spa PUD. However, they are subject to the granting of a Use Permit in accordance with the provisions of the City of Phoenix Zoning Ordinance.

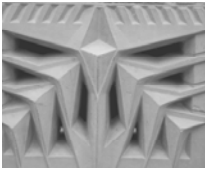
Lighted Sport Court (if any portion of the court is located within 100 feet of the PUD Project Boundary)
Wireless Communication Facilities
Wireless Communication Facility, Antenna



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A. Development Standards & Design Guidelines

d. Accessory Uses and Structures

Uses and structural elements that are customary and incidental to the principle uses and structures on the property, as permitted within the Arizona Biltmore Resort & Spa PUD include the following:

- Administrative Offices
- Archways
- Bell and /or Clock Towers
- Canopy/tent structures are allowed over public areas used for gathering of people, and entrances to individually occupied tenant spaces.
- Daycare/Camp
- Destination Management Center
- Gates
- Subterranean Parking Structure and Parking Lots
- Parking Gates (Automatic)
- Public Art
- Satellite Earth Station
- Swimming Pool(s)
- Sport Courts
- Tennis Courts
- Valet Parking Service
- Retail Vendor Cart
- Water Features
- Wireless Communication Facility established prior to January 1, 2009

e. Prohibited Uses

Uses and structural elements that are prohibited within the Arizona Biltmore Resort & Spa PUD include the following:

- New above grade parking structures

f. Existing and Future Land Use Intensity and Density

The area contained within the PUD Project Boundary is planned to include existing buildings as well as planned new development upon full buildout of the property. A summary of development intensity and density is presented on **Table A.1, Existing/Future Development**. This table sets the regulatory maximums defined by this PUD except as may be modified by the Amendment provisions (Section B.4) of this PUD.



A. Development Standards & Design Guidelines

Table A.1

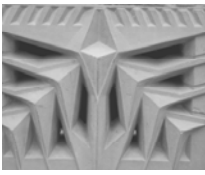
Existing/Future Resort Development

Land Use	2008		2010		2030	
	Existing Space* (Gross Sq. Ft.)	Existing Keys	Total Space (Gross Sq. Ft.)	Total Keys	Total Space (Gross Sq. Ft.)	Total Keys
Lodging Rooms	-	604	-	886	-	1164
Residential Keys	-	0	-	40**	-	40**
Conference	105,000	-	115,000	-	115,000	-
All Other Space (Support)	295,000	-	345,000	-	345,000	-
Total	400,000	604	460,000	926	460,000	1,204
Villas +	-	136	-	136	-	136
Total	400,000	740	460,000	1,062	460,000	1,340

Sources: Arizona Biltmore Resort, Gensler Architects, and LVA Urban Design Studio, April 2009.

** the residential keys defined in Table A.1 could be converted to lodging rooms in whole or in part.

+ Villas are privately owned, separate condominium Hotel Rooms. These are not owned by the Resort; however they may be available to the Resort under a contract with the individual owner(s). Total number shown is the maximum number of keys and can range from 0 to 136. Note that Villas are not part of the PUD, have their own parking allotment separate from the PUD and are only shown here for information purposes.



A. Development Standards & Design Guidelines

3. Performance Standards for Specific Land Uses

The Uses Subject to Performance Standards in Section 2.B of this chapter identify the existing and proposed uses for the Resort which reflect those typical components of a World Class, integrated lodging, convention and spa facility. While these uses are complimentary and compatible with the Resort and its associated conference functions, each use requires additional criteria to ensure they are compatible with the other existing internal uses of the Resort property as well as external uses in the Arizona Biltmore Estates Community.

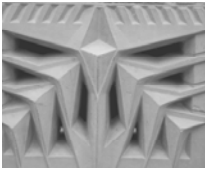
All of the following uses shall comply with their associated standards which pertain to floor area (not to exceed the combined maximum total area for that use [as identified in Table 1, Land Use Program]), hours of operation, location restrictions, sound generation (for outdoor uses) and other enforcement provisions unique to that use.

Due to the temperate climate of the Fall, Winter and Spring and the historic use of the Resort to cater to guest requests for outdoor events, specific attention has been focused on those uses that have the potential to generate outdoor sound at elevated decibel levels. The Resort understands that not all of its guests may participate in these on-site events, and is also sensitive to its surrounding residents. For the purposes of enforcing the outdoor uses identified within this section, measurement of the sound level hourly L_{eq} sound level (dBA) shall occur at the **Resort's property** line. The standards provided do not apply to temporary construction, maintenance work, emergency warning devices, or other special circumstances related to the specific use.

All of the following uses are permitted at the Arizona Biltmore Resort, subject to the standards and enforcement provisions as identified on the following pages:

Antiques, Crafts and Collectible Sales, Indoor

Purpose: Allows for the indoor sale of antique, craft and collectible goods as a permitted use subject to applicable standards within the Arizona Biltmore Resort & Spa PUD. Antiques, crafts and collectibles are objects that are decorative or household objects that are valued due to their age, craftsmanship and/or limited supply.



A. Development Standards & Design Guidelines

Standards:

- Maximum Gross Floor Area: 3,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 8:00 p.m. (12 hours per day)
- No outdoor display or sales

Apparel Sales, Indoor

Purpose: Allows for the indoor sale of men's, women's and/or children's apparel and apparel accessories as a permitted use subject to applicable standards in the Arizona Biltmore Resort & Spa PUD. Apparel and apparel accessories are items that can be worn as outer or decorative clothing on the human body.

Standards:

- Maximum Gross Floor Area: 10,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 10:00 p.m. (14 hours per day)
- No outdoor display or sales

Automatic Teller Machine (ATM), Indoor

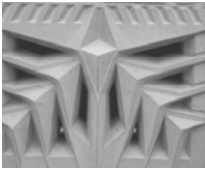
Purpose: Allows for the placement and operation of an automated teller machine as a permitted use subject to standards in the Arizona Biltmore Resort & Spa PUD. An automated teller machine is a secure electronic component that allows customers to make bank deposits and withdrawals from a remote location, without the attendance of a human.

Standards:

- Maximum Gross Floor Area: 100 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 24 hours (24 hours per day)
- No human attendant
- Must remain in working order at all times

Automobile Rental Facility, Indoor

Purpose: Allows for the operation of a rental car office as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. An automobile rental facility is defined as a site where cars, pickups



A. Development Standards & Design Guidelines

and sport utility vehicles may be utilized by a non-owner for a desired period of time at a mutually agreed upon price.

Standards:

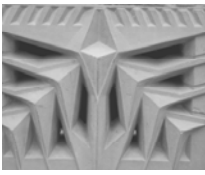
- Maximum Gross Floor Area: 1,500 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 8:00 p.m. (12 hours per day)
- Parking structure; 100 feet where detailing operations are conducted in a below ground structure.
- Such facility limited to three computer terminals
- Such facility is limited to an on-site rental pool of 25 vehicles
- All car detailing operations conducted on-site to be in covered parking areas
- PUD Perimeter Setback (for car detailing operations): 150 feet where detailing operations are conducted in an above ground
- Long term leasing (defined as a lease term of one or more months) is prohibited

Bar, Main (Indoor/Outdoor)

Purpose: Allows for the presence of bar(s) as a permitted, permanent use subject to standards within the Arizona Biltmore Resort & Spa PUD. Bars are defined as an indoor space with or without a counter or lounging area and may include outdoor service, seating and /or patio space. Bars primarily provide service of spirituous liquors to be consumed on-premises; food may or may not be served. Bars may include accessory entertainment such as live or recorded music, comedy, readings, dancing, acting or other entertainment performed by one or more persons, whether or not such person or persons are compensated for such performances. Dancing by patrons to live or recorded music is permitted. All entertainment shall be performed indoors.

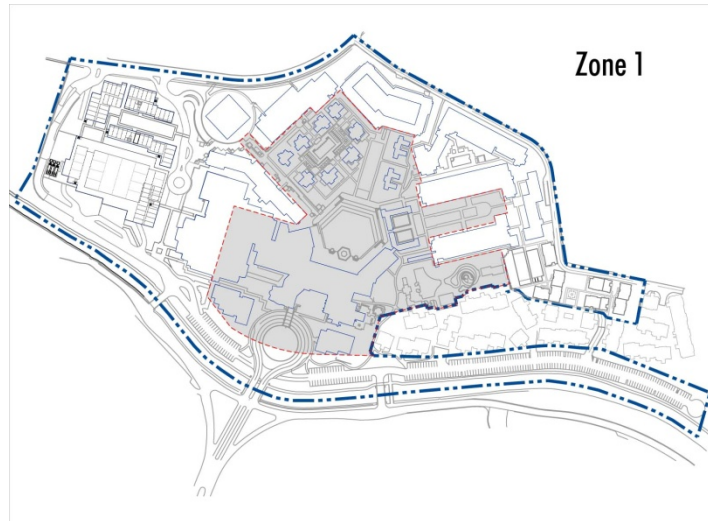
Standards

- Maximum Gross Floor Area: 10,000 square feet each
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 11:00 a.m. to 2:00 a.m. (15 hours per day)
- PUD Perimeter Setback: As permitted in the gray area of the diagram below, based on the legal description for Performance Standard Zones in Appendix F.



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- The maximum permissible amplified sound level (generated from an amplified sound system) shall not exceed 55 dBA at any established property line that defines the Arizona Biltmore Resort. This provision does not apply to amplified sound originated at any established and/or future pool area on the Resort property.

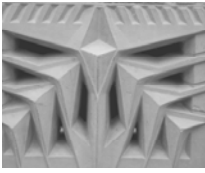


Enforcement:

- Sound levels shall be measured at lot lines, at a height of at least four feet (5') above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Noise Standards Institute, ANSI SI.4-1961 "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale. Measurements shall be conducted in accordance with ANSI SI.2-1962 "American Standard Meter for the Physical Measurement of Sound".
- The hourly L_{eq} sound level (dBA) thresholds specified above shall not be exceeded for more than 30 minutes in any 12-hour period, except for temporary construction, maintenance work, emergency warning devices, or other special circumstances.

Bar, Poolside (Outdoor)

Purpose: Allows for the presence of Poolside Bar(s) as a permitted, permanent use adjacent or proximate to any Resort pool subject to standards within the Arizona Biltmore Resort & Spa PUD. Poolside bars



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are defined as facilities that primarily provide service of spirituous liquors to be consumed at the Pool Area; food may or may not be served. Pool bars may provide guest entertainment which may include music, comedy, readings, dancing, acting or other entertainment performed by one or more persons, whether or not such person or persons are compensated for such performances. Dancing by patrons to live or recorded music is permitted.

Standards

- Maximum Gross Floor Area: 10,000 square feet each
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 10:00 p.m. (14 hours per day)
- PUD Perimeter Setback: None, such uses to be located within the primary fenced area surrounding any existing or future pool and its patio/deck

Bar, Special Events (Outdoor)

Purpose: Allows for the presence of bars and or mini-bars as a permitted, temporary use subject to standards within the Arizona Biltmore Resort & Spa PUD. Special events bars are defined as any service of spirituous liquors from a temporary location to guests at the Resort attending a specific event/activity. Special events bar(s) are located to conveniently serve guests attending art fairs, culinary fairs, wine tasting, musical concerts, conventions, trade fairs, art showings, craft fairs, cocktail receptions, charity events, athletic events, catering events, weddings and other religious ceremonies, or other local/regional events. Dancing by guests to live or recorded music is permitted.

Standards:

- Maximum Gross Floor Area: 500 square feet each
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 11:00 a.m. to 12:00 a.m. (13 hours per day)
- PUD Perimeter Setback: As permitted in the gray area of the diagram below, based on the legal description for Performance Standard Zones in Appendix F.
- The maximum permissible amplified sound level (generated from an amplified sound system) shall not exceed 55 dBA at any established property line that defines the Arizona Biltmore



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Resort. This provision does not apply to amplified sound originated at any established and/or future pool area on the Resort property.

Enforcement:

- Sound levels shall be measured at lot lines, at a height of at least four feet (5') above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Noise Standards Institute, ANSI SI.4-1961 "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale. Measurements shall be conducted in accordance with ANSI SI.2-1962 "American Standard Meter for the Physical Measurement of Sound".
- The dBA sound level thresholds specified above shall not be exceeded for more than 30 minutes in any 12-hour period, except for temporary construction, maintenance work, emergency warning devices, or other special circumstances.

Book, Stationary and Greeting Card Store, Indoor

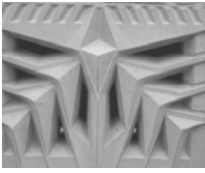
Purpose: Allows for the sale of books, stationary and greeting cards as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Books, stationary and greeting cards are defined as hard and soft cover bound documents; stationary is defined as paper utilized to write notes, letters or other form of written expression, and greeting cards are hand/manufactured cards that are available for purchase acknowledging holidays, family events, birthdays, etc.

Standards:

- Maximum Gross Floor Area: 2,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 9:00 p.m. (13 hours per day)

Business Center, Indoor

Purpose: Allows for the inclusion of a copy center as a permitted indoor use subject to standards within the Arizona Biltmore Resort & Spa PUD. A copy center is defined as a facility with the necessary components to duplicate, collate, enlarge, and reduce paper documents and to transmit electronic data locally, nationally and internationally.



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Standards:

- Maximum Gross Floor Area: 1,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 12:00 a.m. to 12:00 a.m. (24 hours per day)
- No outdoor display or sales

Candy and Ice Cream Store, Indoor/Outdoor

Purpose: Allows for the sale of candy and ice cream as a permitted indoor/outdoor use subject to standards within the Arizona Biltmore Resort & Spa PUD. Candy is defined as a product primarily made with sugar or other sweet ingredients. Ice cream is defined as a product made primarily from dairy products with fruit, chocolate or other sweet additives.

Standards:

- Maximum Gross Floor Area: 2,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 9:00 a.m. to 1:00 a.m. (16 hours per day)

Coffee Shop, Indoor/Outdoor

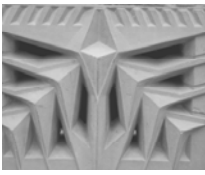
Purpose: Allows coffee shop(s) as a permitted indoor use with outdoor seating subject to standards within the Arizona Biltmore Resort PUD. A coffee shop is defined as an establishment that sells coffee, tea, water, juices as well as baked goods and sandwiches to hotel patrons and the public.

Standards:

- Maximum Gross Floor Area: 1,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 5:00 a.m. to 1:00 a.m. (20 hours per day)

Delicatessen, Indoor/Outdoor

Purpose: Allows delicatessen as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. A delicatessen can be defined as a specialized retail food establishment that provides imported or unusual beverages (non-alcoholic and alcoholic) and ethnic food and ingredients including but not limited to cooked/cured meats, dairy products, and preserved fruits and vegetables.



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Standards:

- Maximum Gross Floor Area: 2,000 square feet indoor and 1,000 square feet outdoor
- Maximum Days of Operation: 7 days per week
Maximum Hours of Operation: 5:00 a.m. to 11:00 p.m. (18 hours per day)

Enforcement:

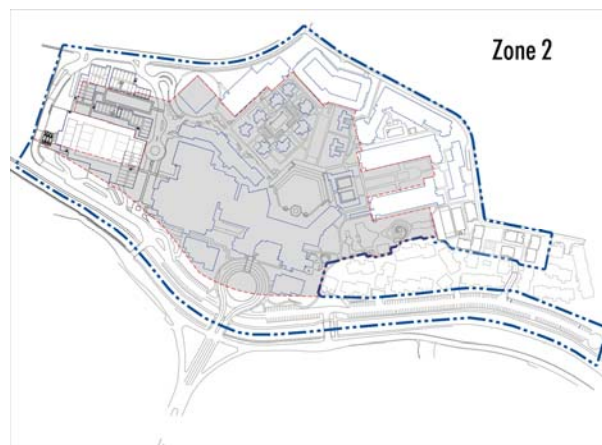
- No Outdoor display or sales
- Outdoor seating limited to fifteen tables with sixty chairs

Dining, Outdoor

Purpose: Allows for restaurant service outdoors as a permitted use subject to the standards within the Arizona Biltmore Resort & Spa PUD. Dining outdoors can be defined as seating, drinking, eating and socializing with other restaurant patrons in an unenclosed or semi-enclosed space. Wait staff typically provides service at tables located in these areas.

Standards:

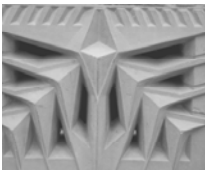
- Hours of Operation shall not extend to the hours between 12:00 a.m. and 6:00 a.m. (18 hours per day – permitted outdoor use)
- The maximum permissible amplified sound level (generated from an amplified sound system) shall not exceed 55 dBA at any established property line that defines the Arizona Biltmore Resort. This provision does not apply to amplified sound originated at any established and/or future pool area on the Resort property.
- PUD Perimeter Setback: As permitted in the gray area of the



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preceding diagram, based on the legal description for Performance Standard Zones in Appendix F.

Enforcement:

- Sound levels shall be measured at lot lines, at a height of at least four feet (5') above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Noise Standards Institute, ANSI SI.4-1961 "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale. Measurements shall be conducted in accordance with ANSI SI.2-1962 "American Standard Meter for the Physical Measurement of Sound".
- The hourly L_{eq} sound level (dBA) thresholds specified above shall not be exceeded for more than 30 minutes in any 12-hour period, except for temporary construction, maintenance work, emergency warning devices, or other special circumstances.

Galleries, Indoor

Purpose: Allows for the inclusion of galleries as a permitted indoor use subject to standards within the Arizona Biltmore Resort & Spa PUD. Galleries are defined as retail establishments where artistic endeavors are displayed for sale and include but are not limited to paintings, sculpture, photographs, illustrations or other medium.

Standards:

- Maximum Gross Floor Area: 5,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 10:00 p.m. (14 hours per day)

Gift, Novelty and Souvenir Shop, Indoor

Purpose: Allows for the presence of gift, novelty and souvenir shops as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Gift, novelty and souvenir shop is defined as a retail establishment that provides goods that are primarily focused on the southwestern, native American and Arizona history that appeal to primarily hotel patrons desiring items to acknowledge their resort experience in Phoenix.



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Standards:

- Maximum Gross Floor Area: 5,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 10:00 p.m. (14 hours per day)

Live Entertainment, Indoor

Purpose: Allows for the presence of live indoor entertainment as a permitted use subject to the standards within the Arizona Biltmore Resort & Spa PUD. Live entertainment can be defined as music, comedy, readings, dancing, acting or other entertainment performed by one or more persons, whether or not such person or persons are compensated for such performances. This use includes dancing by patrons to live or recorded music. This use is entirely contained within an indoor environment, typically within assembly spaces of the Resort.

Standards:

- Hours of Operation shall not occur between the hours of 2:00 a.m. and 7:00 a.m. (19 hours per day – permitted indoor use)

Live Entertainment, Outdoor

Purpose: Allows for the presence of live outdoor entertainment as a permitted use subject to the standards within the Arizona Biltmore Resort & Spa PUD. Live entertainment can be defined as music, comedy, readings, dancing, acting or other entertainment performed by one or more persons, whether or not such person or persons are compensated for such performances. This use includes dancing by patrons to live or recorded music.

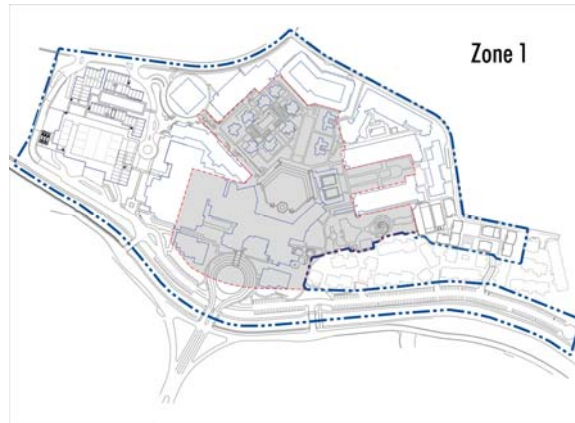
Standards:

- Hours of Operation shall not extend to the hours between 11:00 p.m. and 7:00 a.m. (16 hours per day – permitted outdoor use)
- The maximum permissible amplified sound level (generated from an amplified sound system) shall not exceed 55 dBA at any established property line that defines the Arizona Biltmore Resort. This provision does not apply to amplified sound originated at any established and/or future pool area on the Resort property.



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- PUD Perimeter Setback: As permitted in the gray area of the diagram that follows, based on the legal description for Performance Standard Zones in Appendix F.



Enforcement:

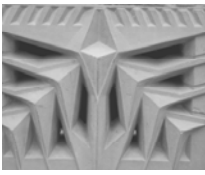
- Sound levels shall be measured at lot lines, at a height of at least five feet (5') above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Noise Standards Institute, ANSI SI.4-1961 "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale. Measurements shall be conducted in accordance with ANSI SI.2-1962 "American Standard Meter for the Physical Measurement of Sound".
- The hourly L_{eq} sound level (dBA) thresholds specified above shall not be exceeded for more than 30 minutes in any 12-hour period, except for temporary construction, maintenance work, emergency warning devices, or other special circumstances.

Newsstand, Indoor

Purpose: Allows for the presence of newsstand(s) as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. A newsstand is defined as a retail establishment that provides newspapers, magazines and other periodicals that appeal to primarily hotel patrons.

Standards:

- Maximum Gross Floor Area: 500 square feet



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- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 5:00 a.m. to 10:00 p.m. (20 hours per day)

Personal Services Offices, Indoor

Purpose: Allows for the provision of personal services offices (not included as ancillary to the management and operation of the Resort) as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Personal services offices include, but are not limited to, finance, insurance and real estate but may include other related professional services provided to guests/patrons of the Resort.

Standards:

- Maximum Gross Floor Area: 1,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 6:00 a.m. to 8:00 p.m. (14 hours per day)
- No outdoor display

Pharmacy, Indoor

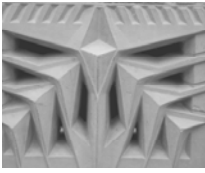
Purpose: Allows for the inclusion of a pharmacy as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. A pharmacy is defined as an indoor use that dispenses over the counter and prescription medications. It may also have a limited retail offering of health care related goods.

Standards:

- Maximum Gross Floor Area: 1,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 6:00 a.m. to 10:00 p.m. (16 hours per day)
- No Outdoor display
- No Drive-through

Photographic Studio, Developing and Printing, Indoor

Purpose: Allows for photographic studio as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. A photographic studio is defined as an indoor use where a studio allows for human photography and includes the ability to develop and print such pictures on site, and then display and sell photographs.



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Standards:

- Maximum Gross Floor Area: 1,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 10:00 p.m. (14 hours per day)

Retail, General (Indoor)

Purpose: Allows for the provision of retail sales and services, not otherwise described herein, as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Retail uses include but are not limited to consumer goods and services.

Standards:

- Maximum Gross Floor Area: 10,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 6:00 a.m. to 10:00 p.m. (16 hours per day)
- Loading: 6:00 a.m. to 8:00 p.m. (14 hours per day)
- Outdoor display is limited to 500 square feet

Shoe Sales and Service and Clothing Alteration, Indoor

Purpose: Allows shoe sales and service and clothing alteration as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Shoe sales and service and clothing alteration are defined as the retail sales of shoes for men, women/and or children and includes cobbler related services and tailoring.

Standards:

- Maximum Gross Floor Area: 2,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 8:00 p.m. (12 hours per day)

Sightseeing Tour Operator, Indoor

Purpose: Allows for the provision of sightseeing tour offices as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Sightseeing tour offices include, but are not limited to, desert jeep tours, city/regional points of interest tours, specific activity tours, etc.



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Standards:

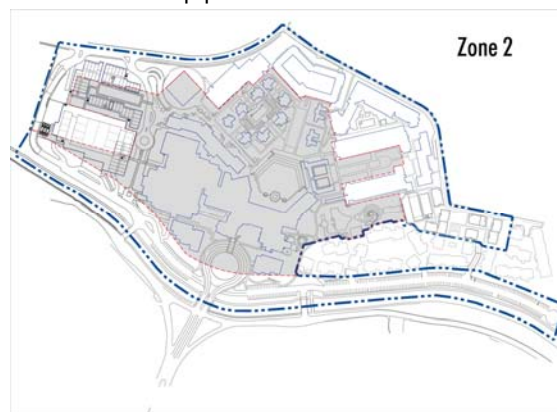
- Maximum Gross Floor Area: 1,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 6:00 a.m. to 8:00 p.m. (14 hours per day)
- No outdoor display

Special Events, Outdoor

Purpose: Allows public assembly and gatherings at the Resort as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Special events are those events held at the Resort including, but not limited to art fairs, culinary fairs, wine tasting, musical concerts, conventions, trade fairs, art showings, craft fairs, cocktail receptions, charity events, athletic events, catering events, weddings and other religious ceremonies, or other local/regional events. These standards regulate all Outdoor Special Events regardless, and separately from, any indoor components of the same or associated event.

Standards:

- Maximum Size of each outdoor special event area: 10,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 7:00 a.m. to 12:00 a.m. (17 hours per day)
- PUD Perimeter Setback: As permitted in the gray area of the diagram below, based on the legal description for Performance Standard Zones in Appendix F.



- Special events may only locate in the designated special event areas within the function open space area of the property.



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Parking management will be required as identified in Section 5.5.n. to maintain operational site ingress/egress.

- The maximum permissible amplified sound level (generated from an amplified sound system) shall not exceed 55 dBA at any established property line that defines the Arizona Biltmore Resort. This provision does not apply to amplified sound originated at any established and/or future pool area on the Resort property.

Enforcement:

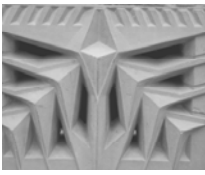
- Sound levels shall be measured at lot lines, at a height of at least four feet (5') above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Noise Standards Institute, ANSI SI.4-1961 "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale. Measurements shall be conducted in accordance with ANSI SI.2-1962 "American Standard Meter for the Physical Measurement of Sound".
- The hourly L_{eq} sound level (dBA) thresholds specified above shall not be exceeded for more than 30 minutes in any 12-hour period, except for temporary construction, maintenance work, emergency warning devices, or other special circumstances.

Tent, Outdoor

Purpose: Allows for a semi-permanent tent or tent-like structure to serve as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. A tent is defined as an opaque material covering over an internal metal frame, but does not exclude other similar materials or construction materials. All tent structures will provide protection from weather and are intended to function as outdoor spaces for events and activities. Large tents, when erected, shall meet all provisions of the Phoenix Fire Code. Large tents are only appropriate in limited areas, defined below. Large tents are a minimum of 5,000 square feet in size and feature cooling/heating equipment. The remainder of the Resort's open space areas are appropriate for smaller shades, function tents and similar temporary structures.

Standards:

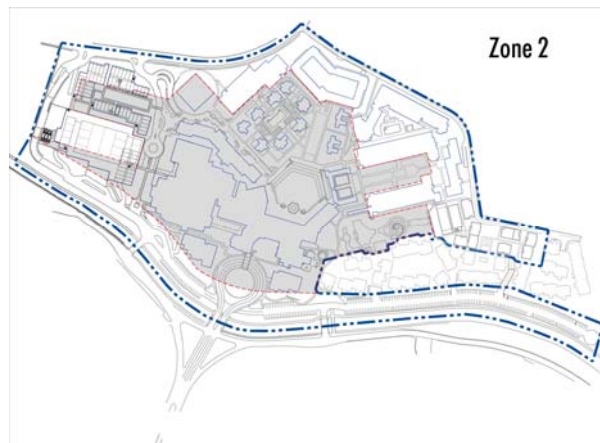
- Permitted locations for large tents: Squaw Peak Terrace, functional lawn between Valley and Paradise Wings, Godown



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Promenade (between Main Building and Conference/Ballroom, and functional lawn between North Addition and South Addition)

- Permitted locations for small tents: any open space within the PUD boundary.
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 7:00 a.m. to 1:00 a.m. (18 hours per day)
- No tent is to be erected south of the Main Lobby
- PUD Perimeter Setback: As permitted in the gray area of the diagram below, small tents are allowed as follows based on the legal description for Performance Standard Zones in Appendix F.

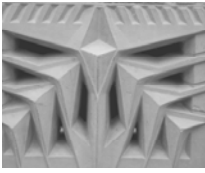


Enforcement:

- Large tents may only locate in the designated tent location areas within the function open space area of the property
- All tents will be immediately removed each day (or within 48 hours of the conclusion of the events, if conducted over multiple days)

Watch Repair Shop, Indoor

Purpose: Allows watch repair shop as a permitted use subject to standards within the Arizona Biltmore Resort & Spa PUD. Watch repair shop is defined as a location where time pieces may be repaired and restored, and also may include retail sales of new and/or vintage watches and/or clocks.



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Standards:

- Maximum Gross Floor Area: 1,000 square feet
- Maximum Days of Operation: 7 days per week
- Maximum Hours of Operation: 8:00 a.m. to 8:00 p.m. (12 hours per day)
- No outdoor display or sales

Wireless Communication Facility, Cell on Wheels

Purpose: Allows a portable self-contained cell site that can be moved to a location and set up to provide personal wireless service on a temporary or emergency basis.

Standards:

- Maximum days of operation: 60 days per calendar year.
- Must be located within an above grade parking structure and not located within thirty (30) feet of the perimeter of the parking structure.



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A. Development Standards & Design Guidelines

4. Historic Preservation

The Historic Preservation provisions of this PUD are intended to address the intended preservation of the significant historic resources on the Arizona Biltmore Resort property. The following regulations are established to promote the protection, preservation and restoration of resources within a defined Historic District Core.

a. Applicability

It is the intent of this PUD to apply the City of Phoenix Historic Preservation Overlay Zone, in accordance with provisions of the Phoenix Zoning Ordinance as established prior to January 1st, 2009, shall apply to the defined Historic District Core described by legal description within Appendix F.

b. Historic Preservation Overlay Zone

The Historic Preservation Overlay Zoning District as incorporated in form and by reference and incorporated within Appendix H shall apply to the defined Historic District Core. All provisions shall be administered in accordance with procedures defined by the provisions of Historic Preservation Overlay Zoning as incorporated within Appendix H.

c. Designation

It is the intent of this PUD to define and designate the Historic District Core of the Arizona Biltmore Resort property as a Landmark.

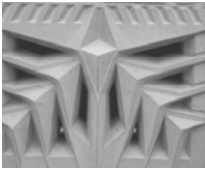
d. Preservation and Stay on Demolition

It is the intent of this PUD to define and establish additional historic preservation protection within the defined Historic District Core through a prohibition of demolition of any contributing building, structure, site or object for a twenty year period commencing with the adoption date of the PUD.

e. Spa South Cottage – Conditions of Demolition

It is the intent of this PUD to set conditions affiliated with any demolition of the Spa South Cottage as defined on Exhibit A-1 and as necessary to implement the development of the Spa South Wing as defined by the Arizona Biltmore Resort Master Plan.

1. The property owner of the Arizona Biltmore Resort will not request a demolition permit from the city of Phoenix and the city of Phoenix



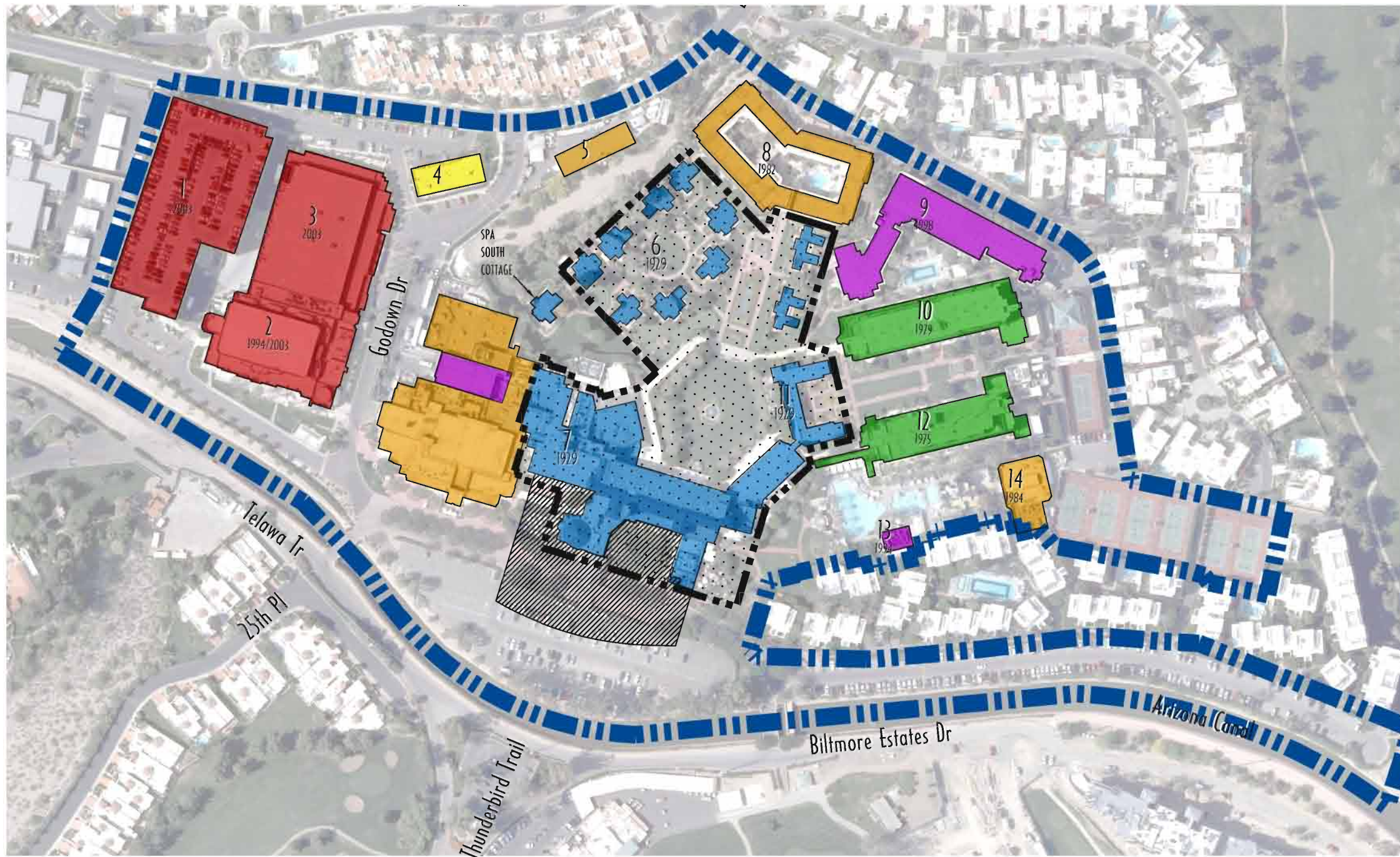
A. Development Standards & Design Guidelines

will not approve such a permit until the Development Services Department has authorized Final Site Plan Approval inclusive of the Spa South Wing and has obtained a building permit for the construction for the Spa Wing South building.

2. At least 180 days before demolition of the Spa South Cottage, the property owner of the Arizona Biltmore Resort will explore and provide the Historic Preservation Office with plans for all reasonable preservation options for relocation of the existing Spa South Cottage, including on-site, off-site and options for salvage of the materials in the Spa South Cottage. The Historic Preservation Office shall determine which option is technically and financially feasible and likely to preserve the Spa South Cottage or the materials. The property owner shall relocate the Spa South Cottage or salvage the materials pursuant to the option chosen by the Historic Preservation Office.
3. Prior to any demolition or relocation of the Spa South Cottage, the property owner of the Arizona Biltmore Resort will prepare documentation for the Cottage to meet Historic Preservation Office documentation standards.










f. No-Build Zone

A no-build zone is hereby established as depicted on Exhibit A-1 and as legally defined within Appendix F. The intent of the No-build Zone is to prohibit the erection of any Structure that would restrict visual access to the south elevation of the Historic Hotel. This provision shall not restrict vehicular circulation improvements, pedestrian circulation improvements, landscape improvements or water features within the no-build zone.

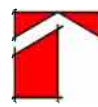


(See Appendix F for Legal Description)

Historic District Core

-  Historic Core Boundary
- Buildings**
- 1. Parking Structure
- 2. McArthur Ballroom
- 3. Frank Lloyd Wright Ballroom
- 4. Accounting Building⁽¹⁾
- 5. Maintenance
- 6. Cottages
- 7. Main Building
- 8. Terrace Court
- 9. Arizona Wing
- 10. Valley Wing
- 11. Garden Wing
- 12. Paradise Wing
- 13. Cabana Club Restaurant
- 14. Spa
- Year Built**
-  Built in the 1920's
-  Circa 1930's - 1940's⁽¹⁾
-  Built in the 1970's
-  Built in the 1980's
-  Built in the 1990's
-  Built in the 2000's
-  PUD Project Boundary
-  No-Build Zone

(1) Source: Akros Inc., April 2009 Building #4 was originally constructed in the hotel's complex period of significance. However the architectural integrity of the building has been seriously compromised by later changes. These include new exterior sheathing (stucco not block), windows, doors and exteriors features such as a new shed entry porch on the North facade. The culmination of these changes, given the percent of historic fabric that remains (hard to ascertain), is such that the existing building is considered an 1980s structure.
Source: Arizona Biltmore, 2008

North  Scale: Not to Scale  Figure A-1 

Revised: 5.12.09
Revised: 4.20.09
Revised: 4.2.09
Revised: 10.8.08
Revised: 7.3.08
Revised: 6.26.08
Date: 6.20.08

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A. Development Standards & Design Guidelines

5. Development Standards – Form Based Provisions

The inclusion of development standards within the Arizona Biltmore Resort & Spa PUD protects not only the existing property owners within the boundaries of the PUD, but also existing and future adjacent property owners within the Arizona Biltmore Estates Community. These standards also preserve the public health, safety and welfare. The standards identified herein pertain to lot, open space, height, and setbacks. They also promote an appropriate transition and compatibility among various uses and adjacent owner occupied residential uses to the north, south and east. In recognition of the Commercial land use designation and Resort overlay, as identified in the City of Phoenix General Plan, these standards support the continued use and enhanced compatibility of the Resort and its adjacent neighbors.

The Arizona Biltmore Resort & Spa is, and will continue to be, a vibrant hotel, spa and conference facility with world class service. The Planned Unit Development designation intends to bring the existing use in conformance with its underlying zoning. To that end, the following form based development provisions are defined, as necessary, to guide future revitalization, redevelopment and new development within the PUD Project Boundary through the provision of appropriate development standards that respond to both use and adjacent context.

a. Lot Coverage

The Arizona Biltmore Resort & Spa PUD shall not exceed fifty percent (50%) lot coverage within the entire PUD Project Boundary.

b. Lot Area

The Arizona Biltmore Resort & Spa PUD hereby specifically defines that there shall be no minimum lot area for property divided by a subdivision plat or by a lot split within the PUD Project Boundary, as defined by the PUD legal description (see Appendix A, Legal Description).

c. Open Space

The Arizona Biltmore Resort & Spa PUD shall maintain a minimum of thirty percent (30%) open space of the entire PUD area, and as demonstrated on a phase by phase basis, to continue the existing expansive feeling within the PUD Project Boundary.



A. Development Standards & Design Guidelines

d. Building Height

The Arizona Biltmore Resort & Spa Land Use Master Plan, as shown on **Figure 17, Land Use Master Plan** in Volume I of the Arizona Biltmore PUD (under separate cover), depicts the anticipated building massing, circulation network and open space configuration to achieve the near and long term improvement program as envisioned for the PUD property. The Land Use Master Plan is conceptual. This plan is not intended to establish precise building configurations but is designed to depict the distribution of planned development, design intent for vehicular access, circulation and parking and the distribution of open space. The Land Use Master Plan may change over time during the implementation life of this PUD in accordance with the the Development Review Process and applicability of any Amendment criterion and processes defined within Chapter B, Implementation Program of this document.

To accommodate the design flexibility necessary to effectively protect and enhance the Resort, and provide development predictability desired by the Biltmore Estates Community, the Arizona Biltmore Resort & Spa PUD will be enabled and regulated by building heights defined by **Figure A-3, Building Height Standards**. This illustration reflects the regulatory intent for building height within the defined, legally described polygons within the PUD Project Boundary. The following table summarizes the enabled/regulated building height, as identified by Areas A through G.

Table A.2
Building Height Standards

Area	Maximum Height (Stories)	Maximum Height (Feet)
A	NA	0'
B	1	14'
C	2	26'
D	3	39'
E	4	46'
F	5	56'
G	6	66'

Note: See the definition for Building Height within Appendix B: Definitions. See legally described polygon descriptions for each height zone (A through G) in Appendix C.

Source: Gensler and LVA Urban Design Studio, Inc., October 2008.



A. Development Standards & Design Guidelines

Building Height Exceptions:

1. Height limitation shall not apply to spires, elevator or stairway overruns, or equipment houses, chimneys, ventilation equipment, skylights, communications facilities, and similar features and necessary equipment appurtenances usually located above the roof line.
2. Height limitation shall not restrict the placement of screen walls to screen communication facilities and mechanical equipment above the building height limit. Such features may extend up above the defined building height limit for each polygon but must be in compliance with Building Design/Construction Design Guideline 1.3.2. Placement of communication facilities and/or mechanical equipment shall be set back a minimum of ten (10) feet from the perimeter building facades.
3. Footnote # 2 will apply throughout, except for the Spa Wing North Building, and any new building constructed south of the Historic District Core and north of the Arizona Canal where its mechanical equipment will be placed at ground level or below (with appropriate screening).



ARIZONA BILTMORE RESORT & SPA

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A. Development Standards & Design Guidelines

e. Building Setbacks

A range of minimum building setbacks have been identified. These setbacks range from zero (0) to twenty-five (25) feet as measured from the established property lines for each of the defined setback segments as identified on **Figure A-2, Building Setbacks** and **Table A.3, Building Setbacks and Height Standards**. The identified setbacks shall be provided for any building constructed regardless of any definition of yard in accordance with typical yard definition practices.

All new buildings constructed adjacent to the Arizona Canal and/or the Arizona Canal Diversion Channel right-of-way shall maintain a minimum distance of zero (0) feet from any established right-of-way line defining these public, open uses.

All other building setbacks from established property lines and required separation between building on the property must comply with applicable International Building Codes (IBC) as amended and applicable at the time when a building permit or accessway is requested or as modified by **Table A.3**. The most restrictive standards shall apply.

**Table A.3,
Building Setbacks and Height Standards**

Setback Perimeter Segment #	Minimum Building Setback	Landscape Buffer Standard
1	25'	none
2	25'	Package A
3	25'	Package A
4	15'	Package B
5	5'	Package B
6	0'	None
7	0'	None
8	0'	None
9	15'	Package C
10	25'	Package D
11	25'	Package D

Source: LVA Urban Design Studio, LLC; October 2008

Note: Refer to Section A.4.e.7 for the defined buffer standard landscape packages A-D.

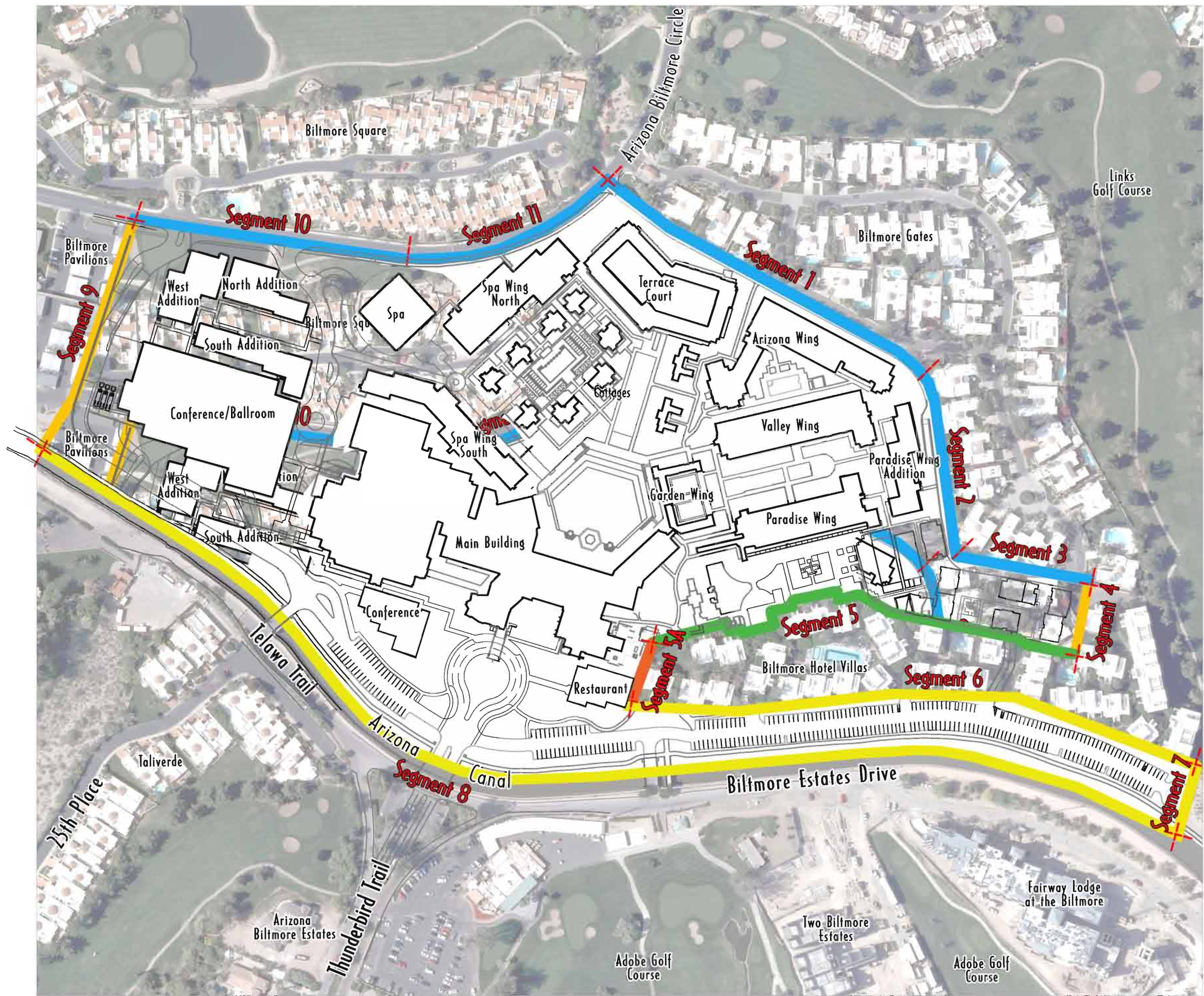


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Building Setbacks

- 0' From Established Center Line of Canal Right-of-Way Line
- 5' From Property Line
- 10' From Property Line
- 15' From Property Line
- Planned Unit
- Setback Perimeter Segment (number noted)
*or an established right-of-way line



Source: LVA Urban Design Studio

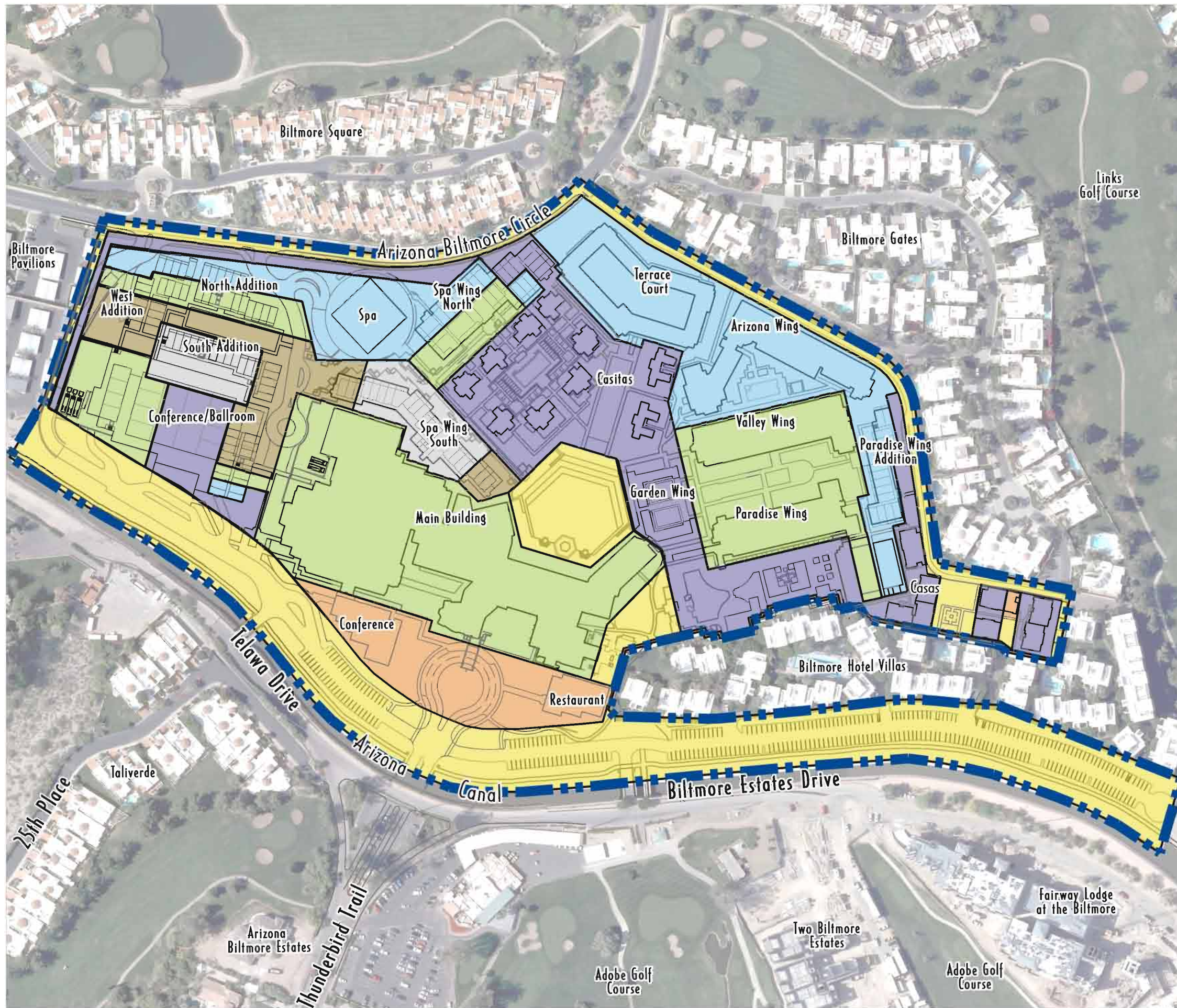
Revised: 6.15.09
 Revised: 6.04.09
 Revised: 2.23.09
 Revised: 2.9.09
 Revised: 11.5.08
 Revised: 7.3.08
 Revised: 6.26.08
 Date: 6.20.08
 Project #: 0811

North

Scale: Not to Scale

Figure A-2

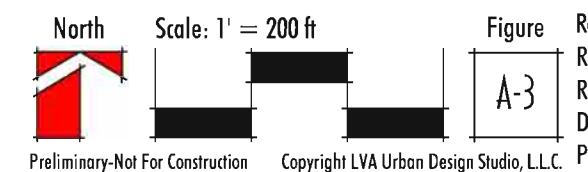
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Building Height Standards

Height Limit Area	Maximum Height (Stories)	Maximum Height (feet)
A	NA	0/open
B	1	14'
C	2	26'
D	3	39'
E	4	46'
F	5	56'
G	6	66'

See Appendix C: Legal Descriptions/Height Zones



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Revised: 7.09.09
 Revised: 6.15.09
 Revised: 6.04.09
 Revised: 2.23.09
 Revised: 2.9.09
 Revised: 11.5.08
 Revised: 7.3.08
 Revised: 6.26.08
 Date: 6.20.08
 Project #: 0811



A. Development Standards & Design Guidelines

6. Landscape Improvement Standards

The Landscape Improvement Standards section is intended to define the landscape related improvements and amenities to be designed and constructed within the Arizona Biltmore Resort & Spa PUD. This section set the landscape development standards and is presented in the following four subsections:






- On-Site Landscape Areas
- Water Intensive Landscaping
- At-Grade Parking Lot Landscaping
- Landscape Design Standards and Requirements

a. On-Site Landscape Areas

The provision of significant outdoor leisure activities is normally associated with a high-end resort, and especially one located within the Sonoran Desert. Every effort shall be taken to preserve as much open space as possible. The amount of landscape areas, including lawns, shall not be less than ten percent (10%) of the overall site. As the Land Use Master Plan is incrementally implemented over time, all non-paved areas are to be fully landscaped with plant materials selected from the Landscape Master Plan plant palette. The Resort has been divided into 5 landscape zones to identify sub areas of the property that exhibit unique characteristics based on similar existing and/or future facilities and activities. Several key theme species and materials will be used in every zone to provide a sense of continuity within the entire property. Special attention will be given to the property's perimeter to ensure appropriate screening of undesirable views. Coordination efforts shall be made with neighboring property owners to understand their issues and then strive to resolve them in a mutually beneficial manner.

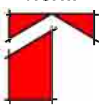
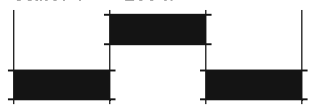
As shown on the **Figure A-4, Landscape Zones Master Plan**, the Resort has been divided into five individual landscape zones, each with a unique combination of trees, shrubs and groundcover to provide a variety of garden experiences appropriate to the activities that take place in them. Each zone is intended to have an individual character that instills the guests with a spirit of discovery as they wander through the garden "rooms" and experience the plantings through multiple senses – through the visual, fragrant, and tactile qualities of the plantings as shown on

Landscape Zones Master Plan


-  Landscape Zone 1
-  Landscape Zone 2
-  Landscape Zone 3
-  Landscape Zone 4
-  Landscape Zone 5



Revised: 7.09.09
 Revised: 2.23.09
 Revised: 2.9.09
 Revised: 10.8.08
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North  Scale: 1" = 200 ft  Figure A-4

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A. Development Standards & Design Guidelines

Table A.4, Landscape Zones Plant Palette provided within Section 6.d below.

b. Water Intensive Landscaping

The historic character of the Resort requires the use of many species that contributed to its verdant setting, but now do not meet low water use requirements within the Phoenix Active Management Area (AMA). New plantings utilizing high water use plants (those plant materials not listed in the Arizona Department of Water Resources (ADWR) approved plant list) shall not be installed except to replace unhealthy specimens or revitalize existing landscape areas to match their surrounding vegetative context. Where new landscape plantings are to be installed, no more than 25% of the plant materials shall be comprised of high to medium water-use materials. These materials shall be used in transition areas to provide continuity between the existing historical landscape and new/revitalized landscape areas. This requirement shall be waived if 100% of the landscape irrigation water supply is provided by reclaimed sources.

c. At-Grade Parking Island Landscaping

On-site at-grade parking areas shall contain at least one (1) landscaped island (protected by raised curbing), at a placement frequency of one (1) island per twelve (12) parking spaces. Each island shall measure not less than one hundred fifty (150) square feet in area and exhibit a minimum width of eight (8) feet measured from inside back of curb to inside back of curb. Each landscape island shall contain one (1) tree. All shrubs and groundcover located within each landscaped island shall be maintained to a maximum height of three (3) feet. Each tree within each landscape island shall maintain a minimum clearance of seven (7) feet from its lowest branch to the island finished grade elevation. The total area within each landscaped island will contribute, to the extent provided, to the on-site landscape area requirements.

d. Landscape Design Standards and Requirements

The following landscape standards are established for the Arizona Biltmore Resort.



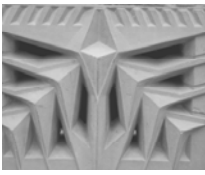
A. Development Standards & Design Guidelines

1. Landscape Zones and Plant Palette

Table A.4, Landscape Zones Plant Palette, sets the trees and plants which are approved for use within the PUD area. Adjustments to Table A.4 may only be proposed through the Minor Amendment Process as defined in Section B.4.

Table A.4, Landscape Zones Plant Palette

LANDSCAPE ZONES - TREES							
Botanical Name:	Common Name:	LZ1	LZ2	LZ3	LZ4	LZ5	ADWR
Acacia aneura	Mulga	•		•	•	•	•
Acacia farnesiana	Sweet Acacia	•					•
Acacia salicina	Weeping Acacia	•				•	•
Acacia saligna	Blue Leaf Wattle	•		•	•	•	•
Acacia stenophylla	Shoestring Acacia	•			•	•	•
Bauhinia spp.	Orchid Tree		•	•	•	•	•
Brachychiton populneus	Bottle Tree	•			•	•	•
Callistemon rigidus	Bottlebrush Tree	•	•	•	•		•
Callistemon viminalis	Weeping Bottlebrush	•	•	•	•		•
Ceratonia siliqua	Carob		•	•	•		•
Cercidium spp. 'Desert Museum'	Desert Museum Palo Verde	•	•	•	•	•	•
Cercidium floridum	Blue Palo Verde	•	•	•		•	•
Cercidium praecox	Palo Brea	•	•	•		•	•
Chamaerops humilis	Mediterranean Fan Palm			•	•	•	•
Chilopsis linearis Burgundy	Desert Willow	•				•	•
Chitalpa t. 'Morning cloud'	Chitalpa		•	•	•	•	•
Citrus Orange	Orange Tree	•	•	•	•	•	
Citrus sinensis	Citrus Tree	•	•	•	•	•	
Cupressus sempervirens	Mediterranean Cypress		•	•	•	•	•
Dalbergia Sissoo	Sissoo Tree	•	•	•	•	•	•
Eucalyptus citriodora	Lemon-Scented Gum	•			•	•	•
Ficus microcarpa	Chinese Banyan	•	•	•	•	•	
Fraxinus spp.	Ash	•		•	•		
Geijera parviflora	Australian Willow		•	•	•	•	•
Gleditsia triacanthos	Honey Locust			•		•	•
Grevillea robusta	Silky-Oak		•		•		
Jacaranda mimosifolia	Blue Jacaranda		•	•	•	•	
Lagerstroemia indica	Crape Myrtle		•	•	•		
Olea europaea 'Swan Hill'	Fruitless Olive	•	•	•	•	•	•
Olneya tesota	Desert Ironwood	•	•	•			•
Phoenix Dactylifera	Date Palm	•	•	•	•	•	•
Pinus canariensis	Canary Island Pine	•		•	•	•	•
Pinus eldarica	Mondell Pine	•		•	•	•	•
Pinus halepensis	Aleppo Pine			•	•		•
Podocarpus gracilior	Fern Pine		•	•	•	•	
Prosopis chilensis	Chilean Mesquite	•					•
Prosopis glandulosa	Honey Mesquite	•					•



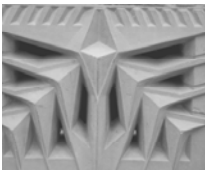
A. Development Standards & Design Guidelines

Prosopis velutina	Native Mesquite	•						•
Prunus cerasifera	Purple Leaf Plum		•	•	•	•	•	
Pyrus kawakami	Evergreen Pear		•	•	•			
Quercus emoryi	Emory Oak				•			•
Quercus virginiana 'Heritage'	Heritage Live Oak	•	•	•	•	•	•	•
Robinia 'Purple Robe'	Purple Robe Locust	•		•	•	•		
Schinus molle	California Pepper Tree		•	•	•			•
Schinus terebinthifolius	Brazilian Pepper Tree		•	•	•			•
Sophora secundiflora	Texas Mountain Laurel		•	•	•	•	•	•
Trachycarpus fortunei	Chinese Windmill Palm		•	•	•	•		
Ulmus parvifolia	Chinese Elm	•	•	•	•	•	•	•
Vitex angus	Chastetree		•	•	•			•
Washingtonia spp.	Fan Palm	•						•
LANDSCAPE ZONES – SHRUBS								
Botanical Name:	Common Name:	LZ1	LZ2	LZ3	LZ4	LZ5	ADWR	
Agastache aurantiaca	Orange Hummingbird Mint							
Asparagus densiflorus sprengeri	Asparagus Fern		•	•	•	•	•	•
Bambusa spp.	Bamboo						•	
Bougainvillea spp.	Bougainvillea	•	•	•	•	•	•	•
Buxus spp.	Boxwood	•	•	•	•	•		
Buddleia marrubifolia	Woolly Butterfly Bush	•						•
Caesalpinia pulcherrima	Red Bird of Paradise	•			•	•		•
Calliandra eriophylla	Fairy Duster	•						•
Camelia japonica	Japanese Camellia		•	•	•			
Carissa grandiflora	Natal Plum	•	•	•	•	•		
Cassia artemisiodes	Feathery Cassia	•					•	•
Cassia nemophila	Green Feathery Cassia	•					•	•
Chrysactinia mexicana	Damianita	•		•	•	•	•	•
Cycas revoluta	Sago Palm		•	•	•	•		•
Cyperus alternifolius	Umbrella Plant			•	•			
Dalea f. 'Sierra Negra'	Black Prairie Clover	•			•	•		•
Dietes bicolor	Fortnight Lily		•					
Echinacea purpurea	Purple Coneflower	•		•	•			
Elaeocarpus decipiens	Japanese Blueberry Tree		•	•	•	•		
Eremophila 'Valentine'	Emu Bush	•		•	•			•
Euphorbia antisiphilitica	Candelilla			•	•			•
Euphorbia rigida	Gopher Plant	•		•	•	•		•
Euryops p. 'Viridis'	Green Euryops Daisy	•						
Feijoa sellowana	Pineapple Guava		•	•	•	•		•
Guara lindheimeri	Desert Orchid	•						•
Hibiscus rosa sinensis	Chinese Hibiscus		•	•	•	•		
Juniperus x pfitzeriana 'Sea Green'	Juniper-Sea Green		•	•	•			
Justicia spicigera	Mexican Honeysuckle	•		•	•	•		•
Lavandula 'Goodwin Creek Grey'	Goodwin Creek Gray Lavender		•	•	•	•		
Lavandula x intermedia 'Provence'	Provence French Lavender		•	•	•	•		
Leucophyllum frutescens	Texas Ranger	•	•	•	•	•		•

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Ligustrum vulgare	Common Privet	•	•	•	•	•	
Lirope spp.	Lily		•	•	•	•	
Muhlenbergia spp.	Deer Grass	•	•	•	•	•	•
Myrtus spp.	Myrtle		•	•	•	•	•
Nandina domestica	Heavenly Bamboo		•	•	•		•
Nerium oleander 'Petite Pink'	Petite Pink Oleander	•	•	•	•	•	•
Pedilanthus macrocarpus	Lady's slipper			•	•	•	
Photinia x fraseri	Japanese Photinia		•	•	•		
Pittosporum crassifolium 'Compactum'	Dwarf Karo		•	•	•		
Pittosporum tobira	Japanese Pittosporum		•	•	•	•	
Plumbago auriculata	Cape Plumbago			•	•	•	•
Phormium tenax autopurpureum	Red Flax		•	•	•	•	
Pyracantha spp.	Pyracantha		•		•		•
Rhaphiolepis indica	Indian Hawthorne		•	•	•		
Rosa spp.	Rose		•	•		•	
Rosmarinus o. 'Tuscan Blue'	Tuscan Blue Rosemary	•	•	•	•	•	•
Salvia chamaedryoides	Mexican Blue Sage	•					•
Sansiviera spp.	Sansiviera		•	•	•	•	
Simmondsia chinensis	Jjoba	•	•	•	•	•	•
Ruellia peninsularis	Desert Ruellia	•	•	•	•	•	•
Ruellia brittoniana	Barrio Ruellia	•	•	•	•	•	•
Ruellia brittoniana 'Katie'	Katie Ruellia			•	•	•	•
Salvia greggii	Autumn Sage	•				•	•
Salvia leucantha	Mexican Bush Sage	•					•
Stachys bonariensis	Lambs-Ears			•	•	•	
Syringa persica	Persian Lilac			•	•	•	
Tecoma stans	Yellow Bells	•		•	•		•
Xylosma congestum	Xylosma		•	•	•	•	•
Zephyranthes spp.	Rain Lily			•	•		•
LANDSCAPE ZONES – GROUNDCOVER / VINES							
Botanical Name:	Common Name:	LZ1	LZ2	LZ3	LZ4	LZ5	ADWR
Acacia r. 'Desert Carpet'	Prostrate Acacia	•				•	•
Ficus pumila	Creeping Fig	•	•	•	•	•	
Lantana spp.	Lantana	•	•	•	•	•	•
Lonicera japonica 'Halliana'	Hall's Honeysuckle		•	•	•	•	
Macfadyeni unguis 'cati'	Cat's Claw Vine	•		•	•	•	•
Myoporum spp.	Myoporum	•	•	•	•		•
Pelargonium varieties	Geraniums	•	•	•	•	•	
Rosmarinus o. 'Creeping'	Creeping Rosemary		•	•	•	•	•
Rosmarinus o. 'Prostratus'	Trailing Rosemary	•	•	•	•	•	•
Trachelospermum asiaticum	Asiatic Jasmine			•	•	•	
Trachelospermum jasminoides	Star Jasmine			•	•	•	
Tradescantia zebrina	Wandering Jew		•	•	•		
Wedelia trilobata	Yellow Dot	•	•	•	•	•	•
LANDSCAPE ZONES – ACCENTS / CACTI							
Botanical Name:	Common Name:	LZ1	LZ2	LZ3	LZ4	LZ5	ADWR
Agave spp.	Agave	•	•	•	•	•	•
Aloe spp.	Aloe Vera			•	•		•

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Asclepius subulata	Desert Milkweed	•		•			•
Carnegieia gigantea	Saguaro Cactus	•		•			•
Cereus	Night-Blooming Cereus	•					•
Dasyliion wheeleri	Desert Spoon	•	•			•	•
Echinocactus grusonii	Golden Barrel			•			•
Hesperaole parviflora	Red Yucca	•		•	•	•	•
Yucca spp.	Yucca	•	•	•	•	•	•

Note: Other specimen type cacti not included within this list may be used in select areas on the Resort property on a limited basis.

2. Minimum Sizes for Trees, Shrubs and Groundcover

Unless otherwise specified, all canopy trees, pines and flowering accent trees shall be a minimum of 1.5" caliper with height and spread to meet or exceed the standards of the Arizona Nursery Association (ANA) for the boxed material supplied. A minimum of twenty-five percent (25%) of the boxed trees supplied shall be 2.5" caliper or larger. Date Palms shall be twenty (20) feet clear trunk height minimum, measured to the top of the pineapple. Other palms, except dwarf or boxed specimen palms, shall be sixteen (16) feet minimum clear trunk height, as measured from the base of the lowest frond.

Shrubs shall be a minimum of five (5) gallon in size with thirty percent (30%) of the material supplied to be fifteen (15) gallon or larger. All groundcover materials shall be a minimum of one (1) gallon in size unless they are fast growing varieties, as set forth in the Western Garden Book, latest edition. Fast growing varieties of groundcovers may be provided in flats.

3. Plant Spacing and Installation Standards

All trees and palms shall be installed in such a manner that branching and required staking or guy wires do not present a hazard to pedestrian traffic through the open spaces of the Resort. Guy wires and stakes shall be marked with high visibility paint or flags. Tree and shrub plantings shall meet or exceed the standard planting details set forth in the City of Phoenix Landscape Standards and best management practices.

Shrubs shall be spaced a minimum distance of one-third (1/3) to one-half (1/2) the fully mature size of the material when used in mass plantings utilizing triangular spacing. Goundcover shall be spaced a minimum of eighteen (18) inch triangular for spreading materials and a minimum of twelve (12) inch for



A. Development Standards & Design Guidelines

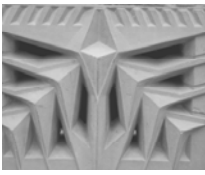
clumping or slowly spreading materials. The standards for shrub and groundcover heights and spreads set forth in the Western Garden Book, Latest Edition shall govern.

4. Natural Topping in Landscape Areas

All landscape areas planted in trees, shrubs and groundcover shall receive a two (2) inch minimum thickness of decomposed granite topping material (matching the adjacent topping in type, size and color) to provide dust and weed control, and improve water conservation. In appropriate areas (color beds, etc.), or existing planting beds on the Resort property where already being used, decomposed bark mulch shall also be acceptable as a top mulch at a minimum depth of two (2) inches and maximum depth of four (4) inches. A pre emergent herbicide shall be applied to the ground according to the manufacturer's directions prior to the placement of the topping material. The specification of the decomposed granite shall be Desert Tan at a size of one-half inch minus (1/2" -), or as selected by the Owner's Representative for the first phase of improvements. All subsequent phases of improvements shall match the initial type, size and color selection for design continuity throughout the Resort.

5. Irrigation Standards

All landscape areas shall be served by an automatic irrigation system that may be a drip, spray, bubbler or micro-spray type, with preference given to water conserving drip and/or micro-spray systems for all shrub and some groundcover plantings. Spray systems shall be limited to lawns and groundcover areas where the use of drip systems is not practical. Spray systems shall be designed, constructed and maintained to prevent overspray of water on paved, shrub and unplanted areas to promote water conservation, prevent nuisance water on pavement areas and weed growth in unplanted areas. The system shall be zoned for the specific water use requirements of palms, trees, and shrubs/groundcover. All tree, shrub, groundcover and turf zones shall be controlled separately. An automatic weather monitor shall be installed and managed to adjust the system for optimum seasonal performance.



A. Development Standards & Design Guidelines

A reduced pressure backflow preventer shall be installed on the outflow side of the water connection and shall be maintained in peak operating condition. All equipment shall meet the minimum requirements set forth in the City of Phoenix Landscape Standards and best management practices.

6. Sight-Line Visibility on Vehicular Paths of Travel

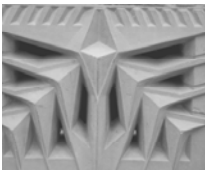
All landscape and hardscape materials installed near intersections of private roadways, accessways, driveways or public rights-of-way shall be installed and maintained in compliance with City of Phoenix sight visibility requirements set forth in the *Vehicle and Traffic* Chapter of the Phoenix City Code.

7. Screening of Undesirable Views

All outdoor back-of-house service or storage areas shall be screened from view of neighboring properties and from the view of internal Resort guest areas. Service areas, where there is a high level of service activity, such as loading and unloading of trucks, trash dumpster storage, and service bays shall be shielded from view by screen walls with automatic gates appropriately designed to blend with the architectural style of adjacent buildings. Screen walls shall be a minimum height of eight (8) feet. The external side of screen walls shall be planted with shrubs and vines that exhibit the appropriate vegetative characteristics to improve the visual impact of a blank wall. Other low use service areas shall be screened from view by a combination of evergreen shrubs and trees.

8. Buffering for Adjacent Residential Neighborhoods

In an effort to preserve the privacy of existing neighborhoods to the north and east of the Arizona Biltmore Resort & Spa PUD, sight line studies will be utilized to assist in identifying potentially objectionable views from/to adjacent residential lots within the Biltmore Square and Biltmore Gates neighborhoods and appropriate measures to mitigate them. These measures could include, but not be limited to, earth berming, appropriate varieties of trees and/or shrubs, masonry/wrought iron screen wall augmentation/treatments, to the extent practical and feasible. Screen walls shall be limited to heights that resolve sight line issues and shall generally not exceed eight (8) feet in



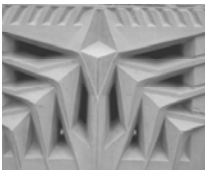
A. Development Standards & Design Guidelines

height, but can be extended to twelve (12) feet in height where supported by an adjoining / adjacent homeowner as expressed in writing to the Resort Owner/Manager.

In an effort to augment buffering for the adjacent Biltmore Gates neighborhood, the existing landscape corridor located along portions of the east side of the existing private accessway will be maintained and enhanced where necessary. This landscape corridor will be extended for the entire length of the eastern side of the PUD property boundary to its eastern terminus (at the common boundary of the Biltmore Gates and the Biltmore Villas). The landscape corridor will range from three (3) to six (6) feet in width, measured from the face of the existing masonry perimeter wall. Where trees are desired to enhance buffering, the corridor will range in width from five (5) to six (6) feet. The landscape corridor will only be interrupted for areas that must remain paved for emergency access or any other City Code or health and safety requirements.

Buffering options for the Biltmore Square neighborhood will include three rows of trees with a staggered placement to ensure an effective screen. The exhibits included herein, indicate two options, both including (1) row of a canopy type non-deciduous species (i.e. Ficus, Eucalyptus, Eldarica/Aleppo Pine, Sissoo or similar) and two rows of palm trees. This screen will be located north of the Spa and Spa North buildings in planting zones created within the Private Accessway (Arizona Biltmore Circle), on the Resort's property or a combination of both. Final placement and location of these trees will be determined by approval of the ABEVA Board of Directors. The trees selected, shall conform to specific size requirements in order to meet the screening objectives. The canopy trees shall be a minimum of 20' in height with a minimum 8" caliper, and the palms at 20' in height to the top of the pineapple. In the event that the canopy tree dies due to disease or weather related causes, the Resort will replace the tree within 30 days with replacement trees meeting the original height and caliper dimensions described above.

Table A.3, Building Setbacks, and Height Standards provides reference to buffer standards as appropriate to promote the



A. Development Standards & Design Guidelines

development of edge treatments between the Arizona Biltmore Resort property and the adjacent Biltmore Squares, Biltmore gates and Biltmore Villas neighborhoods. This Table proposes the implementation of four distinct Landscape buffer packages (A-D). The Landscape Buffer Packages are intended to promote appropriate buffers and transitions. Landscape improvements shall be made in accordance with the defined packages when a development phase is proposed for construction adjacent to the defined segment. The four Landscape Buffer Packages are defined as follows:

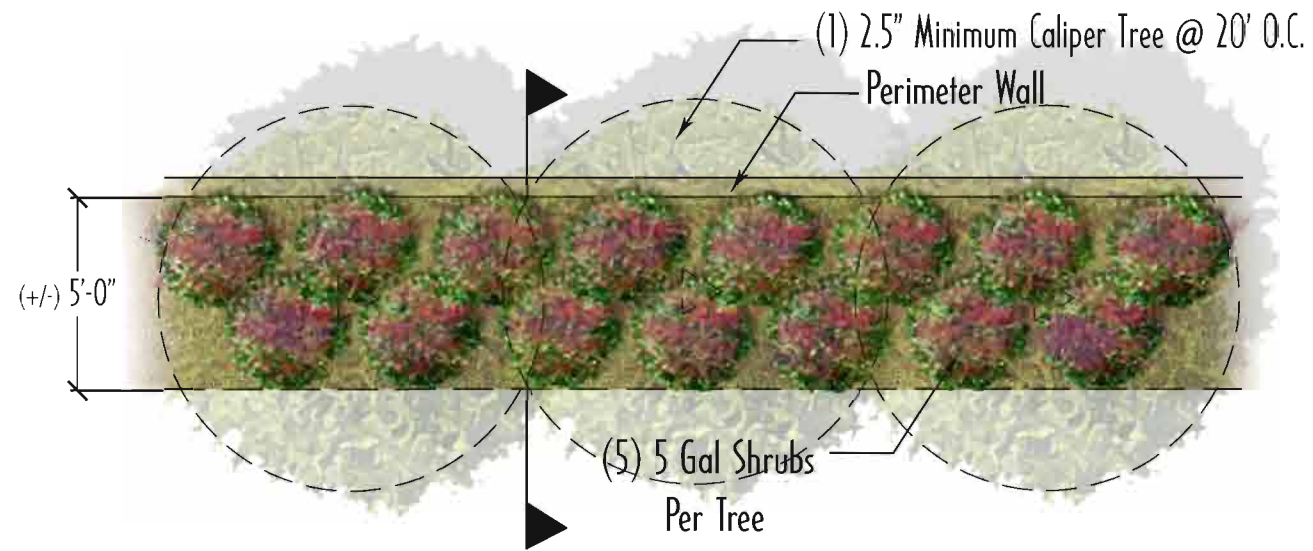


ARIZONA BILTMORE RESORT & SPA

Planned Unit Development

Volume II: *Development Standards & Design Guidelines & Implementation*

Package A



Option 1 Plan



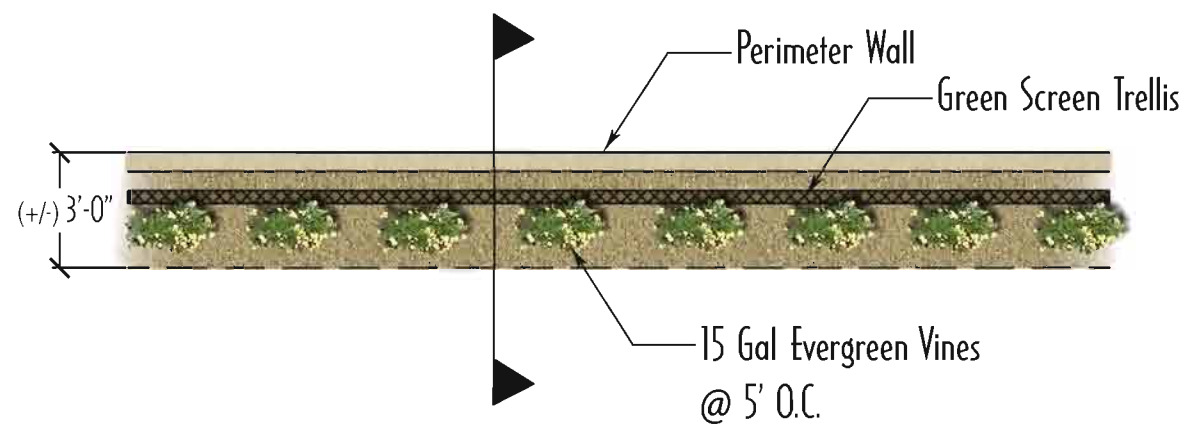
Option 1 Section

Option 1

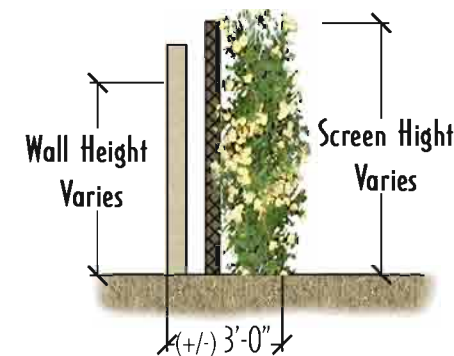
- (+/-) 5' Landscape area outside firelane
- (1) 2.5" Minimum Caliper Tree @ 20' O.C.
- (5) 5 gallon shrubs per tree

Option 2

- *Option in constrained areas (3' landscape area min.)
- Green screen panel up to 14' in height with 15 gallon evergreen vines @ 5' on center



Option 2 Plan



Option 2 Section



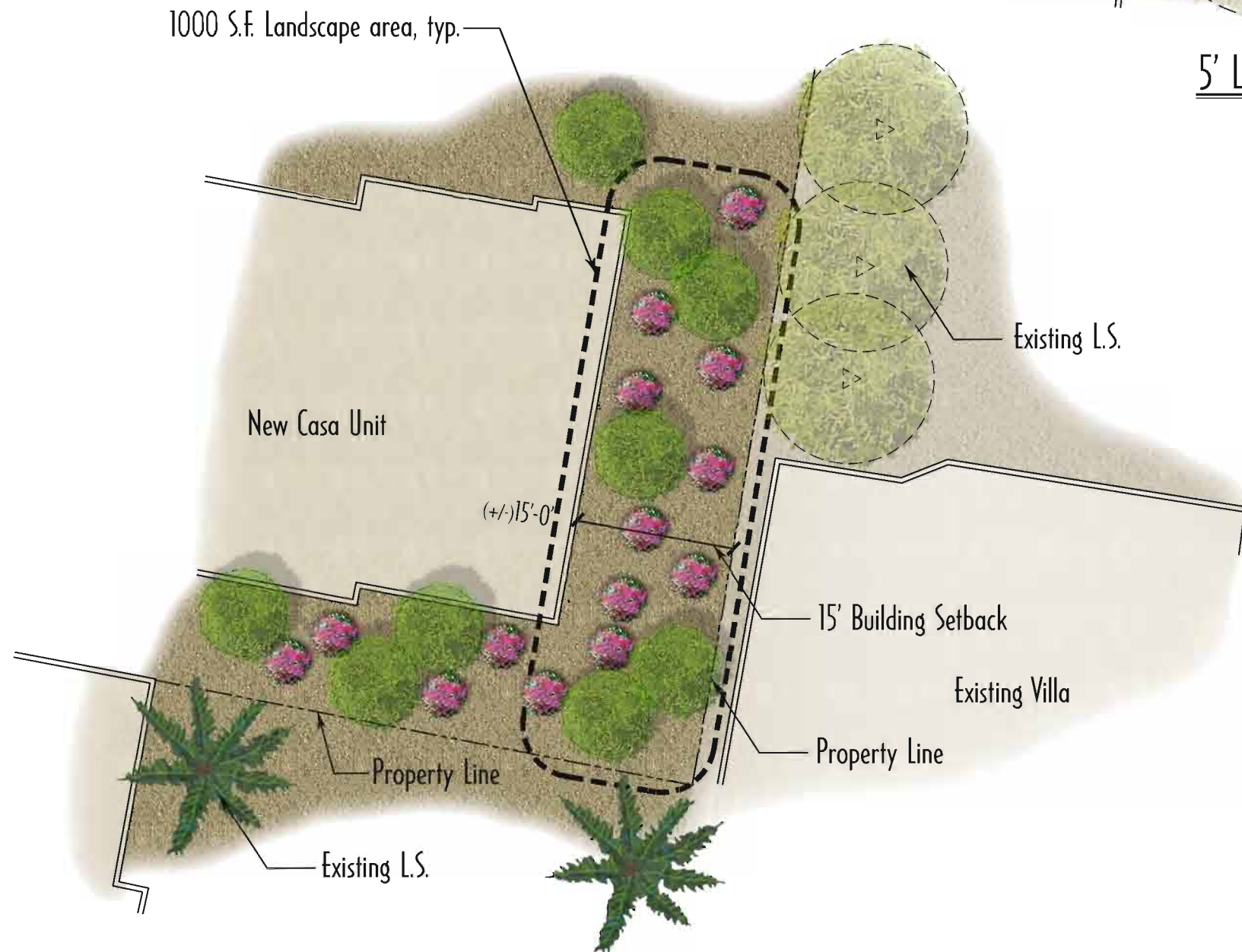
5' Landscape setback area min.

(+/-) 5' or 15' Landscape setback area between building and property line.

- (5) 15 gallon plants/1,000 square feet of building setback area
- (10) 5 gallon shrubs/1,000 square feet of building setback area

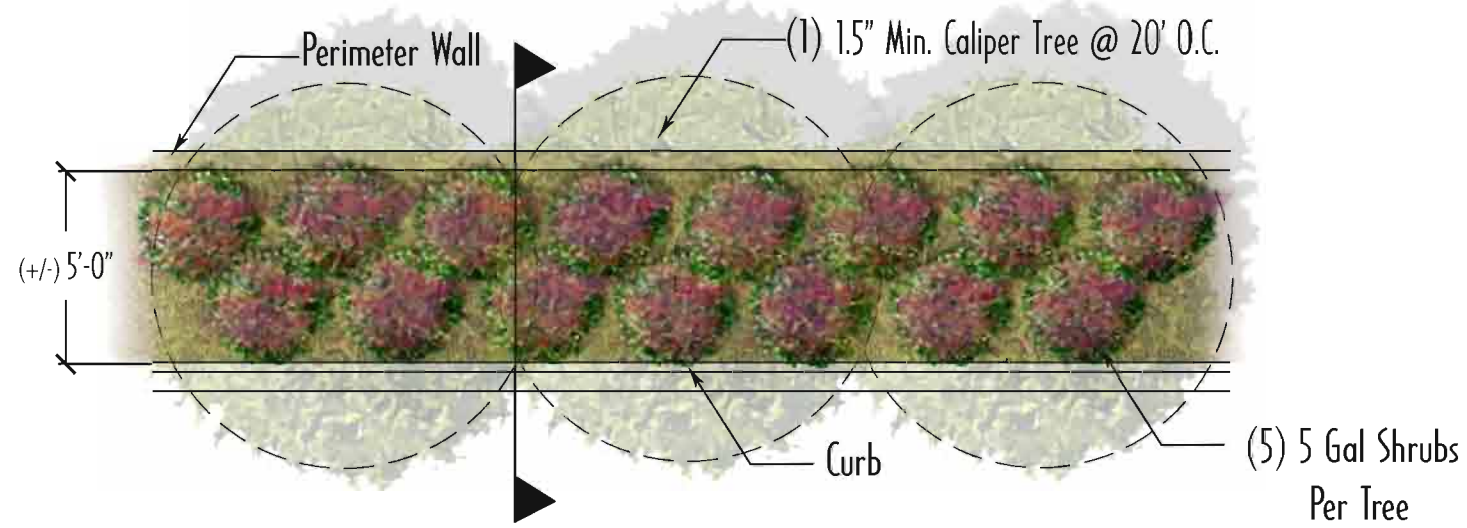
Note:

15' Building setback area is designated for only segment "4"

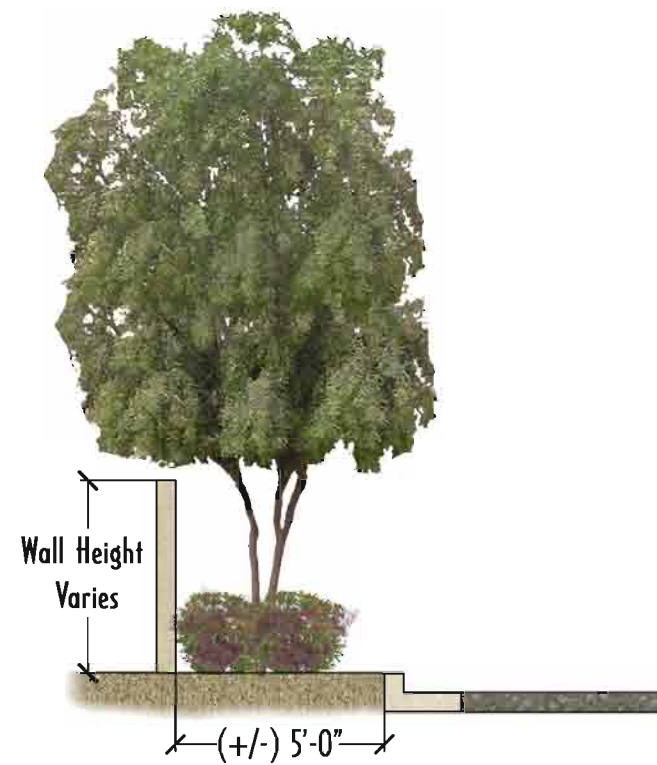


15' Landscape setback area

Package C

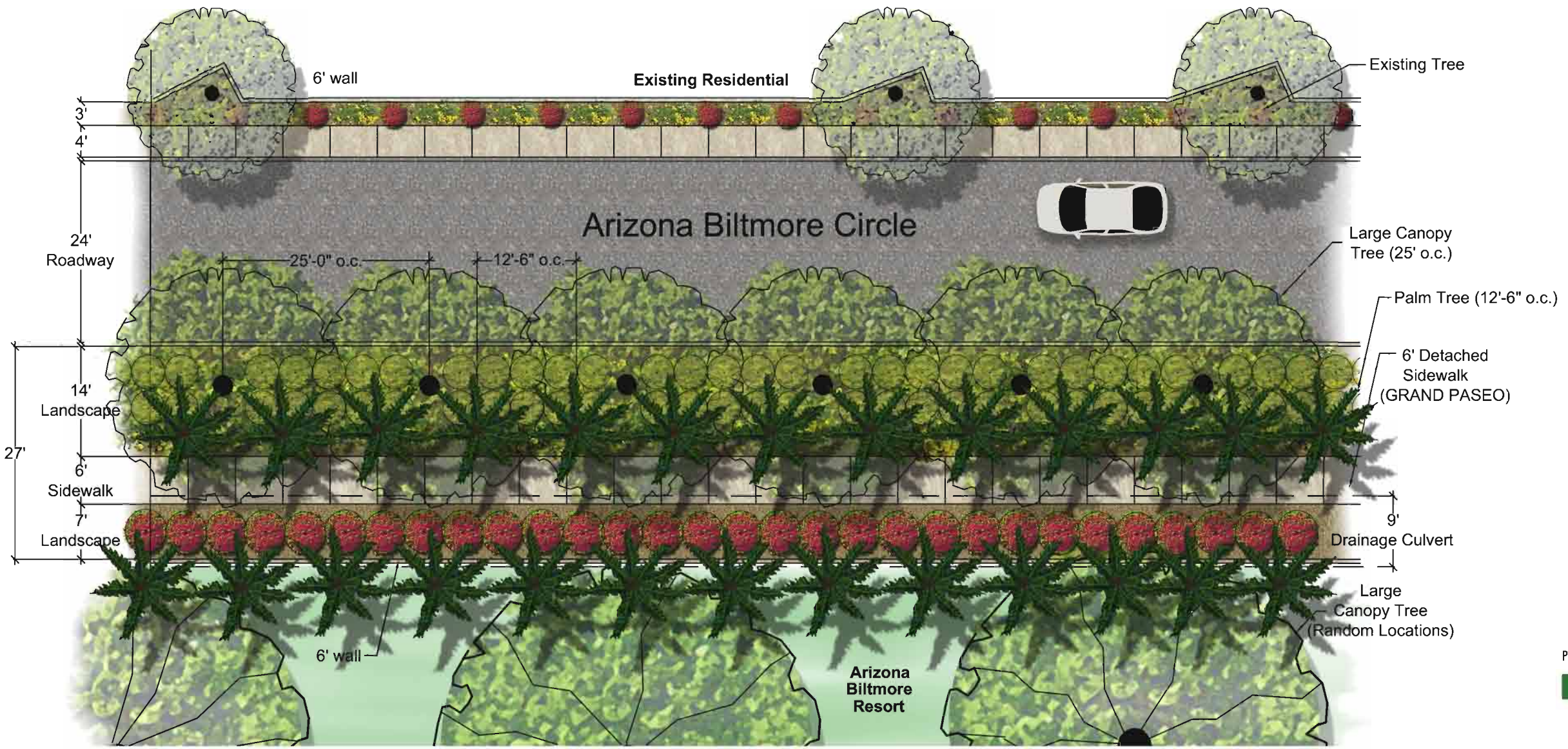
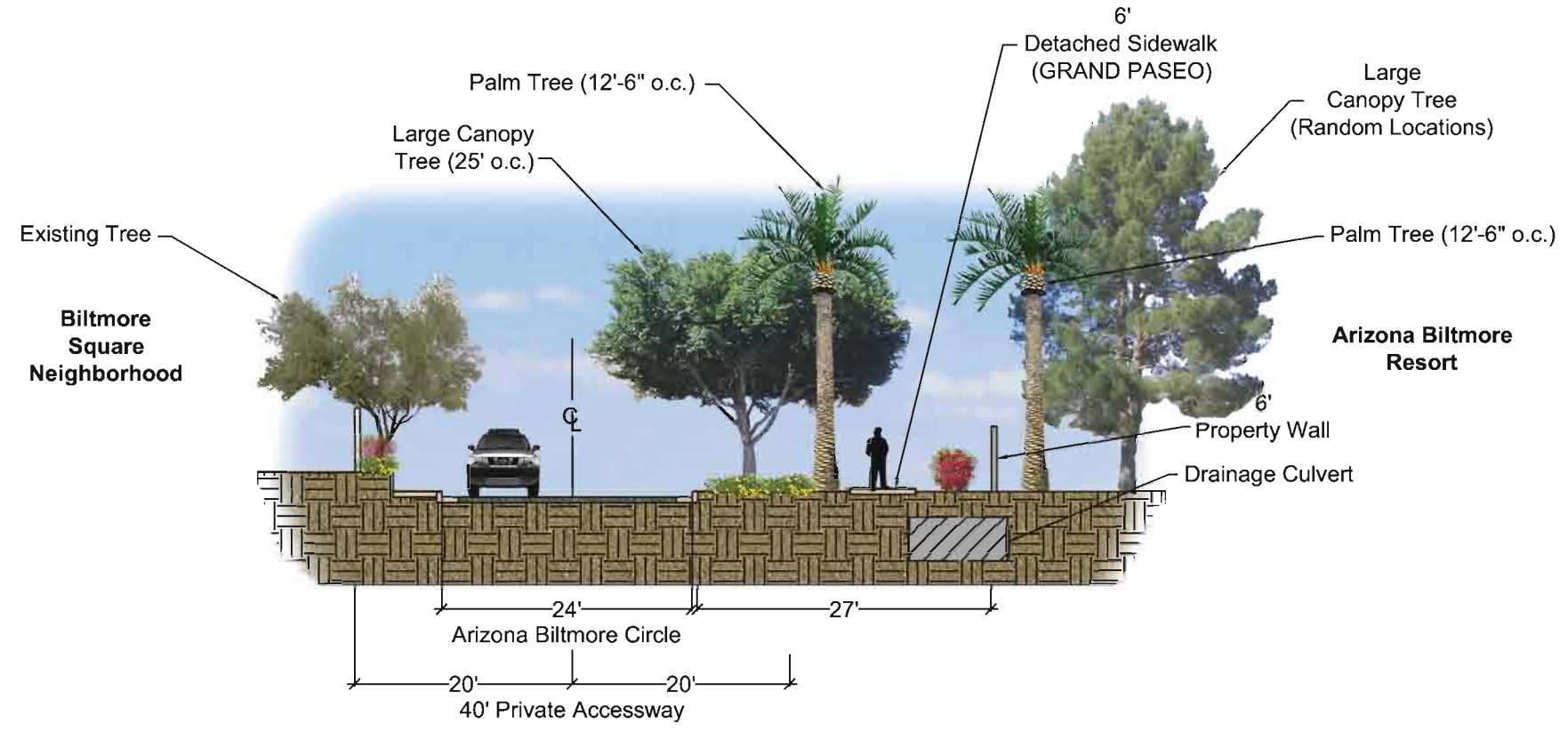


Plan



Section

- (+/-) 5' Landscape area between curb and perimeter wall
- (1) 1.5" Min. Caliper Tree @ 20' O.C.
- (5) 5 gallon shrubs per tree



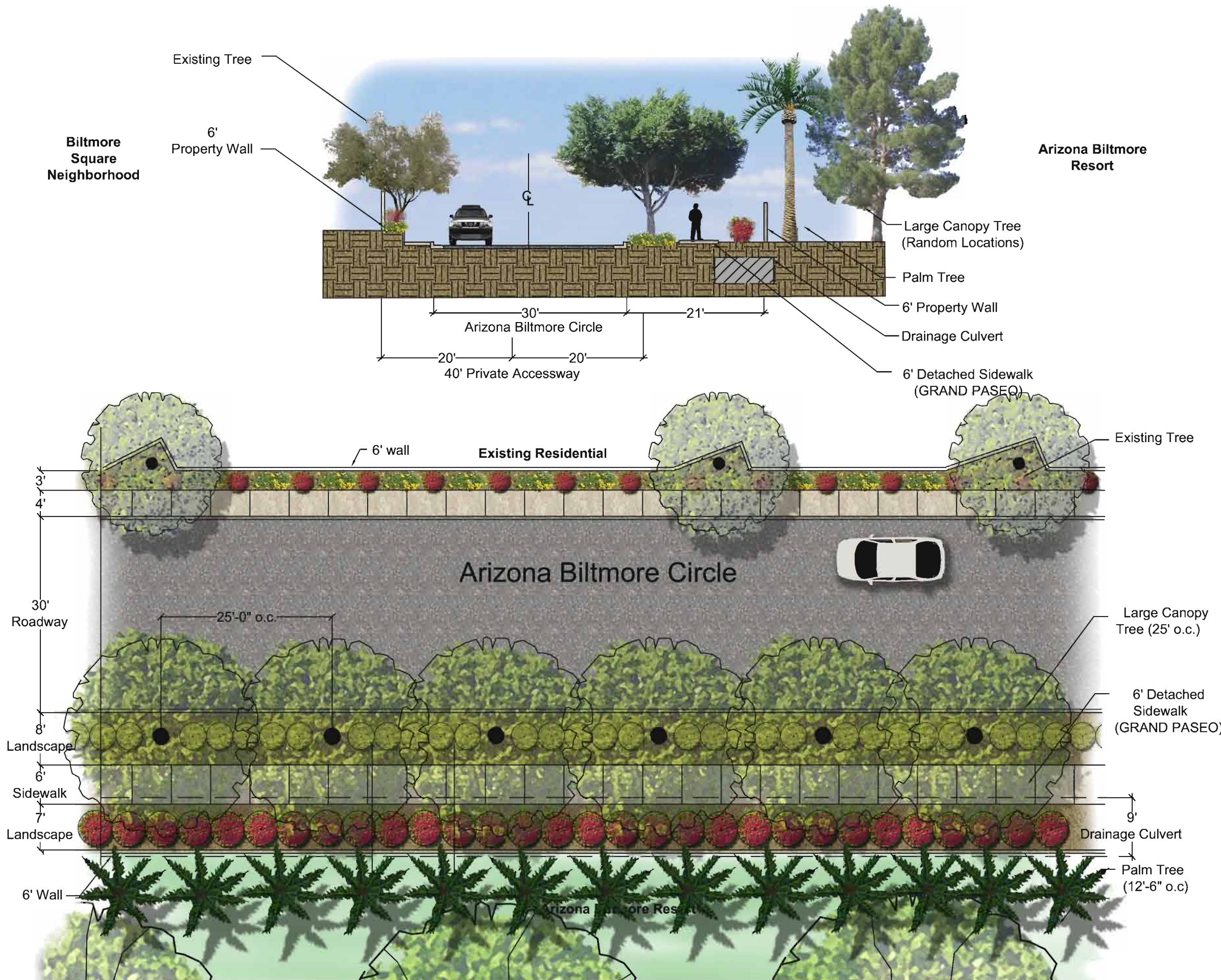
- (+/-) 27' Landscape Area
- (1) 20' min. tall tree with min. 8" caliper per 25' linear feet
 - (1) 20' tall palm*(Species as selected)/ 12'-6" o.c.
 - (5) 5 gallon shrubs per 25' linear feet
 - (10) 1 gallon groundcover per 25' linear feet

*Measured to the top of the pineapple

Note: Assumes ABEVA Board approval to narrow Arizona Biltmore Circle for traffic calming purposes

Revised: 05.11.09
 Revised: 03.31.09
 Revised: 01.29.09
 Revised: 01.26.09
 Revised: 10.8.08
 Revised: 7.3.08
 Revised: 6.26.08
 Date: 6.20.08
 Project #: 0811

Figure
A-8



(+/-) 21' Landscape Area

- (1) 20' min. tall tree with min. 8" caliper per 25' linear feet
- (1) 20' tall palm*(Species as selected)/ 12'-6" o.c.
- (5) 5 gallon shrubs per 25' linear feet
- (5) 1 gallon groundcover per 25' linear feet

*Measured to the top of the pineapple

Note: Assumes ABEVA Board does NOT approval to narrow Arizona Biltmore Circle for traffic calming purposes

Revised: 05.11.09
Revised: 03.31.09
Revised: 01.29.09
Revised: 01.26.09
Revised: 10.8.08
Revised: 7.3.08
Revised: 6.26.08
Date: 6.20.08
Project #: 0811

Scale: Not to Scale

Figure
A-9

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A. Development Standards & Design Guidelines

7. Vehicle Access, Parking & Loading Standards

a. Off-Street Parking Requirement

Off street parking shall be provided for all uses of property in general accordance with **Figure A-10, Parking Master Plan** and shall satisfy the standards in this section. The requirement for spaces includes sufficient on site maneuvering for each parking space (refer to parking layout policy) along with adequate driveways, all of which must be located entirely on private property. All off-street parking areas shall be accessible from a public street, private accessway or alley.

b. Parking Plan Requirements

- An area for off street parking, drives and maneuvering (meeting the requirements of this section) shall be provided on a parking plan in conjunction with the review of a Preliminary Site Plan, Final Site Plan and/or the issuance of a building permit for any new construction or expansion of an existing building. The Building Official shall not issue a building permit unless these requirements are satisfied.
- Whenever a parking plan has been approved, the parking area must be developed in accordance with the plan and may not be changed to deviate from the plan without the approval of the Development Services Department.
- A parking plan shall be required by the Building Official whenever any change in use of a property is made that results in an increase in the number of required parking spaces or of the standards for parking areas contained in this section. A parking plan is also required for new construction and Site Plan amendments.

c. Availability of Parking on Arizona Biltmore Resort & Spa Property

The required parking for any use will be satisfied within the PUD property boundary, except that employee parking requirements may be satisfied during peak periods, as peak periods are defined herein, on an off-site lot, under the following conditions:

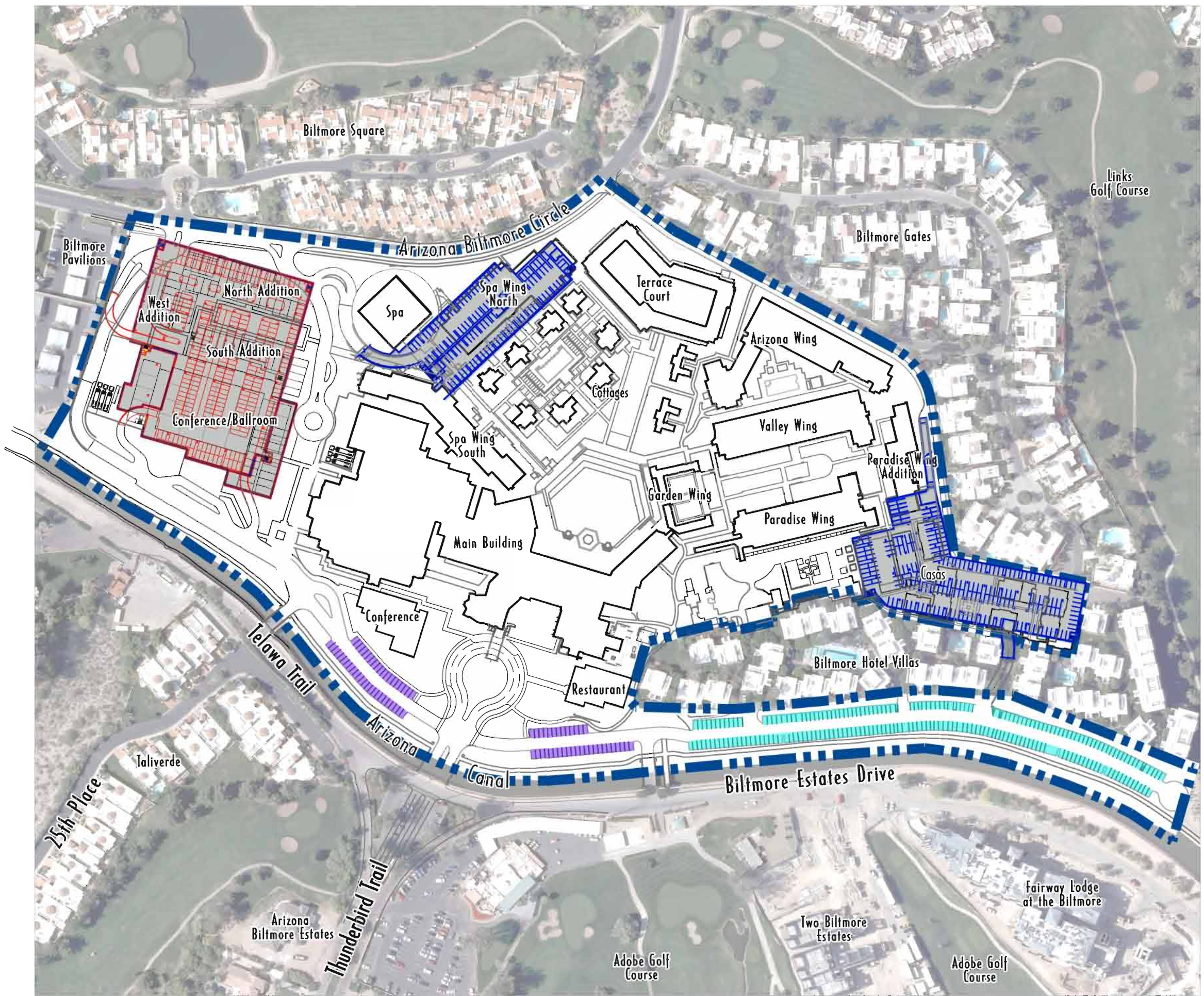
- The off-site parking area has a zoning district designation permitting commercial parking lots;
- The Arizona Biltmore Resort management provides shuttle transportation between the Resort property and the off-site parking lot, for the employees that will be using the off-site parking; and



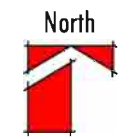
The Waldorf-Astoria Collection™
Planned Unit Development

Parking Master Plan 2030

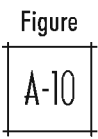
-  Below Grade Parking (2010)
-  Below Grade Parking (2030)
-  Surface Parking (Existing)
-  Surface Parking (2010)



Source: LVA Urban Design Studio

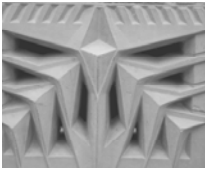


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Revised: 6.15.09
Revised: 2.9.09
Revised: 10.27.08
Revised: 7.3.08
Revised: 6.26.08
Date: 6.20.08
Project #: 0811



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- The Arizona Biltmore Resort management can demonstrate that it maintains ongoing contractual arrangements for the use of such off-site parking to the satisfaction of the Zoning Administrator.

If not under the control of the Resort Owner or Manager the off-site area must be used in conjunction with a recorded lease(s), renewable in a minimum of one year increments. A copy of the executed and recorded lease(s) shall be provided to the Building Official and/or the ABEVA Board of Directors (see Appendix E). The lease(s) must be in effect to satisfy the parking requirements of this section if off-site parking is utilized.

d. Parking Plan Review

Parking plans shall be submitted to and approved by the Development Services Department. The plan shall indicate the location and dimensions of all parking spaces, driveways, queuing lanes, maneuvering areas, landscaped areas and pedestrian ways. The design shall provide sufficient on site maneuvering for each parking space along with adequate driveways.

e. Access

Buildings erected at the Arizona Biltmore Resort & Spa will have direct or indirect access to a dedicated public street or a private access way. However, provisions for access to all buildings by emergency and service vehicles in lieu of public street access shall be made possible by the layout and design of driveways, interior service roads, or pedestrian and bicycle circulation corridors not normally open to vehicular traffic to the satisfaction of the City of Phoenix Fire Department and the City of Phoenix Street Transportation Department.

f. Spaces and Aisle Dimensions

Dimensions for maneuvering aisles and for different types of parking spaces shall be as shown on **Table A.5, Parking Aisle Standards**.



A. Development Standards & Design Guidelines

**Table A.5
Parking Aisle Standards**

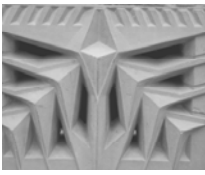
Aisle Type	Parking Angle	Aisle Width (ft)
One Way Aisle		
	60 degrees	13.0
	45 degrees	9.0
	30 degrees	9.0
	Perpendicular	20.0
Two Way Aisle		
	60 degrees	20.0
	45 degrees	20.0
	30 degrees	20.0
	Perpendicular	24.0

Source: Kimley-Horn and Associates, Inc., June 2008

Parking Stalls - Each space shall be an unobstructed rectangle or parallelogram in accordance with the following dimensional standards as shown on **Table A.6, Parking Stall Standards**:

**Table A.6
Parking Stall Standards**

Parking Type	Parking Angle	Stall width (ft)	Stall Depth (ft)
Self Parking	90 degrees	9.0	18
	60 degrees	9.0	22
	45 degrees	9.0	26
	30 degrees	9.0	32
	0 degrees	9.0	23
Valet Parking	90 degrees	8.5	18
	60 degrees	8.5	22
	45 degrees	8.5	26
	30 degrees	8.5	32
	0 degrees	8.5	23
Compact Parking	90 degrees	8.0	16



A. Development Standards & Design Guidelines

	60 degrees	8.5	20
	45 degrees	8.5	24
	30 degrees	8.5	30
	0 degrees	8.5	21

Source: Kimley-Horn and Associates, June 2008

Compact Stalls: Not more than 30% of all stalls within the Arizona Biltmore Resort & Spa PUD area can be Compact Stalls. Compact stalls shall be restricted to parking structures, and utilized only by valet service.

Vehicle Overhang - Where a required off-street parking space is designed to abut a landscaped area that is at least five (5) feet wide or a sidewalk or pedestrian pathway that is a minimum of six (6) feet wide, the length of any such parking space(s), except for parallel space(s), may be reduced by two and one-half (2 ½) feet for spaces that are perpendicular or angular to such landscaped area or sidewalk.

Pavement Marking - All parking spaces and directional arrows and instructions shall be clearly designated in a manner satisfactory to the Development Services Department Traffic Engineer.

g. Accessible Parking

Accessible parking shall be provided for guests of the Arizona Biltmore Resort & Spa PUD in accordance with the following standards:

Number of Accessible Parking Spaces

All off-street parking areas shall include reserved spaces for use by persons with disabilities according to the following requirements:

- Not less than two percent of all parking provided shall be accessible, including not less than two percent of any unassigned parking spaces.
- Where different types of parking are provided, such as uncovered parking, shade-covered parking, or garage structures, not less than two percent but not less than one of each different type of parking space shall be accessible.
- Where parking spaces are assigned to and designated for individual units, the required accessible parking space shall be not less than fourteen feet-two inches (14'-2") in width and not less than eighty (80) inches in unobstructed height. Assigned



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parking spaces are not required to be striped, signed or marked as accessible parking. Where parking spaces are not designated for individual units, the required accessible parking shall comply with the provisions below for size, marking and signage.

- Where parking is provided and designated for common area amenities, not less than one such space shall be accessible and shall comply with the provisions below for size marking and signage.
- Where parking is provided and designated for leasing offices, not less than one such space shall be accessible and shall comply with the provisions below for size marking and signage.

Size of Accessible Parking Spaces

A single accessible parking space shall be not less than eleven (11) feet in width and shall have an adjacent access aisle not less than five (5) feet in width. The length of accessible parking space and aisle shall not be less than eighteen feet in length. Two accessible parking spaces may share a single, five (5) foot wide access aisle.

Identification of Accessible Parking Spaces

All accessible parking spaces shall be prominently identified with an approved "Reserved Parking" sign and distinctive pavement markings in accordance with this section. Each accessible parking space shall be outlined on all sides not adjacent to a curb and shall have the international wheel chair symbol displayed on the ground within each space. The access aisle shall be included within the outlined area and shall be marked with cross-hatching. The color scheme of the accessible parking space and access aisle shall distinctively contrast with that of the surrounding regular parking spaces.

Each accessible parking space shall be designated as reserved for the physically disabled by a standard regulatory sign printed in blue on a white background showing the international wheel chair symbol and the minimum verbiage of "Reserved Parking" and "Phoenix City Code 36-149. Accessible parking signs erected shall be a minimum size of twelve (12) inches wide by twenty-four (24) inches high and shall have verbiage which states: "Reserved Parking For Vehicles Showing Disabled Insignia or License Plate Only" and "Phoenix City Code 36-149. Accessible parking signs shall be permanently mounted to an approved stationary post or wall



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located directly in front of each accessible parking space. The bottom of the sign shall be located not less than three (3) feet and not more than six (6) feet above the parking surface. Accessible parking signs shall be located and maintained to be clearly visible to any vehicle entering the parking space.

Location of Accessible Parking Spaces

Accessible parking spaces shall be located on the shortest possible accessible route of travel to the accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to each accessible entrance. Every parking access aisle shall lead directly to an accessible route of travel as set forth in the Phoenix Construction Code. Wherever practical, the accessible route of travel shall not cross lanes for vehicular traffic. Where crossing vehicle traffic lanes is necessary, the route of travel shall be delineated as a crosswalk.

Covered Parking

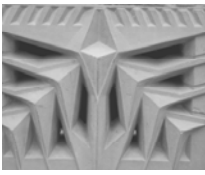
Where parking is provided in a parking garage or under shade canopies, the ratio of covered to uncovered accessible parking spaces shall not be less than the ratio of covered to uncovered non-accessible parking spaces. Where accessible parking spaces are provided within a parking garage or under a canopy, 1 in 8 or not less than one of the accessible spaces shall be designated for high-profile vehicles with a minimum headroom clearance of eight (8) feet-two (2) inches provided in all parking, maneuvering and circulation areas serving such spaces. Except when all accessible spaces are high-profile spaces, special signage shall be provided to identify high-profile accessible parking spaces and to direct users to the location of both high profile and standard-height accessible parking spaces.

Slope

Accessible parking spaces and access aisles shall be located on a surface with a slope not exceeding one (1) vertical foot in fifty (50) horizontal feet in all directions.

h. Control

Control shall be established to prevent vehicles from leaving parking and maneuvering areas except through necessary



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driveway openings and shall be provided on the property in the following manner:

- Parking or maneuvering areas which abut a property line shall have a solid masonry wall or a minimum six (6) inch high curb or bumper guard installed and located so that no part of a vehicle shall extend over or beyond the property line.
- Parking or maneuvering areas which do not abut a property line and which are not bounded by a fence, wall, building, or established landscaping plot shall be bounded by curbing or bumper guards.
- Solid curbing shall be installed if required for drainage control by the City Engineer.

i. Calculation

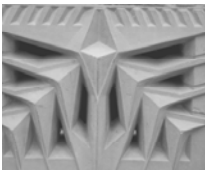
The total number of on-site parking spaces shall be calculated as follows:

- No on-site parking spaces are required for floor area comprised by garages, parking structures or other buildings devoted exclusively to the provision of required parking spaces.
- No on-site parking spaces are required for floor area exclusively used and maintained for elevators, stairways, restrooms, circulation corridors, storage, pool decks, seating patios, electrical or mechanical equipment rooms, and employee only kitchens, lunchrooms, exercise, or locker rooms.
- With respect to any restaurant use, gross floor area does not include kitchen space, services space, restrooms, primary circulation corridors, hostess areas, and other spaces that do not contribute to public gathering.
- The parking plan as provided within a Preliminary and/or Final Site Plan will provide calculations, as amended over time, which respond to the evolving collection of uses at ratios defined by Table A.5 as follows.

j. Provisions of Required Spaces

The total number of on-site parking spaces shall be provided as follows:

- The sum of all individual uses, calculated floor area multiplied by the standards provided within Table A.7 below. However, the collective total number of off-street parking spaces required may be reduced if the spaces can be shared among the various uses in accordance with the following provisions:



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- Parking reduction may be proposed by the Arizona Biltmore Resort Owner/Manager and approved by the City of Phoenix Traffic Engineer, once the owners/operators traffic consultant demonstrates a mix of land uses which are commonly considered in shared parking studies consistent with traffic engineering studies and publications.
- Up to 40% of the required on-site parking spaces may be provided off-site in accordance with paragraph 5c.
- Tandem parking may count toward the total number of on-site parking spaces only if using valet for these two parking lot designs.
- Compact parking may count towards the total number of on-site parking spaces in accordance with the provisions of this section. (Compact spaces are restricted to valet use).
- Valet parking may count towards the total number of on-site parking spaces in accordance with the provisions of this section.

k. Minimum Number of Parking Spaces Required

The Arizona Biltmore Resort & Spa has nearly an eighty year history of providing Arizona hospitality to visitors from all around the globe. Through the years, the Resort has offered hotel accommodations, fine dining, provided amenities including equestrian facilities, golf, swimming pools with water amenities as well as being a sponsor to multiple historically significant social events. To a great extent, the resort amenities and planned events cater primarily to hotel guests and secondarily to residents of the Phoenix Metropolitan Area. Nearly eighty years of hotel records indicate a strong relationship between a stay at the Resort hotel and vehicular trip patterns and ratios affiliated with the time spent at the Resort. It is within this context that the following parking standards identified on **Table A.7, Parking Standards by Use**, are established for the Arizona Biltmore Resort & Spa PUD.



A. Development Standards & Design Guidelines

Table A.7
Parking Standards by Use

Land Use	Number of Required Parking Spaces
Conference/ Ballroom or Meeting, indoor	1.0 spaces per 95 square feet of general assembly meeting floor area
Dining (indoor) Dining (outdoor)	1.0 space per 295 square feet public floor area, 1.0 space per 300 square feet of patio floor area
Fitness Center	No parking requirement-accessory to hotel use
Guest Room	0.5 spaces per guest room
Health Spa and Fitness center	1.0 spaces per 900 square feet of gross floor area
Office – Administrative	1.0 spaces per 300 square feet of gross floor area
Office - Services	No parking requirement – accessory to hotel use
Rental Car Service On-site pool (1)	1.0 spaces per vehicle stored at the Resort
Resort Casa	1.25 spaces (exclusive) per Casa *
Retail and Service Activities	No parking requirement – accessory to hotel use

Source: Kimley-Horn and Associates, Inc., June 2008

* Assumes each resort Casa includes two bedrooms with one as a lock off unit.

(1) The Arizona Biltmore Resort will declare an intent to provide current rental vehicles intended to be stored on-site. This declaration will be on the Final Site Plan as amended from time to time. Car rental service may also be supplemented with vehicles stored off-site.

I. Off-Street Loading.

All loading areas within the PUD Project Boundary shall comply with the provisions identified as follows in **Table A.8, Off-Street Loading Requirements:**



A. Development Standards & Design Guidelines

Table A.8
Off-Street Loading Requirements

Loading Areas	Number of Required Loading Spaces
Hotel and Ballroom Uses:	
2008 Master Plan Intensity	4
2010 Master Plan Intensity ⁽¹⁾	5
2030 Master Plan Intensity ⁽²⁾	6

Source: Kimley-Horn and Associates, Inc, June 2008

- (1) 2010 Master Plan Intensity is defined and triggered once the PUD Area exceeds 604 hotel rooms.
- (2) 2030 Master Plan Intensity is defined and triggered once the PUD Area exceeds 895 hotel rooms.

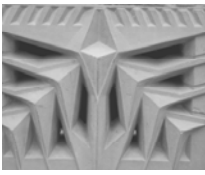
Dimensions: Each loading space shall have a minimum dimension of ten (10) feet by thirty (30) feet and a height of not less than fourteen (14) feet.

Turning Area: In no event shall the centerline radius of any turning area to a required loading space be less than thirty five (35) feet.

Figures A-11, A-12 and A-13 provide a depiction of the service vehicle loading and circulation within the Arizona Biltmore Resort Property. Figures A-11 & A-12 demonstrates the loading, queing and circulation intended for service vehicles greater than a thirty (30) foot wheel base. The depiction identifies a WB50 vehicle. Figure A-13 demonstrates the loading, queing and circulation for smaller service vehicles intended for trucks with less than a thirty (30) foot wheel base. This area is intended for daily deliveries, linens and refuse collection.

m. Parking Structure Standards

The Master Plans for the growth and management of the Arizona Biltmore Resort & Spa express a compact form which must respect the nearly eighty year history of resort use on the property while building upon the axial form established from the Squaw Peak Terrace (central hexagonal lawn) . The addition of rooms, restaurants, a world class spa, and other aquatic amenities will generate the need for additional parking over time. This Arizona landmark and *Phoenix Point of Pride* warrants the careful management of parking. As an integral part of the built form of this



A. Development Standards & Design Guidelines

PUD, all new parking structures will be built below grade. This section addresses design and development standards for parking structures which will assist in the property function and management of parking structures as a part of the land use



ARIZONA BILTMORE RESORT & SPA

Planned Unit Development

Volume II: *Development Standards & Design Guidelines & Implementation*

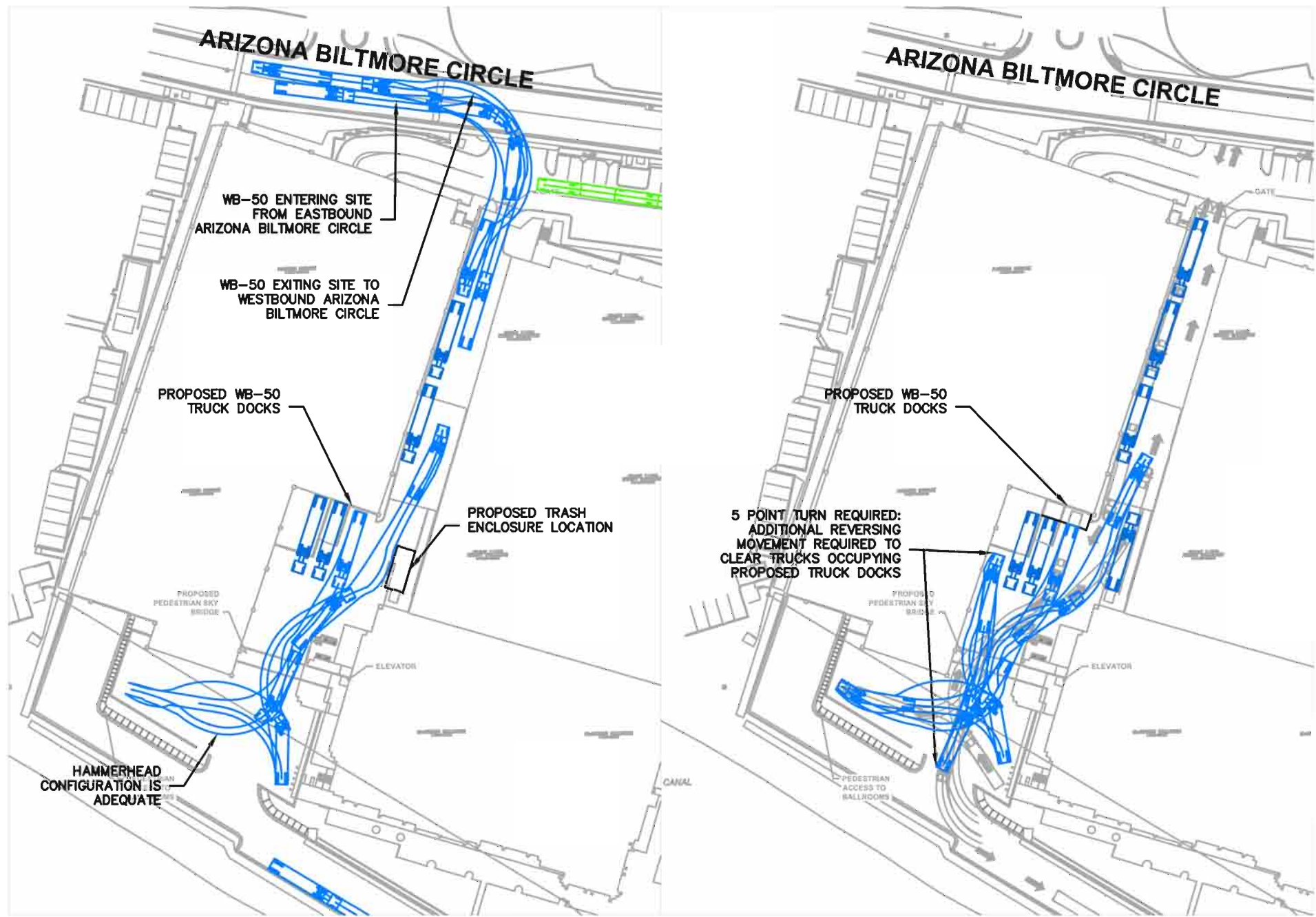
Option A



Convention/Ballroom Loading & Circulation

Option A

Note: This Service and Loading plan will be amended from time to time. Amendments to this plan are to be approved through the Minor Site Plan Amendment process or through the review of a new Preliminary Site Plan by the Development Services Department. The Resort shall present any adjustments to the Service/Loading Plan to the ABEVA Board of Directors prior to submittal to the Development Service Department. The ABEVA review should address concerns for access and noise.

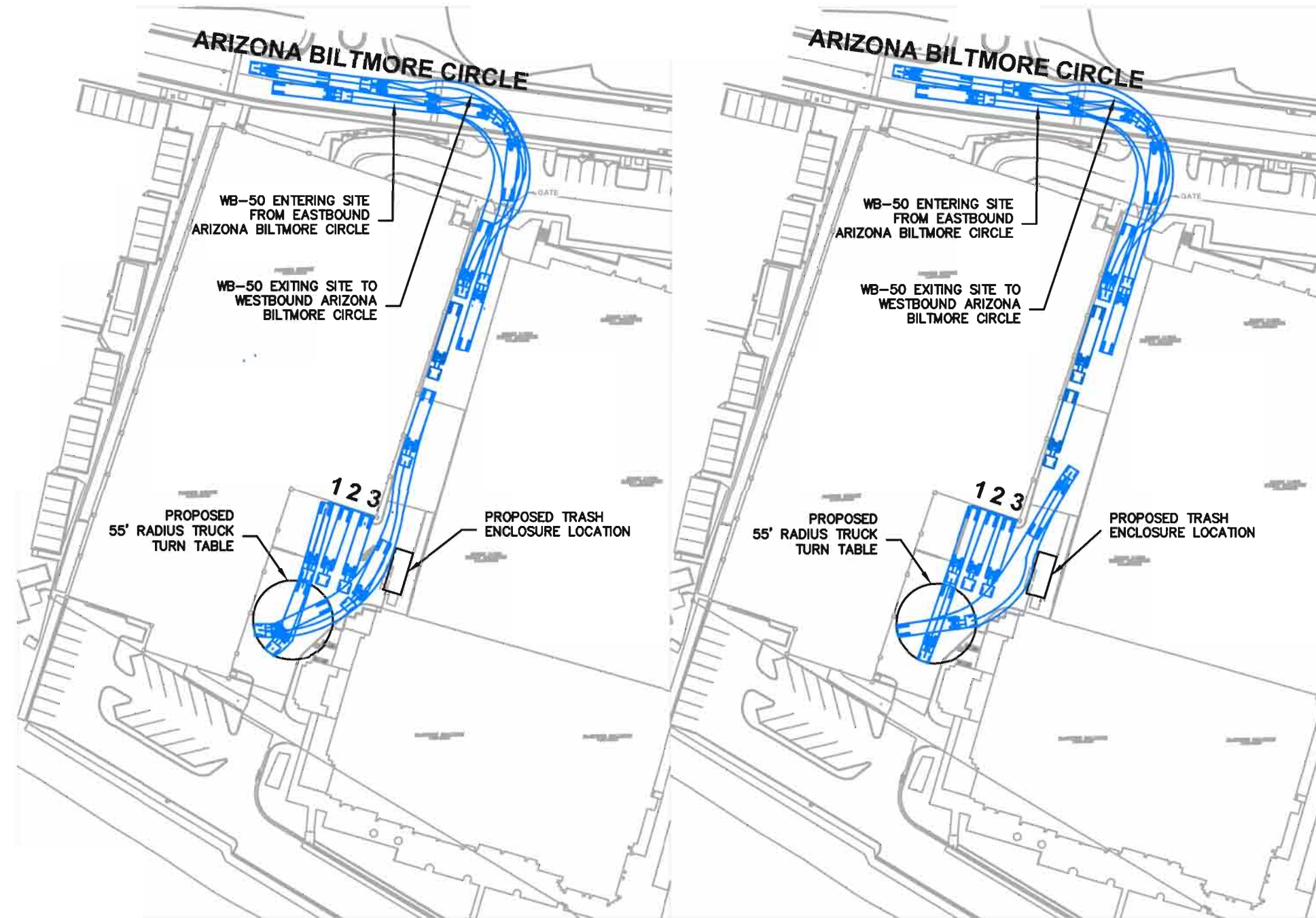


WB-50 ENTERING

WB-50 EXITING

North Scale: Not to Scale Figure A-11
 Revised: 2.13.09
 Revised: 2.9.09
 Revised: 10.8.08
 Revised: 7.3.08
 Revised: 6.26.08
 Date: 6.20.08
 Preliminary-Not For Construction Copyright LVA Urban Design Studio, L.L.C. Project #: 0811

Option B (Turn Table)



WB-50 ENTERING

WB-50 EXITING



Convention/Ballroom Loading & Circulation

Option B

Note: This Service and Loading plan will be amended from time to time. Amendments to this plan are to be approved through the Minor Site Plan Amendment process or through the review of a new Preliminary Site Plan by the Development Services Department. The Resort shall present any adjustments to the Service/Loading Plan to the ABEVA Board of Directors prior to submittal to the Development Service Department. The ABEVA review should address concerns for access and noise.

North Scale: Not to Scale Figure A-12 Revised: 2.13.09
Revised: 10.8.08
Revised: 7.3.08
Revised: 6.26.08
Date: 6.20.08
Project #: 0811

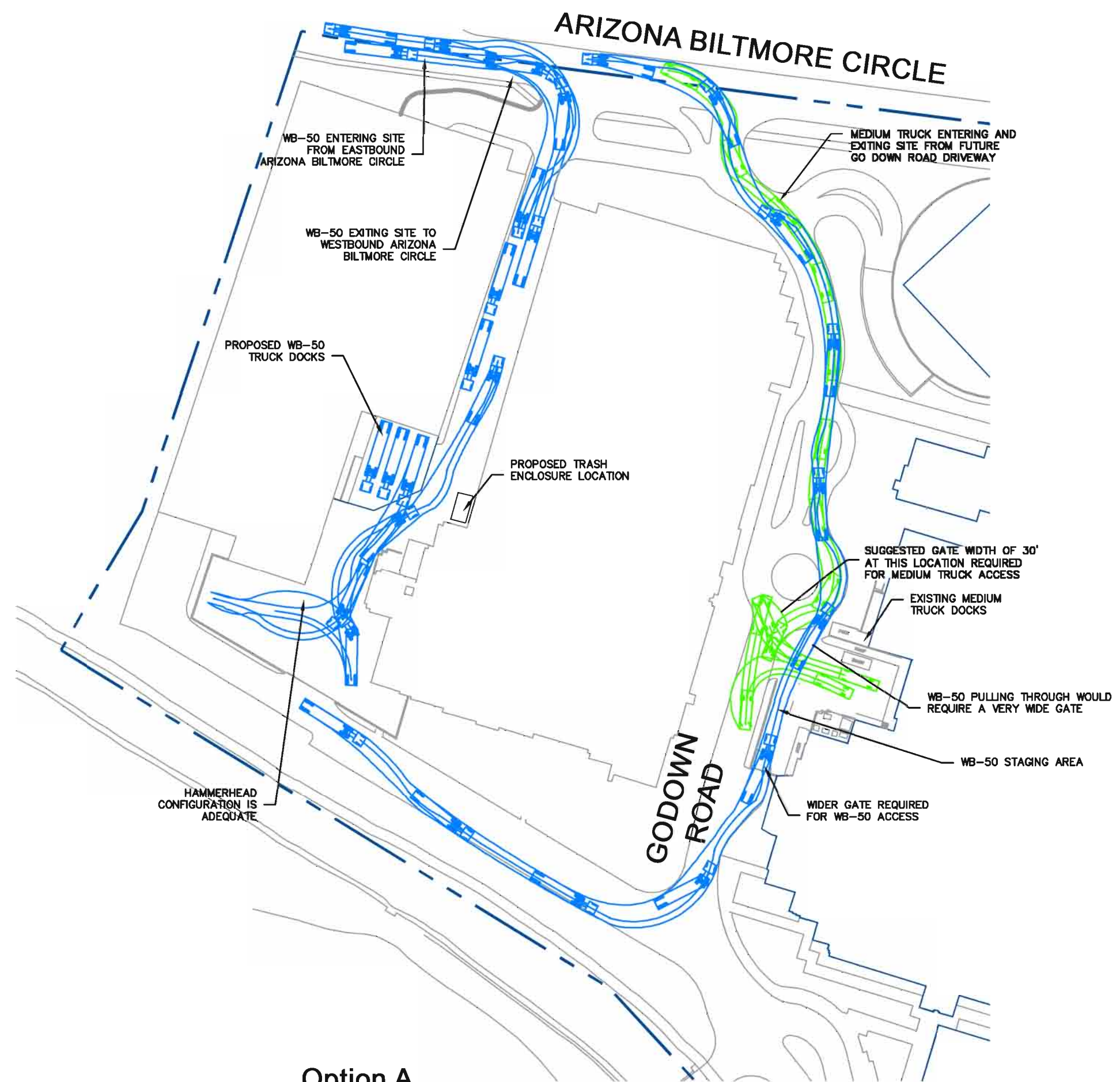
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Hotel Loading & Circulation

LEGEND

- WB-50
- MEDIUM TRUCK

Note: This Service and Loading plan will be amended from time to time. Amendments to this plan are to be approved through the Minor Site Plan Amendment process or through the review of a new Preliminary Site Plan by the Development Services Department. The Resort shall present any adjustments to the Service/Loading Plan to the ABEVA Board of Directors prior to submittal to the Development Service Department. The ABEVA review should address concerns for access and noise.



Option A



A. Development Standards & Design Guidelines

program. Refer to Section A.9.b.4.2 (located on page A-93) for development standards that will guide the design and development of parking structures.

n. Peak Period Parking Management Plan

A Peak Period Parking Management Plan has been in place for the Arizona Biltmore Resort & Spa since 1994, for the purpose of defining roles and responsibilities affiliated with parking demand management and ensuring that adequate parking is provided during occasional periods when extremely high guest room occupancy and extremely high function space utilization occur simultaneously. During these occasional periods, activity at the Resort, challenges on-site parking capacity.

1. Peak Period Parking Management Plan Requirement

- a. A Peak Period Parking Management Plan will be required to support any site plan application that proposes development or redevelopment on any area within the PUD boundary that will cause a change in the resort's overall parking supply or demand, as established by the shared parking model found in Appendix E.
- b. A Peak Period Parking Management Plan must be approved as part of Site Plan review. It may include parking structures, site layout, use of shuttle system, valet service, or other techniques approved by the Development Services Department to make all required parking functional. The Development Services Director or his designee is authorized to approve parking management plans.
- c. The Peak Period Parking Management Plan may designate and area for employee parking if it is designed and sectioned off in such a way that it functions as a separate lot. At least two percent of employee parking spaces shall be accessible spaces. The non-accessible spaces may be comprised of any combination of standard and/or compact spaces. Employee spaces may be tandem spaces with the approval of the Development Services Director or his designee.



A. Development Standards & Design Guidelines

2. **Peak Parking Demand Period Assumptions**
Peak parking demand periods are defined as periods during which local event attendance is expected to exceed 1000 and the guest room occupancy level is expected to exceed 85%. This condition is expected to occur ten to twelve times a year.
3. **Base Condition Peak Period Parking Management Plan**
A “base condition” Peak Period Parking Management Plan is established with this PUD. Refer to Appendix E for the base condition Peak Period Parking Management Plan.
4. **Peak Period Parking Management Plan Amendments**
Amendments to the base condition Peak Period Parking Management Plan will be necessary to address the changes in parking demand and supply that will occur as the resort redevelops. Amendments to the Peak Period Parking Management Plan must be approved as part of Site Plan Review. The Development Services Director or his designee is authorized to approve amendments to the base Peak Period Parking Management Plan.
5. **Peak Period Parking Management Plan Report Format**
The base condition Peak Period Parking Management Plan and all subsequent amendments thereto, shall include the following information:
 - A narrative description of the on-site parking supply, by location (e.g. “front lot east”, “ballroom garage”, etc). The description shall include parking space quantity, by type (e.g. standard, compact, tandem, accessible, etc.) and by intended user(s) (e.g. self-parking hotel guests, event valets, etc).
 - An on-site parking supply map.
 - A narrative description of each secured off-site parking opportunity, in terms of location (ie. street address), driving distance from the resort, parking space quantity and conditions of use.
 - An off-site parking opportunity map.



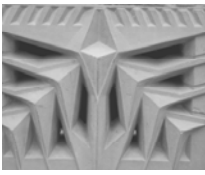
A. Development Standards & Design Guidelines

- Evidence of legal right to use each identified off-site parking opportunity.
- Evidence that the off-site parking opportunity identified in the Peak Period Parking Management Plan do not need the parking supply established as an off-site source for the resort, at the same time the parking spaces are to be available for use by the Resort.
- Management policies for peak period parking, describing roles and responsibilities of resort management as they relate to forecasting parking needs, prioritizing use of on-site parking, advance notification to Resort employees, and arranging transportation between the Resort and off-site parking opportunities.
- A description of day-time peak parking procedures, which shall establish the anticipated maximum parking demand that will need to be satisfied during a peak period that occurs between 6 AM and 6 PM, and how and where that demand will be satisfied.
- A description of evening peak parking procedures, which shall establish the anticipated maximum parking demand that will need to be satisfied during a peak period that occurs between 6 PM and 6 AM, and how and where that demand will be satisfied.

o. Employee Travel Reduction Plan

The following travel reduction plan is intended to guide trip reduction, energy conservation and parking management practices as administered by the Arizona Biltmore Hotel General Manager:

1. The Arizona Biltmore Hotel and Resort will fully participate in the Regional Public Transportation Authority (RPTA) Program. The Security Manager will attend local meetings and participate in initiatives which implement the travel reduction of hotel service employees. An employee survey should be conducted annually to define the baseline parking needs.
2. The provisions of travel reduction include:
 - a. Active membership in the Biltmore Area Transportation Management Association.
 - b. Incentives for employees to use alternate modes of transportation are provided, and raffles and drawings for rewards are conducted.



A. Development Standards & Design Guidelines

- c. A convenient, specifically designated “car pool parking” area is provided in the parking garage or west lot and is available for use under normal parking conditions.
- d. A “guaranteed ride home” program has been implemented so that employees who car pool will be sure of a ride home if the driver for the pool, or the passenger, has a schedule change during the shift.
- e. Bus passes and route maps are available for purchase in the employee assistance area; and are considered for partial or full subsidy from year to year.
- f. Employee scheduling is flexible with consideration for parking availability given whenever possible.
- g. A car pool alliance has been established with nearby employers.
- h. Periodic employee surveys are conducted to determine parking demand and employee needs.

p. Shared Parking Model

The City of Phoenix has previously adopted a Shared Parking Model (702.d.5.b of the City of Phoenix Zoning Ordinance), which allows the submission of a Shared Parking Model. Based on the mix of uses that currently and will continue to occupy the Resort property, a shared parking model has been created, and established with this PUD, specifically for Arizona Biltmore Resort & Spa. The shared parking model can be used as a basis for predicting the parking demand as an alternative to strict compliance with Table A.5: Schedule of Parking and/or (for those uses not included in the parking requirements table provided herein) the parking requirements table included in the City’s Off-Street Parking Ordinance. The shared parking model is a demand matrix, documentation of which is included in Appendix D. A copy, in electronic (Microsoft EXCEL) format has been provided by Arizona Biltmore Resort & Spa to the Development Services Department. The model assumes that every separate use will need the full amount of parking that is called for in these parking standards at some point during the day (called the ‘peak’ period for that use). Where different uses need parking at different times of the day, there is an opportunity for them to share parking.

The total number of parking spaces needed to serve this mixed use development as a whole may be significantly less than the number



A. Development Standards & Design Guidelines

of spaces that would have to be built if each of the land use components that collectively form Arizona Biltmore Resort & Spa had to provide parking on its own.

The 2008 Arizona Biltmore Resort & Spa Shared Parking Model can be periodically modified to improve it as a predictor of parking demand based on national or local research, including site observations. A shared parking model analysis must be performed, and the report must be sealed, by a professional civil engineer who has extensive experience with traffic and parking issues in private development when modifications to the 2008 Arizona Biltmore Resort & Spa Shared Parking Model are proposed. A reduction in the total parking requirement for Arizona Biltmore Resort & Spa that would otherwise be required per these standards, based on the results of application of the 2008 Arizona Biltmore Resort & Spa shared parking model, or City-approved modifications thereto, may be granted by the Development Services Department Director, or his designee.

An applicant may petition the Development Services Traffic Engineer for review of parking situations which do not correlate with one of the standard uses in the Arizona Biltmore Resort & Spa Shared Parking Model

In addition to shared parking situations, the following items may be considered and counted toward parking reductions within the Arizona Biltmore Resort & Spa Shared Parking Model:

- **Transit service available within one-quarter mile of** the site with rush hour frequencies of thirty (30) minutes or less.
- The area fits the criteria for a level 2 pedestrian area as outlined in the Maricopa Association of Governments' Pedestrian Area Policies and Design Guidelines.
- The business participates in a transportation management association that sponsors trip reduction programs.
- The business contracts for off-site parking and maintains valid, on-going contracts as needed to effectively manage Convention Meeting Events.



A. Development Standards & Design Guidelines

8. Lighting Standards

1. Purpose and Intent

The purpose and intent of the exterior lighting standard is to promote safe, efficient and compatible lighting at the Arizona Biltmore Resort & Spa site by promoting:

- the safety and security of guests and staff during nighttime hours;
- light directed and distributed from luminaries downward to minimize sky glow;
- designs that avoid direct light trespass and/or glare onto adjacent residential properties;
- compatibility with the pedestrian scale of the site;
- the compliment and enhancement of the architectural style of the Resort;
- energy efficient and low maintenance light sources and luminaries; and
- the incorporation of automatic controls that are capable of turning off or modulating lighting intensities of fixtures after normal hours of operation.

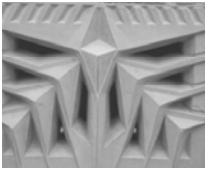
Exterior lighting designs should address the following:

- Vehicular drives;
- Surface parking;
- Pedestrian walkways along the perimeter of the site and canal;
- Pedestrian walkways within the site;
- Water features;
- Entrance features;
- Landscaping;
- Building entrances and facades;
- Monumental site entrance signs;
- Way-finding signage; and
- Entry/Exit portals.

2. Lighting Controls

A. Vehicular Drives

The vehicular drives that are internal to the site shall be illuminated by pedestrian-scale light poles having an overall maximum height of 12'-0". The light poles shall contain cut-off luminaires with type II light distribution optics and high pressure sodium lamps. Poles shall be spaced 50'-60' O.C. to achieve an average luminance on the road surface of 0.5 foot candles.



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Average to minimum illuminating ratios shall be within 6:1. Luminaires located adjacent to buildings shall contain house side shields to reduce light spill onto vertical facades or walls.

B. Surface Parking

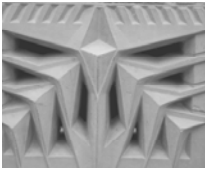
Most of the larger surface parking lots along the perimeter of the site are utilized by valet services. Since these parking areas are visible from the adjacent residential developments, care shall be taken to reduce the visual impact of the parking lighting on the residents. With access to the lots generally limited to valet staff, the lighting levels may be reduced. Low bollards with low wattage high pressure sodium (HPS) lamps shall be located along the interior edge of the lot. The bollards shall be directional and all of the light distribution will be directed towards the parking (the sides of the bollards facing away from the parking, emit no light). Surface parking lot lighting shall contain a maximum 12'-0" high light poles with high pressure sodium lamps type III light distribution optics and house-side shields.

C. Pedestrian Walkways – Perimeter of the Site

Pedestrian walkways along the perimeter of the site shall be managed as follows. Most of these walkways occur along the canal and are within view of the neighboring residences. To minimize the visual impact on the neighboring properties, high pressure sodium (HPS) directional bollards shall be located along the outside edges of the walkways and oriented such that the light distribution is directed toward the walk and away from the neighboring properties. Planting buffers will also be used to help block the view of the fixtures.

D. Pedestrian Walkways – Internal to the Site

These walkways provide a system of circulation for guests and staff throughout the site and are not visible from neighboring properties. They shall be illuminated by low, pedestrian-scale bollards with a maximum height of 3'-0" that contain low wattage high pressure sodium (HPS) lamps. Light distribution shall be directed downward to the walkway.



A. Development Standards & Design Guidelines

E. Water Features

Lighting associated with ponds, pools, fountains, etc. shall be incorporated into the structures of the water features.

F. Entrance Features

Lighting associated with architectural site entrance features and monuments shall enhance the architectural design and materials. The light distribution from external accent lighting shall be confined to the surface of the feature and shall not be directed toward adjacent properties. Decorative luminous lighting fixtures that may be associated with the features or monuments shall evoke the architectural style and materials of the site. Surface luminance (brightness) of lenses or light diffusing elements incorporated into the fixtures shall be limited to 15 foot lamberts (FL).

G. Landscaping

Landscaping features throughout the site range from garden areas with low planting to trees. Garden lighting fixtures shall be used to provide low level illumination along the edges of feature gardens. The fixtures shall contain metal direct burial posts and arts-and-crafts style luminaires. The luminaires shall contain low voltage halogen light sources operated by remote transformers. Specimen trees shall be up-lighted by low voltage MR16 accent fixtures concealed in adjacent low planting or ground cover. Tall palm trees shall be accented by small 35w metal halide up-lights. The light distribution shall be directed to the trunks and canopies of the trees. The fixtures shall be concealed in low planting or ground cover.

H. Building Entrances and Facades

Building entrances shall be illuminated by decorative wall sconces, pendants and/or down-lights integrated in the structures of canopies, soffits or porte cocheres. Decorative fixtures shall complement the architectural style and materials of the building. The luminance (brightness) of translucent lenses or diffusing elements shall be limited to 15 foot lamberts (FL). Building façade lighting shall be limited to the enhancement or accenting of prominent architectural features. Upward directed light emissions to illuminate vertical walls or horizontal surfaces such as canopies, overhangs, cornices, etc. shall have



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at least 80% of their total distribution pattern occur within the profile or area of the illuminated structure.

I. Site Signage

1. Monumental Site Entrance Signs

Large scale site entrance and/or site identification signage shall be illuminated by light sources that are integral to the sign. By integrating the lighting into the sign structure the light distribution shall be confined to the sign element, thus eliminating light spill. Luminous elements shall be back-lighted with low wattage LED sources. The combination of light source output and sign face translucency shall provide a sign luminance that shall not exceed 10 foot lamberts (FL). Opaque sign surfaces shall be illuminated by integral low wattage LED sources. The combination of light source output and sign face reflectance shall provide a sign luminance that shall not exceed 10 FL.

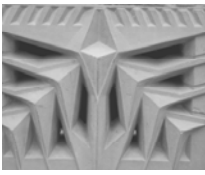
2. Way-finding Signs

Way-finding signage shall be illuminated by light sources that are integral to the sign. Luminous elements shall be back-lighted with low wattage LED's and/or electroluminescent panels. Opaque sign elements shall be illuminated by integral low wattage LED sources. Light distribution shall be confined to the sign face or panel and sign luminance shall not exceed 10 FL.

J. Underground Garage

1. Entry/Exit Portals

Interior lighting at portals shall be recessed or concealed within the structure from direct outside views. The density of lighting shall be increased to provide higher luminance levels. The higher levels are required for the adaptation of vision from high levels of natural daylight (5,000-10,000 FC) to lower illumination levels inside the garage. This transition shall occur within a 50' zone inboard of the portal. Illumination levels in the zone shall be 50-60 FC during daylight hours and 3-5 FC at night.



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2. Interior Parking and Drive Lanes

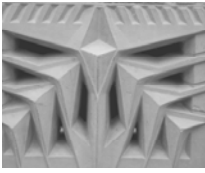
Interior lighting shall be integrated into the architectural elements and structure of the garage. Average maintained illumination levels inside the garage shall be 5 FC with a maximum to minimum uniformity ratio of 10:1. Vertical wall surfaces shall be illuminated to provide a visual backdrop to parking and drive areas. This technique expands the field of view, reduces background shadows and enhances security.

3. Lighting Operations

Exterior lighting for the site shall be controlled by a global automatic system that can activate lighting systems for nighttime operation and reduce the intensity of illumination during off-peak or early morning hours. Lighting associated with roadways, surface parking, pedestrian walkways, site entrance features/signage and building entries shall be dimmed 40%-50% after midnight. This approach saves energy, utility costs and reduces the visual impact of the site lighting on neighboring properties. Illuminated way-finding signage shall remain on throughout the night at full brightness.

Interior lighting in underground parking garages shall also be on the automatic control with capability of dimming the lighting after hours. During the day the lighting shall remain at full intensity. After midnight the lighting levels shall be dimmed 40%-50%. At that time occupancy sensors shall be activated to detect people or vehicles entering the garage. Upon detection the lighting levels shall increase to full output while the occupants are in a particular section of the garage. After a programmed delay the lighting shall reset to a dimmed mode.





A. Development Standards & Design Guidelines

9. Sign Standards

A. Purpose and Intent.

The purpose of these sign provisions is to promote fair, comprehensive, and enforceable standards that will foster a good visual environment for the Arizona Biltmore Hotel PUD. This section is intended to define the intended sign standards and procedures for the Arizona Biltmore Resort.

B. Sign Standards

Signs will be regulated by the Signs provisions of the Phoenix Zoning Ordinance, as amended. Sign standards are hereby incorporated in form and by reference to the provisions of Chapter 7 of the Phoenix Zoning Ordinance. All provisions shall be administered in accordance with procedures defined by the provisions of the Sign regulations of Chapter 7, as amended.

C. Comprehensive Sign Plan

This PUD envisions and specifically requires the preparation and procedural review of a Comprehensive Sign Plan. The Comprehensive Sign Plan must address both on-premises and off-premises signs as planned to improve public access to the Arizona Biltmore Resort. The Comprehensive Sign Plan should be designed to respond to the Sign Master Plan defined within Volume I of the PUD.

D. Public Involvement

The Arizona Biltmore Resort has maintained a long standing relationship with the Arizona Biltmore Estates Community. The Arizona Biltmore Estates is represented by it's Board of Directors (Arizona Biltmore Estates Village Association (ABEVA) Board. The Arizona Biltmore Resort and the Arizona Biltmore Estates have historically shared identification and entry monuments at 24th Street and Thunderbird Trail as well as at 24th Street and Arizona Biltmore Circle. The PUD recognizes this relationship and anticipates an application for a Comprehensive Sign Plan will be jointly sponsored by the Arizona Biltmore Resort and the Arizona Biltmore Estates Village Association.



A. Development Standards & Design Guidelines

10. City Administered Design Guidelines

Overview

The Arizona Biltmore Resort & Spa is arguably one of the most significant historic resources of the Valley, reflecting numerous facets of Phoenix's cultural, architectural, economic and social heritage. A highly recognized community landmark, its preservation is important to maintain the distinctive architectural character of the City as well as retain a historic resource much valued by its citizenry.

The design guidelines have been created to ensure not only the continued preservation of the contributing elements of the Main Building but to acknowledge the function of the property as a viable resort that must respond to its clientele and the hospitality market. However, the citizenry also recognizes that the historic buildings within the Resort have evolved over the course of its eighty year history and will continue to change. These guidelines are not an attempt to freeze the Arizona Biltmore Resort & Spa in time. Rather, they are intended to guide the alterations, additions and new construction, which will be needed for its functional and economic viability as a world class resort. These guidelines will assist in providing the assurances that future Resort modifications will be undertaken in a manner that will not erode its integrity or diminish its historic and architectural significance.

The Design Guidelines of the Arizona Biltmore Resort & Spa PUD are principally based on the *Development Review Approval* Section of the Phoenix Zoning Ordinance. However, they also have been carefully reviewed, revised and augmented as appropriate to reflect the Principles identified previously in the Executive Summary of this document.

Maintained in the same format as the overall guidelines prepared City-wide, these guidelines also indicate specific implementation standards. The basis of the City's design guidelines identifies a range of prescriptions defining how they are to be implemented, including Requirements, Presumptions and Considerations. The City's definitions for these three critical terms are identified below:

- **Requirements (R).** *Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and specific plans. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. There is no administrative process to*



A. Development Standards & Design Guidelines

overcome a requirement. If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R) are appealable to the Design Review Appeals Board due to their design-related nature.*

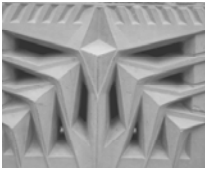
- **Presumptions (P).** *Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.*

Overcoming a Presumption. A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Development Services Department that there is a good reason why the presumption is inappropriate. The Development Services Department or Historic Preservation staff reviewer may approve an alternative that achieves the intent of the presumption.

Appropriate reasons for overcoming a presumption include:

- (1) Demonstrating that in this instance the underlying design principles will not be furthered by the application of the presumption;*
- (2) Showing that another design principle is enhanced by not applying the presumption;*
- (3) Demonstrating an alternative method for achieving the intent of the presumption;*
- (4) Explaining the unique site factors that make the presumption unworkable such as slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping.*

Increases in the cost of development generally will not be an acceptable reason to waive a guideline or determine that a guideline is inappropriate.



A. Development Standards & Design Guidelines

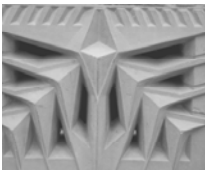
- **Considerations (C).** *Design guidelines listed in the adopted design review guidelines as considerations (C) are issues and concepts that an applicant should consider in preparing a plan. Their omission is not grounds for rejecting a plan, but their inclusion or recognition is encouraged and may assist in overcoming certain presumptions and in gaining acceptance for a plan.*

The implementation of these design review guidelines are subject to appeals procedures defined in Chapter B, Implementation Program.

a. Urban Design Principles

These principles are based on a shared understanding of the current character and condition of the Arizona Biltmore Resort & Spa PUD as follows:

- The Arizona Biltmore Resort & Spa PUD is part of the City of Phoenix, located within the Sonoran Desert - a unique environment that attracts residents, workers, and visitors from around the world.
- The Arizona Biltmore Resort & Spa is a significant component of the East Camelback Village, within the suburban context of the City of Phoenix.
- The Arizona Biltmore Resort & Spa is a partner in the success of the Biltmore area of the East Camelback Village. As such, it is committed to fostering an attitude of trust in addressing and resolving issues of mutual neighborhood interest as well as improvements to enhance the quality of life within the neighborhood fabric.
- The Arizona Biltmore Resort & Spa takes seriously its responsibility to provide a compatible and sustainable land use, functional circulation/parking, expansive open space and adequate facilities and services that achieves its goals and special needs among its surrounding property owners.
- The Arizona Biltmore Resort & Spa is the recipient of a rich architectural heritage embodied by its design by Frank Lloyd Wright and James McArthur, yet now exhibits a diverse interpretation of its initial architectural style.
- The Arizona Biltmore Resort & Spa is a special place, as reflected by its identification as one of the thirty *Phoenix Points of Pride*.



A. Development Standards & Design Guidelines

A. Contextualism

The Arizona Biltmore Resort & Spa PUD has a special relationship with its setting. Nestled at the base of the Phoenix Mountain Preserve, its location and surrounding uses must be viewed in a wider vision to foster ongoing dialogue and a compatible land use pattern for all property owners in the Biltmore area. Supportive principles include:

1. The size, character and setting of proposed revitalization, redevelopment and new development projects should relate to their site specific context and functions of internal private, and external public streets. Its internal pedestrian network should connect with external paths, sidewalks and trails to foster area-wide connectivity. Buildings should be oriented based on their relationship with existing buildings and landscape areas, environmental conditions, views, and internal vehicular and pedestrian circulation systems.
2. Each revitalization, redevelopment or new development project should respond to the environmental context of the Sonoran Desert and consider the elements of sustainability relative to the value of limited natural resources, the abundance of sunshine, comforting breezes and attractive seasonal climate.
3. The natural environment of the surrounding desert context contains critical extremes. The opportunity to create a harmonious response exists when these factors are understood and addressed in the design of revitalized, redeveloped and new buildings within the Arizona Biltmore Resort & Spa PUD.
4. Revitalized, redeveloped and newly designed and developed buildings within the PUD should incorporate building materials and technology that are compatible with the context of the Main Building (G), Cottages (J) and Garden Wing (M, N, O), the Southwest setting and the climate indicative of the Sonoran Desert.
5. Each project phase within the Arizona Biltmore Resort & Spa PUD will clearly identify that its specific design context is an oasis setting to support its desert oasis brand. Deviating from the general character of the existing landscape context is generally not appropriate.



A. Development Standards & Design Guidelines

B. Amenity/Comfort

Settlements located within the Sonoran Desert generally occur in an "oasis" setting which offers a respite from the arid related extremes of the larger area context. A development in an arid setting requires design features to aid human comfort. It is important to understand that urban conditions, such as paved areas and buildings, generate reflected heat, thus increasing the need for mitigating design features in an effort to promote livability. Supportive principles include:

1. Promote human comfort by providing vegetative and structural shaded areas through the retention and/or provision of mature trees, courtyards, colonnades and other site amenities.
2. Create a resort environment conducive to pedestrian circulation both on and off site throughout the year.
3. Promote the creation of active and passive spaces at both large and small scales to encourage a sense of open space and expansiveness within the Resort.
4. Recognize the Sonoran Desert setting by creating a sense of place that respects nature and utilizes natural and man-made materials and devices.
5. Understand in building and landscape design that protection from the sun and heat is a priority between April and September, while access to the sun is a priority from October to April.
6. Encourage the separation of pedestrians and, vehicular and delivery traffic.
7. Promote night time uses within the Arizona Biltmore PUD with secure, well lighted amenity zones and programmed activities.
8. Consider the effects of noise with the provision of night time uses and the ability to regulate accordingly by use and time of day.

C. Visual Interest

A built environment that contains a harmonious balance of forms and materials can be visually interesting. Too much variety or too much uniformity can minimize building rhythm or create monotony. Revitalized,



A. Development Standards & Design Guidelines

redeveloped and new development should seek to preserve and enhance this basic human need. Supportive principles include:

1. Incorporate architectural and landscape elements at the pedestrian level to foster a cohesive environment.
2. Maintain visual interest by creating variation in the building forms.
3. Recognize the interest created by repetition or changes in various building patterns from window openings to door placements.
4. Promote the acknowledgement of the existing architectural style with an updated design response.
5. The existing visually rich context of the Resort offers a sense of form, materials, orientation and detailing that should be incorporated into other on-site assets.

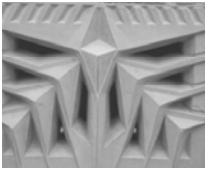
D. Activity

Resort environments that provide a variety of choices for their guests and visitors are generally active settings where people tend to gather. This fosters a sense of community when a visit can serve multiple needs in a setting that provides safety, security, and activity. Supportive principles include:

1. Encourage an appropriate mix of uses within the property to serve the needs of guests and visitors and support its primary lodging, conference/events, spa and dining activities.
2. Promote design which enhances the opportunities to expand activities within the PUD Project Boundary without impacting the quality of life for the existing adjacent developments and neighborhoods.
3. Design retail, dining, and spa/fitness uses to primarily be located at the pedestrian level to encourage visibility, access, activity and use.

E. Clarity and Convenience

A resort environment that is easy to understand will usually also be convenient for the guests and visitors who experience its ambience, service and attention to detail. While complexity may offer excitement, it



A. Development Standards & Design Guidelines

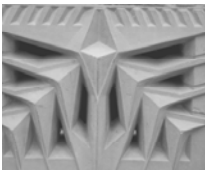
should not occur at the expense of guest and visitor accessibility and wayfinding within the resort. Supportive principles include:

1. Environments should be created that are understandable and help orient the guest and visitor.
2. Buildings should be convenient to, and accessible by, persons with physical limitations and/or disabilities.
3. Buildings should derive their basic order from the design of the original Resort, which will assist in expressing a ready comprehensibility. New project phases should relate to the existing buildings and pedestrian pattern except where creative design establishes a more successful relationship.
4. Buildings should be planned to respect existing on and off-site natural and manmade landmarks.
5. Buildings should strive to protect the existing view corridors produced by major vistas and panoramas that give special emphasis to proximate open space and mountains.
6. Reevaluate the existing project sign and environmental graphic program to ensure it functions at a scale that provides identity and wayfinding clarity to the pedestrian, bus, automobile and delivery vehicles.

F. Character and Distinctiveness

Every future structural improvement project should strive to enhance the unique character of the Resort and its surrounding neighborhoods. Without limiting the creative opportunities for the specific project, the Resort should help make the Biltmore Study Area more distinctive. Supportive principles include:

1. Each building should respect the character identified for the East Camelback Village and the specific character for its Biltmore neighborhoods.
2. Enhance the Resort identity by carefully choosing appropriate elements that reinforce its existing landscape and built character.



A. Development Standards & Design Guidelines

3. Consider the character and environments of the Resort at a human scale.

G. Definition of Space

Streets, parking lots, buildings and landscape are the major elements that define the built environment. Organize their special qualities to foster a setting supportive of the pedestrian as well as vehicles. Supportive principles include:

1. Relate the size, character and setting of proposed improvements to the functions of adjacent streets and pedestrian networks. Buildings should be oriented to the existing pattern of structures, landscaping, views, and environmental conditions of the Sonoran Desert.
2. The areas located immediately adjacent to revitalized, redeveloped and new buildings should be designed to integrate with their existing surrounding landscape and pedestrian walkway systems. Shaded courtyards, cloisters, trellises, colonnades, water features and art are encouraged for inclusion within the design to define space.
3. In an effort to create safe pedestrian walkways on highly traveled private streets, a buffer area will be considered to separate the sidewalk from the street curb.

H. Views

Resort guests and visitors alike appreciate being reminded of the beauty of the Sonoran Desert environment. Protecting existing views assists in fostering an appreciation of the surrounding environment, as well as allowing the natural landscape to aid in orienting guests and visitors spatially within the City. Supportive principles include:

1. Protect existing views of major vistas and panoramas that give special emphasis to open space, mountains and special manmade or natural landmarks.
2. Enhance the protection of existing views, and access to views, both on and off-site.
3. Create opportunities for incorporating revitalized, redeveloped and new buildings into the patterns and sequence of views that exist within the Biltmore Study Area.



A. Development Standards & Design Guidelines

I. Variety and Contrast

Consideration of the existing architectural vernacular, yet evaluating variety in site and building design components, creates an identifiable brand and encourages creativity with new development. Supportive principles include:

1. Promote variety and diversity of building and site design within the context of the Resort's architectural vernacular.
2. Create a built environment that encourages its buildings to be focused on internal open space activities that provide active and passive amenities available for the guest and visitor at a human scale.

J. Scale and Pattern

The existing and future resort development must acknowledge the human scale through building height and landscaping. Supportive principles include:

1. A large building should contain elements which transition to the human scale, particularly at the pedestrian level.
2. If a building is larger (or smaller) than its adjacent physical context, the design should provide transitional elements at the perimeter to integrate it with its surroundings.
3. The variation of scale, pattern and texture of building and landscaping elements will be carefully considered to enhance visual interest. The variety should be "readable" at the pedestrian scale as well as from a distance (skyline).
4. The proportion between the height of a building and the width of the street and setback determine the basic building form. The intent of the Resort design is suburban in character, allowing the setbacks to be greater and height to be reduced.
5. Each building should be designed to reveal or express their primary patterns of use and entry in concert with the existing patterns established by other adjacent buildings within the Resort. This will not only assist comprehensibility, but also achieve a desirable variety within the PUD site.



A. Development Standards & Design Guidelines

K. Cultural History

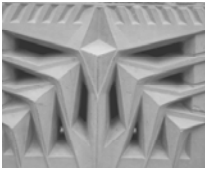
Even though Phoenix is a melting pot of many cultures, the Resort has created a destination-oriented environment appealing to guests and visitors who appreciate its service and attention to detail. While the development of the Camelback Village and Biltmore Study Area are relatively new, there are many layers of history upon which the Salt River Valley has been built. These remnants contribute to its heritage, vitality and culture. Honoring this heritage enriches both the Village and the Study Area. Supportive principles include:

1. Enhance and promote the historical and cultural qualities that are inherent and distinctive to the Arizona Biltmore Resort & Spa PUD.
2. Identify and incorporate the colorful history of the Resort property. Potential historic buildings and their related landscape settings will be carefully considered to be retained and restored, or elements and features reused to retain their cultural value.
3. Encourage and develop spaces for activities that promote the local and historic Resort characteristics for guests and visitors. These events and activities should take advantage of the wide variety of notable dignitaries from around the world that have appreciated the Southwest climate and other amenities of the Resort and Phoenix area.
4. New building design should be responsive to the existing context expressed through the Resorts' initial development in 1929.

L. Sustainability

The Arizona Biltmore Resort & Spa has committed to setting a high standard among Arizona resorts for "green initiatives". The approach is very comprehensive and sustainable, with initiatives focused on aspects of both internal operations as well as the built form. The goals of the green initiative are to reduce the Resort's carbon "footprint", create more efficient and environmentally friendly operations, and continue building on the initial intent as a responsible steward of the environment. Supportive principles to achieve its intent include:

1. Conserve the use of natural resources in day to day operations and future improvements to the Resort property.



A. Development Standards & Design Guidelines

2. Strive to achieve a climate neutral building through the design of future rehabilitation, redevelopment or new development improvements within the Resort property.
3. Consider flexibility in interior space design to extend the utility of existing buildings, reducing the demand for building material resources.
4. Pursue integrated solutions that acknowledge the interrelationships among building and site design components, such as building design and orientation, landscape selection and location, drainage and vehicular and pedestrian access, and water use.
5. Utilize renewable energy sources or provide measures that reduce their demand within the Resort property.

b . Design Review Guidelines

The design review guidelines indicate specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C), as defined previously. The guidelines are organized into the following 14 subsections:

Site Development Guidelines

- Landscape Architecture
- Open Space Amenities
- Trails and Paths
- Parking and Circulation
- Environmental Protection
- Site Lighting
- Arizona Canal
- Screening
- Walls and Fences
- Grading and Drainage
- Signs

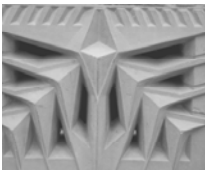
Building Development Guidelines

- Building Design and Construction
- Architecture

Site Development Guidelines

1. Landscape Architecture

1.1 Plant Materials



A. Development Standards & Design Guidelines

- 1.1.1 Revitalized, redeveloped and new development should minimize the removal of healthy, existing, non-native healthy plants (trees 4" caliper in diameter or greater) and cacti (6' high or greater). If removal is necessary, healthy mature trees should be salvaged and utilized on site. (P)

Rationale: Healthy non-native plant material contributes to the historical context and identity of the Resort and is a resource that provides shade and screening which would take years to replace.

- 1.1.2 The landscape palette of revitalized, redeveloped or new development should minimize the removal of healthy vegetation. Areas to be landscaped with new trees shall contain a mixed maturity consisting of 60% with 2-inch minimum caliper and 40% with minimum 1-inch caliper in accordance with Arizona Nursery Association Standards. (P)

Rationale: Mixing maturities creates a more mature looking landscape at installation and increases plant survival.

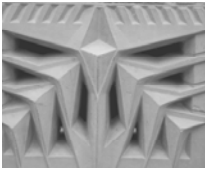
- 1.1.3 A gradual transition of landscape material should be provided where different oasis landscape themes are proposed among adjacent uses within the Resort. (P)

Rationale: A gradual or consistent landscape treatment among adjacent uses serves to unify the resort ambiance.



- 1.1.4 Any proposed landscape treatment should be compatible with, and relate to, any established distinctive character in the surrounding context area. (P)

Rationale: Landscape treatment that reflects the distinctive character of the surrounding area can help to create a sense of place and also enhance the environmental quality of the community.



A. Development Standards & Design Guidelines

- 1.1.5 Revitalized or new landscape areas should relate to and reinforce any established identifiable streetscape. (P)

Rationale: A consistent vegetation palette enhances the existing character of an area and aids in the creation of a sense of place.

- 1.1.6 Areas proposed for vegetation/revegetation should be planted on maximum 4:1 slopes. A 3:1 slope for revegetation may be considered if additional natural features and/or vegetation can be preserved. (P)

Rationale: Sites should be designed to minimize erosion and steep slopes, which should be stabilized with vegetation, rock or other measures.

- 1.1.7 The provision of existing and future utility services and facilities with landscape and hardscape design elements should be coordinated to minimize their visibility. (P)

Rationale: The vegetative selection and careful placement to screen utility elements not only mitigates their visual impact, but also reduces the potential for severe vegetative pruning as the trees, shrubs and groundcovers mature. Existing overhead electrical lines should be eliminated and placed underground in future development. Transformers, meter boxes, backflow preventers, and fire protection devices should be located in Back of House service areas where possible.

- 1.1.8 Trees adjacent to pedestrian walkways should have a minimum canopy clearance of six feet eight inches. (P)

Rationale: Unobstructed walkways are necessary for pedestrian safety, but should also provide a canopy and shade, whenever possible.

- 1.1.9 Pedestrian safety shall be considered when selecting trees and plant material. (C)

Rationale: Trees or other plant materials which exhibit thorns or spikes, drop fruit, pods or nuts, shed bark, or are prone to drop branches can create unsafe conditions for pedestrians.



A. Development Standards & Design Guidelines

- 1.1.10 Landscape plant material selection and placement along perimeter walls should be provided to buffer adjacent uses, and function to discourage graffiti. (P)

Rationale: When the surface area of a wall is decreased, the opportunity for graffiti is also reduced.

- 1.1.11 A minimum 50% of the landscapable area at buildout (excluding hardscape areas) shall be comprised of vegetation (turf, groundcover, shrubs and trees). (R*)

Rationale: The inclusion of substantial living vegetation and water features within the Resort creates a microclimate that reduces temperatures, minimizing the "heat island" effect.

- 1.1.12 New plantings should be designed to frame and preserve views to distant mountains from key vantage points.(P)

Rationale: Distant views from the Resort are an amenity that have historically attracted guests, but have been partially blocked with off-site, surrounding development.

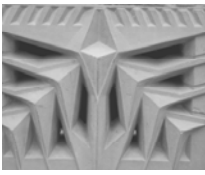
- 1.1.13 Several key tree and shrub selections should be used throughout the Resort as the Theme Palette that effectively knits the various landscape zones. (P)

Rationale: Theme plantings used consistently provide a physical connection among the diverse garden spaces and function lawns located throughout the Resort.

- 1.1.14 Consider the provision of shade of all public sidewalks and private walkways accomplished by both vegetation and shade structures. (C)

Rationale: Shaded walkways provide thermal comfort for all users, especially during the summer months in Arizona.



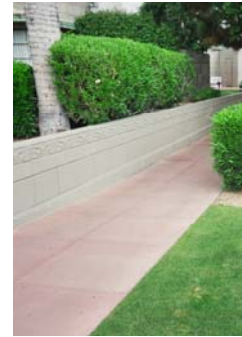


A. Development Standards & Design Guidelines

1.2 Hardscape.

- 1.2.1 Pavement materials utilized for pedestrian routes and gathering areas should be chosen to minimize reflected light and glare. (P)

Rationale: Outdoor walking and gathering surfaces should be designed with appropriate hardscape materials to enhance the pedestrian experience.



- 1.2.2 Consider indigenous and pervious paving materials which permit the infiltration of water, yet still provide functionality, and accessibility to the physically challenged. (C)

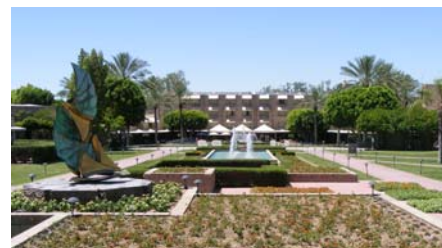
Rationale: The ability to allow for passive recharge not only reduces surface runoff but also irrigates vegetation and augments the groundwater table.

- 1.2.3 Hardscape materials such as paving, walls, steps and railings should be compatible in appearance with the materials historically used within the Resort but should meet today's standards in terms of sustainability, durability, safety and economical use. (P)

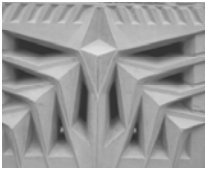
Rationale: Preservation of the Resorts' historic appearance should be maintained consistently throughout its exterior spaces.

1.3 Art and Water Elements

- 1.3.1 Water features, including fountains, should be sited to allow significant environmental and sensory enhancement including an aesthetic setting, pleasing sound and cooling the air within the outdoor spaces, primarily to on-site and incidentally to off-site users. (P)



Rationale: The inclusion of water features provides relief from the extreme desert temperatures and offers a pleasing sound to reduce noise, but should be used judiciously with every attempt made to limit the amount of potable water used.



A. Development Standards & Design Guidelines

- 1.3.2 Public art should continue to be integrated into design elements among different venues of the Resort. (P)

Rationale: Public art can be effectively used to create focal points and interest, supporting the vegetative corridors and termini in the Resort landscape.

- 1.3.3 Water features should incorporate automatic state-of-the-art filtration, chemical balance, and automatic water leveling equipment to ensure that water quantity and quality are adequately maintained at all times. (P)

Rationale: Maintaining water quality and operation of the water features are essential to their enjoyment by Resort guests and visitors. Poor water quality and under-filled features could present a safety or nuisance hazard to guests and the public.

2. Open Space/Amenities.

2.1 Open Space

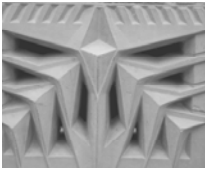
- 2.1.1 Improved open spaces, recreation activities and functional areas should be utilized throughout the Resort to promote safe human interaction. (P)



Rationale: Pedestrian amenities encourage the use of open spaces. A series of small areas, each provided with amenities may foster more human interrelationship than a large monolithic space.

- 2.1.2 Usable open space should create a shadow pattern through the use of structures that provide shading, landscaping or a combination of the two unless otherwise prohibited by site visibility triangles or other technical constraints. (P)

Rationale: Resort guests and visitors are attracted to public areas with shade during the summer months in Phoenix.



A. Development Standards & Design Guidelines

- 2.1.3 Function lawns and open spaces should be defined at the edges by walkways and intimate garden spaces with site furnishings, shade trees and interesting landscape plantings. (P)

Rationale: A variety of intimately designed garden spaces provides both sensory and visual relief to otherwise expansive areas, encouraging their use for both scheduled events and informal use by guests and visitors.



3.Trails and Paths

3.1 Trails

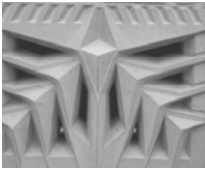
- 3.1.1 The Grand Paseo, providing trail connectivity between Arizona Biltmore Circle and the Arizona Canal, shall be maintained as an integral component of the built environment. Relocation and/or realignment of this public trail is envisioned (R*)

Rationale: Placing the Grand Paseo within a direct and improved condition will benefit the Arizona Biltmore Resort & Spa as well as the Arizona Biltmore Estates Community.

- 3.1.2 The Grand Paseo's surface treatment shall be integral color concrete pavement with non-slip finish consistent with other walkways existing on site. The use of pervious materials will also be considered. (R*)

Rationale: The Grand Paseo walkway should maintain the historic publicly dedicated pedestrian connection through the property in a manner that is consistent with the entire pedestrian walkway network within the Resort.

- 3.1.3 The Grand Paseo shall be illuminated with discreet, appropriately scaled pedestrian lighting. (P)



A. Development Standards & Design Guidelines

Rationale: The Grand Paseo should be adequately lit for the safety of hotel guests and the public, but only at a level that fosters safety and security, yet is not obtrusive to other Resort guests and visitors.

3.2 Paths

3.2.1 Path treatments throughout the Resort should be developed as follows (P):

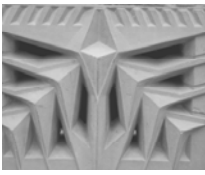
1. Primary outdoor pathways, carrying heavy pedestrian traffic, should consider pervious concrete with integral color and finished in a non-slip method.
2. Secondary outdoor pathways with minimal pedestrian traffic should be a permeable, indigenous material such as decomposed granite.

Rationale: The selection and use of pathway materials should support the hierarchy of the pathway system, thereby providing visual cues to help direct hotel guests between their origination and destination. Permeable materials allow for passive recharge that not only reduces surface runoff but also irrigates vegetation and augments the groundwater table.

3.2.2 Pathway widths should be minimized to a level adequate for their intended traffic. The use of overly broad walkways is discouraged (P).

Rationale: Wide walkways introduce an urban character that is contrary to the Resort's garden-like character. Broad walkways encourage undesirable vehicular use and add unnecessary pavement, increasing the temperature of the Resort microclimate.





A. Development Standards & Design Guidelines

4. Parking and Circulation

4.1 Surface Parking Design

- 4.1.1 Ten (10) percent of all surface parking lots, exclusive of perimeter landscaping and all setbacks, must be landscaped. Landscaping shall be dispersed throughout the parking area. (R*)

Rationale: The inclusion of vegetation along the perimeter, and within appropriate parking lots, provides shade, color, visual screening and mitigates the effect of the heat-island.

- 4.1.2 Landscape planters should include trees in parking lots, which shall measure a minimum of five (5) feet in width (inside dimension). (R*)

Rationale: Landscape planters require a sufficient size to provide a medium for trees and shrubs to increase their growth and resulting shade patterns. Wider planters also enhance survivability and minimize maintenance as trees grow larger.

- 4.1.3 Parking areas should be buffered from adjacent residential properties and screened from streets so that cars are not visible below the average height of the headlights. (P)

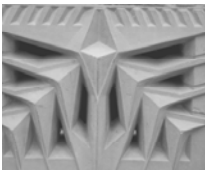
Rationale: Screening enhances aesthetic views and minimizes a potential land use nuisance.

- 4.1.4 Access drives, internal circulation drives, parking areas, and pedestrian walkways shall be designed to provide safety and convenience for both motorists and pedestrians and to ensure access for the physically challenged. (P)

Rationale: Enhancing safety and convenience improves the function of a parking area.

- 4.1.5 With the exception of safety considerations, the location of driveway curb cuts for parking lots or driveways should consider the relocation of mature landscaping, if healthy and feasible. (P)

Rationale: Saving mature landscaping within the Resort enhances street character and neighborhood identity.



A. Development Standards & Design Guidelines

- 4.1.6 The use of asphalt in the form of excessive vehicular maneuvering or parking, staging or material storage should be minimized. (P)

Rationale: Excessive paving (used as an alternative to avoid landscape treatment) contributes to the "heat island" effect and is not desirable in appearance. Alternative surface treatments should be provided which minimize heat absorption and are permeable to allow surface water infiltration.

4.2 Parking Structure Design.

- 4.2.1 Lighting within the below grade parking structure should provide safety and security and be integrated into the architectural character both in terms of illumination and fixtures. (P)

Rationale: Lighting must provide safety but not be offensive to off-site uses.

- 4.2.2 Appropriate visibility triangles and pedestrian crossings at exits and entrances should be provided for all parking structures. (P)

Rationale: Parking ingress and egress should not interfere with street movement or pedestrian circulation.

- 4.2.3 Those portions of new parking structures visible above grade should be integrated with the form and materials of the site structures or the scale, form, color and materials of the adjacent uses. (P)

Rationale: These features will assure efficiency and minimize the visual impact to the surrounding uses.

- 4.2.4 There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both vehicular and pedestrian traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs). (P)

Rationale: Parking structures should provide clarity, safety and be convenient for the user.

- 4.2.5 Incorporate the use of landscaping at all exterior entrances to a subterranean parking structure. (P)



A. Development Standards & Design Guidelines

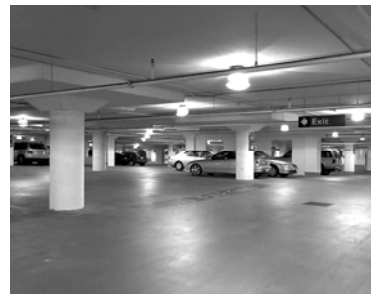
Rationale: Appropriate landscaping along the exterior entrances of the parking structure would substantially enhance its aesthetic appeal as well as provide protection to the building and reduce temperature fluctuations.

- 4.2.6 A minimum of one and one-half (1 1/2) foot offset for the placement of a parking stall stripe should be provided from any interior wall or column. (P)

Rationale: This offset will ensure proper maneuverability and minimize vehicular damage for both large and small vehicles.

- 4.2.7 Lighting levels should be equally distributed to provide uniform illumination over all parking areas. (P)

Rationale: The uniformity of lighting levels promotes personal safety and functionality within a parking structure.



- 4.2.8 Light fixtures shall be shielded so that its source of illumination is not seen from outside the structure. (P)

Rationale: Visual access to a light source could be a nuisance to adjacent properties.

- 4.2.9 Stairs and elevators are preferred to be located adjacent to a building lobby or active pedestrian corridor on sites where parking structure access points can be exposed to outside view. (P)

Rationale: The proper placement of stairs and elevator cores will promote direct access to primary destinations and could promote public surveillance.

4.3 At-grade parking

- 4.3.1 Lighting within an at-grade parking area shall provide safety and security and be integrated into the architectural character both in terms of illumination and fixtures. (P)



A. Development Standards & Design Guidelines

Rationale: Lighting must provide safety but not be offensive to off-site uses.

- 4.3.2 Staging areas should be designed to accommodate the required queuing within the parking area and not on the street. (P)

Rationale: To efficiently and safely disperse vehicles, staging must not interfere with vehicular movement or pedestrian circulation outside of the structure.

- 4.3.3 Appropriate visibility triangles and pedestrian crossings at exits and entrances should be provided for all parking areas. (P)

Rationale: At-grade parking ingress and egress should not interfere with street movement or pedestrian circulation.

- 4.3.4 There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both vehicular and pedestrian traffic including appropriate signage. (P)

Rationale: At-grade parking area should provide clarity, safety and be convenient for the user.

- 4.3.5 Lighting levels should be equally distributed to provide uniform illumination over all at-grade parking areas. (P)

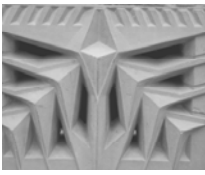
Rationale: The uniformity of lighting levels promotes personal safety and functionality within a parking area.

- 4.3.6 Light fixtures shall be shielded so that its source of illumination is not seen from adjacent uses. (P)

Rationale: Visual access to a light source could be a nuisance to adjacent properties.

- 4.4 Existing above grade parking structure

- 4.4.1 Rooftop lighting shall be set back a minimum of twenty-five (25) feet from the perimeter of the rooftop parking structure and shall be a maximum of twelve (12) feet in height as measured from parking deck to top of fixture. (R*)



A. Development Standards & Design Guidelines

Rationale: The direct source of light should not be visible from lower levels or adjacent uses.

4.5 Access and Circulation.

- 4.5.1 Pedestrian sidewalks, paths and trails should be separated from vehicular traffic. (P)

Rationale: Clearly separated pedestrian walkways promote pedestrian safety.

- 4.5.2 All proposed improvements, including but not limited to, changes to driveways, parking, circulation, water features and landscape in the no-build zone as shown on Figure A-1, should maintain proportional compatibility with the south elevation of the Historic Hotel and the overall historic character of Arizona Biltmore by demonstrating contextual design relationships with the historic design elements, while promoting safe and efficient access and circulation. The Historic Preservation Office will determine the application of and compliance with this Design Review Guideline. (R*)

Rationale: To ensure that all changes to driveways, parking, circulation and landscape in the no-build zone are compatible with the historic character of the Arizona Biltmore.

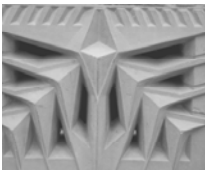
5. Environmental Protection.

5.1 Environmental Protection

- 5.1.1. Overhangs, louvers and canopies should be integrated in the building design along all adjacent pedestrian thoroughfares. (P)

Rationale: Overhangs and canopies can provide a





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shaded walking area which encourages social interaction and enhances the pedestrian experience.

- 5.1.2 Pedestrian walkways and small gathering areas should be shaded by vegetation or structural elements (minimum 50% at vegetative maturity) to encourage use. (P)

Rationale: The design of pedestrian routes and small gathering areas, such as courtyards and plazas, with appropriate shading enhances the environment and the pedestrian experience. Some gathering spaces such as the central hexagon, the pools, the Paradise Gardens, the Biltmore Spa exterior spaces and similar spaces will maintain solar access for the enjoyment of Resort guests with emphasis on the use of these spaces during peak season.

- 5.1.3 When providing shade trees to enhance gathering areas, a mixture of deciduous and evergreen trees, including palms, should be selected. (P)

Rationale: Broadleaf evergreens and palm trees project a resort appearance. A strategic combination with deciduous trees will provide shade during the summer while allowing warming sunlight into the spaces during cooler months.

- 5.1.4 Carefully consider the placement of existing and proposed deciduous and evergreen trees, including palms on the site. (P)

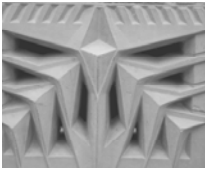
Rationale: Proper placement of the trees block summer sun to the south and west of the building and evergreens block winter wind on the north face of the building.

6. Site Lighting

- 6.1. All on-site lighting shall maintain the Biltmore theme within styles currently established at the Resort. (P)

Rationale: Lighting should maintain the Biltmore theme and avoid the inconsistent use of exterior fixtures.





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6.2. All on-site lighting should be shielded to avoid direct light trespass and/or glare onto adjacent property. (P)

6.3. Lighting shall be shielded with cut-off fixtures and deflectors to direct light downward to minimize sky glow (R*)

Rationale (6.2-6.3): Lighting should not create an adverse impact on adjacent uses.

6.4. Parking lot, service and other screened areas shall promote safety and security of guests and staff during nighttime hours. (P)

Rationale: Well lit areas discourage criminal activity from occurring endangering guests and visitors.

6.5. Lighting fixtures and illumination shall conform to the pedestrian scale of the Resort and compliment its architectural character. (P)

Rationale: Compatible lighting fixtures and other appurtenances help to reinforce the design theme of the Resort.



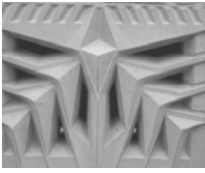
6.6. Site lighting shall be provided to ensure personal safety at building entrance/exits, and in public assembly and parking areas. (R*)

Rationale: Site lighting should provide guests and visitors with a sense of security on site.

6.7. Illuminative gases, LED lights and fiber optics should not be placed on structures which are adjacent to, or across a road from adjacent, residential property. (P)

Rationale: Visible neon/fiber optics represents a commercial intrusion into adjacent residential character.

6.8. Site lighting should utilize automatic control mechanisms and energy efficient and low maintenance light sources and luminaries. (P)



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Rationale: The ability to modulate and turn off light fixtures during periods of non-use will assist in reducing energy waste and utility costs.

- 6.9 Parking lot and security lighting shall not exceed a maximum of fifteen (15) feet in height including lamp, pole, and base within one hundred fifty (150) feet of a residential district. (R*)
- 6.10 Parking lot and security lighting should not exceed a maximum of twenty-five (25) feet in height adjacent to non-residential districts. (P)

Rationale: The height of light standards at the perimeter of the site should respect the adjacent property.

7. Arizona Canal

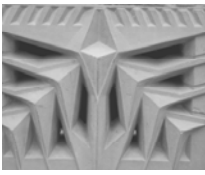
All development adjacent to the Arizona Canal (which is subject to development review) shall comply with the following design guidelines. Such development which uses Salt River Project (SRP) canal bank right-of-way or Flood Control District (FCD) Arizona Canal Diversion Channel (ACDC) right-of-way shall also be under a licensing agreement with the City of Phoenix, SRP, and the FCD as required. The Arizona Canal Design Guidelines promote the improvements expressed in Volume I: Existing Conditions and Master



Plans for the enhancement of the canal corridor as the Biltmore Promenade and a new entry bridge to the improved front entry. The Arizona Canal Design Guidelines express a desired outcome. However, these guidelines recognize that the implementation of some of the standards will require the coordinated cooperation of both the Salt River Project as well as the Flood Control District of Maricopa County. Since the implementation of these guidelines falls outside of the full control of the Arizona Biltmore Resort & Spa PUD, these particular guidelines are expressed as considerations (C).

7.1 Grand Entry Access Bridge

- 7.1.1 Improve the vehicular access and entry experience to the Arizona Biltmore Resort & Spa by promoting the development of a new



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bridge across the Arizona Canal at the terminus of Thunderbird Trail (C)

Rationale: The Circulation and Parking Master Plan for the Arizona Biltmore Resort & Spa envisions the development of a new vehicular bridge at its front entry on Telawa Trail. This new bridge will significantly improve the entry experience for the Arizona Biltmore Resort & Spa guests as well as the general public.

- 7.1.2 The construction of the new Grand Entry Bridge should utilize materials and respect the form incorporated into the two existing bridges, yet incorporate features such as columnar elements and enhanced paving materials to foster its primary entry status for the Resort. (C)

Rationale: The new bridge should respect the existing contextual setting expressed by the two existing bridges, yet support the significance the bridge as the main gateway for the Resort.

7.2 Biltmore Promenade

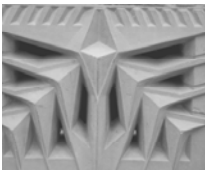
- 7.2.1 Improve the north bank of the Arizona Canal with a formal walkway immediately adjacent to the canal water edge. (C)

Rationale: The Open Space, Paths and Trails Master Plan for the Arizona Biltmore Resort & Spa PUD envisions the development of a new Biltmore Promenade along the north edge of the Arizona Canal. This new pedestrian path will significantly improve the access to the canal system for hotel guests and visitors, as well as area residents and the general public.

- 7.2.2 Construct the Biltmore Promenade as close to the water edge as feasible. (C)

Rationale: A strong visual connection should be made with the canal and its historic and existing function of moving water within the Valley of the Sun.

- 7.2.3 The Biltmore Promenade should be eight to ten feet in width where feasible, have a finished surface of enhanced paving appropriate



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to the Resort, include low level lighting fixtures and be enhanced with trees, shrubs, ground cover and automatic irrigation. (C)

Rationale: The development of the Biltmore Promenade will promote activity along the Arizona Canal, offer a passive amenity to the hotel guests and the general public, as well as connectivity to off-site originations and destinations.

- 7.2.4 The Biltmore Promenade should be designed to incorporate periodic observation platforms which cantilever over the canal water and offer a location to relax, socialize and/or observe activity along the Arizona Canal and within the context area of the canal. (C)

Rationale: The observation platforms (while subject to the approval of the Salt River Project) will provide a quiet refuge for reflection, contemplation or socialization.

- 7.2.5 The Biltmore Promenade design should include historic and interpretive story telling plaques or panels which provide statements of history and context related to the Arizona Biltmore Resort & Spa, the Wrigley Mansion, the history of the Arizona Canal or other historically significant facts affiliated with the Biltmore context. (C)

Rationale: The interpretive plaques/panels will promote the Resort as a Phoenix Point of Pride and will provide interesting facts affiliated with the development of the Arizona Biltmore context.

- 7.2.6 Where space allows, the promenade should be supplemented with additional garden plantings, earth mounding and garden seating. (C)

Rationale: Introducing the meandering layout will provide a variety of walking experiences to the guest and visitor, integrating a garden-like approach to the urban character along the Canal edge where space will allow.



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7.3 Physical Canal Access

- 7.3.1 Paths providing pedestrian circulation within fifty feet of the south property line of the Arizona Biltmore Resort & Spa PUD property should provide a pedestrian connection to the north bank of the Arizona Canal and the Biltmore Promenade. Connections should be made at approximately 600 foot intervals along the south property line. (P)

Rationale: Pathway connections to the Biltmore Promenade and north bank of the Arizona Canal will promote use of the canal bank by guests of the hotel and connectivity to existing canal improvements to the north.

- 7.3.2 The Grand Paseo should provide and maintain a direct connection to the Arizona Canal and the Biltmore Promenade (P)

Rationale: The Canal bank should be a primary component of pedestrian (including modes of transportation necessary for people with disabilities), bicycle, segway and walking/jogging pathways. Public accessibility to the Canal system is desirable in order to reinforce and preserve the system as a valuable public resource.

7.4 Visual Accessibility

- 7.4.1 Solid walls above three feet and adjacent to the Arizona Canal right-of-way should not be allowed in an effort to maintain visual access between the Canal bank and the adjacent developed and open space areas. (P)



- 7.4.2 Existing significant view corridors of the Canal from contiguous public spaces including existing streets and open spaces should be preserved. (P)

- 7.4.3 Wherever possible, combine existing views of the Canal with views of significant natural features (e.g. Camelback Mountain, Piestewa Peak). (C)



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Rationale (7.4.1 - 7.4.3): Adjacent and contextual views of the Canal should be enhanced and preserved as part of the public realm.

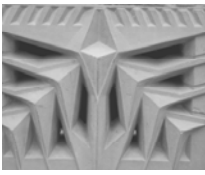
7.5 Landscaping Features within the Canal Right-of-Way

- 7.5.1 The placement of new trees and shrubs along the Arizona Canal bank shall be selected for their ability to provide shade and a visual amenity. Modifications to spacing may be required by SRP subject to the Canal width or by the City of Phoenix Development Services Department or SRP or the FDC along the ACDC subject to access needs or the slope of the Canal bank adjacent to private property. (P)
- 7.5.2 Low water use landscape materials shall be located in the Arizona Canal bank development. Landscape materials shall be selected from the Arizona Department of Water Resources (ADWR) (this serves as the City of Phoenix's adopted low water use plant list) and SRP's approved plant list. (R*) If discrepancies occur, the SRP list shall prevail.
- 7.5.3 An irrigation system shall be designed for Arizona Canal right-of-way landscaping and installed using a municipal or private potable or non-potable water supply. The use of state-of-the-art water efficient drip, subsurface, and/or microspray irrigation systems will be used in all landscape areas. (R*)

Rationale: Minimizing potable water use and potentially transitioning to other non-potable resources continue the Resorts' responsible conservations ethic while ensuring that the health and appearance of the Resort landscape is preserved.

- 7.5.4 Landscaping on the Arizona Canal bank shall be designed to avoid drainage into either the Canal or ACDC as runoff unless the existing and prevailing drainage is already into the ACDC. (R*)

Rationale (7.5.1 - 7.5.4): The overall landscape character of the Arizona Canal development should respond to its context within the Sonoran Desert and the desert oasis embodied by the Canal and the Arizona Biltmore Resort & Spa.



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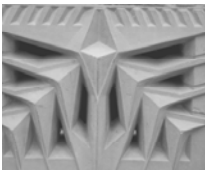
7.6 Safety

- 7.6.1 The Arizona Biltmore Resort & Spa should consider participating in the installation of one or more of the following safety measures, or an acceptable alternative, based on the determination of the property's' proportionate share of the cost due to the level of impact of the project on Canal bank usage: (C)
- a. Clearly marked crosswalk with motorist warning signs at Canal crossing locations;
 - b. Vehicular rumble strips or a change of pavement materials to warn oncoming traffic that they are approaching a pedestrian crossing;
 - c. Curb ramps;
 - d. Street identification and safe crossing method signage.
- 7.6.2 Lighting placed within the Arizona Canal right-of-way shall not spill onto private residential property. Light intensity shall not exceed one (1) foot candle at the residential property line. (C)
- 7.6.3 Vegetation height or massing shall not become a safety hazard by completely restricting visibility within the Canal right-of-way. (C)
- 7.6.4 All bridge crossing access points which are perpendicular to the Arizona Canal should be well lit and clearly marked. (C)

Rationale (7.6.1 - 7.6.4): The opportunity for accidents along the Arizona Canal increases with the improvements that attract people to experience and utilize it. But the provision of fencing, lighting and other measures will promote a safe and enjoyable experience.

7.7 Power Easements.

- 7.7.1 All Canal uses shall be designed and planned with the coordination of Salt River Project (SRP). (R*)
- 7.7.2 Only trees identified on the SRP approved plant list shall be planted within the SRP power easement. (R*)
- 7.7.3 Any conductive materials used within power easements shall be properly grounded. (R*)



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- 7.7.4 Pedestrians and cyclists should be kept away from power towers with minimum three and one-half (3.5) foot high barrier plantings. (This design must still allow necessary service access.) (P)

Rationale (7.7.1 - 7.7.4): It is very important to the function of the Arizona Canal for SRP to maintain and operate its water delivery service and adjacent power system.

7.8 Adjacent Land Uses.

- 7.8.1 In order to enhance the visual experience for Arizona Canal bank users and to promote safety, the frontage along the Arizona Canal bank of adjacent uses such as storage facilities, parking garages and outdoor storage should be minimized. (P)
- 7.8.2 Public spaces within private developments should be located adjacent to the Canal in order to achieve integration with the public system of the canal. (P)
- 7.8.3 Parking lots shall be designed so that they do not drain into canals. (R*)

Rationale (7.8.1 - 7.8.3): Canals should be treated as an asset to be integrated with adjacent land use, yet protected from off-site impacts.

8. Screening

8.1 Site Visual Screening

- 8.1.1. Service areas should be located away from public view. (P)

Rationale: Service areas such as loading docks, delivery areas, refuse collection areas and similar facilities which could be sources of odor, noise, glare and smoke, or could be visually objectionable should not be located in highly traveled areas and should be screened from view.

- 8.1.2. All service areas must be screened to conceal trash containers, loading docks, transformers, backflow preventers and other



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mechanical and or electrical equipment. Screening shall be compatible with the materials used in the primary buildings. (R*)

Rationale: Although service areas and utility services are necessary to building operations, screening devices and landscaping should be used to improve their visual appearance.

- 8.1.3. All new or relocated electric lines (12 kv and smaller), communications and cable television and all on premise wiring should be placed underground where visible from streets or adjoining properties. (R*)

Rationale: Utility services should not have an adverse visual impact on adjacent development or visibility from the public or private streetscape.

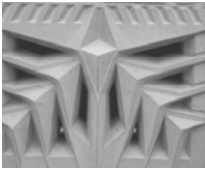
9. Walls and Fences

9.1 Walls

- 9.1.1 Avoid visual monotony and create interest (P):
- Walls fronting on adjacent streets should have a finished appearance. Untextured, unfinished block and reinforced, mortar-free concrete walls should be avoided unless they exhibit a character reminiscent of the Biltmore Block.
 - Wall lengths exceeding fifty (50) feet adjacent to streets should be articulated or fronted with substantial landscaping to break the continuous wall surface and create varying shading patterns.

Rationale: Perimeter wall treatment should provide decorative elements for visual interest and contribute an enhanced image to the surrounding community. Finished wall treatments should include decorative elements, variation in wall materials, and textured surfaces compatible with primary structures.

- 9.1.2 Perimeter walls should be used judiciously to screen undesirable views and provide privacy to either neighboring properties or Resort guest areas where privacy is necessary. Wherever appropriate, views into the Resort's public areas should not be blocked by perimeter walls. (P)



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Rationale: Due to its semi-public nature, the Resort should avoid the sequestered “compound” appearance prevalent in the area. A free flow of space and views with its surroundings should be encouraged.

9.2 Fences

- 9.2.1 Construction (chain link fencing with an opaque fabric shroud or similar visual barrier) fencing shall be used to define the perimeter of all construction phases. (R*)

Rationale: Construction fencing around the perimeter of a construction phase will reduce the visual access to construction materials, equipment and construction activity from within the Resort property as well as from adjacent neighborhoods. This fencing will also restrict access to the construction site as well as assist in containing the migration of dust and debris.

10. Grading and Drainage

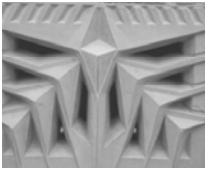
10.1 Grading

- 10.1.1 The Arizona Biltmore Resort & Spa PUD shall be designed to minimize erosion. Steep slopes shall be stabilized with vegetation, rock or other measures. (R*)

Rationale: The existing site conditions do not currently utilize retention or other means of controlling sediment transport. Proposed revitalization, redevelopment and new development design techniques should maintain the existing methods of retaining the soil in place.

- 10.1.2 The Arizona Biltmore grading plans should be designed with finished ground elevations that are lower than, or closely match, existing ground elevations to mitigate potential impacts on adjacent residential privacy. (P)

Rationale: Development with substantially higher grades adversely impacts the privacy of adjacent residential land use, creates barriers and may disrupt drainage patterns.



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10.2 Drainage

- 10.2.1 Future surface, site drainage shall be designed to avoid hard line channels that are visible to the public. (R*)

Rationale: A more natural approach to drainage can reduce the amount of required grading and result in a quality open space amenity for the Resort development.

- 10.2.2 On-site surface drainage shall be integrated within the overall landscape design. (R*)

Rationale: Integrating drainage with the landscape design can provide for efficient use of water and leverage joint use opportunities.

11. Signs.

11.1 Character

- 11.1.1 Signs should be designed to be consistent with the Resorts' history, philosophy, natural setting, architectural aesthetic, and with the building material palette of the site. (P)

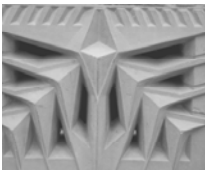
Rationale: Signs help reinforce the historic image created by the architecture of the Resort.

- 11.1.2 Signs shall utilize a hierarchy of types for on and off site locations to better define priority areas and paths of travel. (P)

Rationale: Signs communicate in many ways, not just through their text. A demonstrated hierarchy of types will assist guests determine their most efficient route while also addressing viewing distances, rate of travel and site conditions.

- 11.1.3 Signs shall communicate information that allows fluid on-site travel and guest comfort and safety. (P)

Rationale: The proper design and inclusion of guest information assists in promoting an atmosphere of efficiency, leisure and relaxation.



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- 11.1.4 Signs should use sustainable materials or textures and utilize manufacturing methods which are complementary to those used in the building or project being signed. (P)

Rationale: Signs which incorporate the materials used on site are more effectively integrated into a development.

- 11.1.5 Signs should use colors, graphics, typography and design details which match or complement the colors used on the buildings at the Arizona Biltmore Resort & Spa. (P)

Rationale: Sign colors can enhance the character, quality and atmosphere of a development.

- 11.2 Location
- 11.2.1 Sign locations should be integrated within the design of the site and the adjacent community. (P)

Rationale: Signs should be located to provide their functional purpose of communication, and not dominate the building, the site design, or the adjacent community.

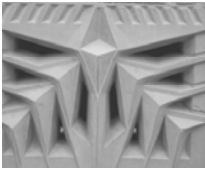
- 11.2.2 Signs and landscaping shall be placed so that they are not in conflict when landscaping reaches full maturity. (P)

Rationale: Although landscaping may not initially appear to obscure a sign, it may significantly reduce or eliminate the sign's effectiveness unless its mature form is taken into account in the design process.

- 11.2.3 Sign locations should be selected with specific consideration to circulation patterns. Signs should occur at decision points and when conditions or destinations need to be identified. (P)

Rationale: Proper sign location selection can minimize the number of signs required to properly direct guests to and around the site.

11.3 Function



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- 11.3.1 Sign placement and materials for multiple tenant occupancies should be delineated in a uniform and consistent manner. (P)

Rationale: Sign content is more comprehensible and readable when it is displayed in a consistent manner and is executed uniformly.

- 11.3.2 Traffic directional signs shall be placed to promote safe and efficient traffic flow. (P)

Rationale: Poor placement of signs can confuse motorists and pedestrians and cause potential safety hazards.

- 11.3.3 Signs should be oriented to promote readability and serve their intended function. (P)

Rationale: Poor orientation reduces the effectiveness of a sign.

Building Design/Construction Guidelines

The building development guidelines indicate specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C), as defined previously. The guidelines are organized into the following three subsections:

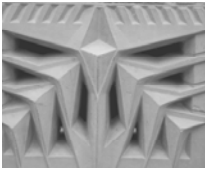
- Building Design and Construction
- Architecture
- Environmental Protection
- Arrival Experience

1. Building Design and Construction

1.1 Stylistic Intent

- 1.1.1 New and substantially revitalized buildings shall be compatible with the design sensibilities and successfully coexist with the existing Main Building and Cottages fashioned after the work of Frank Lloyd Wright and James McArthur. These buildings must utilize elements such as: (P)

- Low sweeping horizontal gestures
- Strongly articulated ceilings and horizontal planes



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- Overhanging rooflines
- Biltmore Block - precast concrete blocks with embossed palm pattern
- Inside/outside transition
- Connection to open space and the outdoors

Rationale: While the original buildings offer a foundation of design to build upon, the ability to creatively depart from a rigid adherence to the “Wright/McArthur Style” should be allowed and supported.

- 1.1.2 Building facades should include architectural embellishments or detailing such as textural and pattern changes, pilasters, offsets, recesses, window fenestration, and overhead/canopies. (P)

Rationale: These design elements are critical components to integrate new buildings and acknowledge their ability to produce shade in a setting with an extreme summer climate.

- 1.1.3 Buildings should strive to maintain a balanced variety of materials and forms. (P)

- 1.1.4 Identify, and incorporate as much as possible, the particular history of the site. Whenever possible, historically significant buildings and their related landscape settings should be retained and restored, or put to adaptive reuse with respect to their cultural value, and their connection with the local heritage of the Resort. (P)

- 1.1.5 Enhance and promote the historical and cultural qualities that are inherent and distinctive to the area. (C)

- 1.1.6 A high quality of design and construction should be encouraged to provide for the long term function, appeal and reduced maintenance of the buildings. (P)



Rationale (1.1.3 - 1.1.6) The history, and its manifestation in the original buildings on the property, must be sensitively addressed and remain a foremost consideration in the continued revitalization, redevelopment and new development contemplated for the property in the short and



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long term management of this precious asset in the Phoenix Metropolitan Area.

1.2 Placement and Orientation

- 1.2.1. The proposed building orientation should respect the layout of surrounding buildings and surrounding community. (P)

Rationale: Placement of buildings in relation to the surrounding elements is as important as the building design.

- 1.2.2 The proposed building orientation should respect climatic conditions by minimizing heat gain in the summer, maximizing passive solar opportunities in the winter, using prevailing winds for natural ventilation, and consider the benefits of structural and landscape generated shade on adjacent land uses and areas. (P)

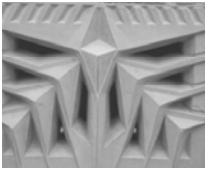
Rationale: Energy efficiency and user comfort are essential to the successful design of a building and integrating it within an existing development context. The intent is to minimize the east/west exposures, use high performance technological solutions and/or shade control.

- 1.2.3 Natural surveillance shall be maximized in project design to encourage unobstructed observation of people and property near entryways, pathways, open spaces and parking lots. (P)

Rationale: The incorporation of visible public spaces in project design discourages criminal behavior and enhances public safety through increased public awareness and user activity.

- 1.2.4 Relate the size, character and setting of proposed structural improvements/additions to the functions of adjacent pedestrian networks. Buildings shall be oriented to the formal axis, pathways, gardens, and courtyards and close to pedestrian movement (P)

Rationale: The success of the built environment is based on its attention to create a human scale within its natural context.



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- 1.2.5 Buildings should be designed to reveal or express their primary patterns of use and entry. (P)

Rationale: Careful attention to functional use relationships among buildings and their primary entry and connection is a valuable part of the design process.

- 1.2.6 Architectural design shall take into account the solar consequences of building height, bulk and area. (P)

Rationale: Buildings should maximize public comfort by providing shaded public outdoor areas, minimizing glare (especially from 11 a.m. to 2 p.m.), and facilitating openings that allow prevailing morning-afternoon breezes.

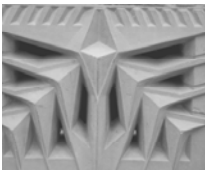
- 1.2.7 Southern and western facing building exposures, which are subject to solar intensity, should minimize the use of glass and provide landscaping and architectural surface relief to reduce heat gain on and within the building. (C)

Rationale: Buildings should be designed in a climate responsive manner to conserve energy use.

- 1.2.8 Any new hotel room structure, exceeding one (1) stories in height and with a façade within 75 feet of the east property line and the Biltmore Gates subdivision (such as the planned Paradise Wing Addition), shall incorporate the following design elements into the facade:

- Balconies oriented to the east are prohibited;
- Glazing utilized above the first level and within the façade facing the neighborhood shall be translucent or clear story to prevent any visual line of sight from the third level of the building. (R*)

Rationale: The privacy of the Biltmore Gates residents must be protected. Particular attention should be paid to restricting direct visual line of sight from Resort guests within a new adjacent hotel room building above the first floor level and the adjacent properties within the Biltmore Gates neighborhood. This design guideline is not intended to apply to the planned casa units.



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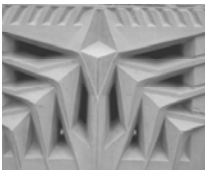
- 1.2.9 All proposed improvements, including but not limited to, changes to driveways, parking, circulation, water features and landscape in the no-build zone as shown on figure A-1, will maintain visual access to the south elevation of the Historic Hotel by restricting the development of Structures within the no build zone. The Historic Preservation Office will determine the application of and compliance with this Design Review Guideline. (R*)

Rationale: To ensure that all changes to visual access to the south elevation of the Historic Hotel is protected for the guest arrival experience as defined from a vantage point located at the intersection of the Arizona Canal and the proposed new bridge crossing.

- 1.2.10 A landscaped buffer will be provided between the Biltmore Squares Subdivision and the north/northwest façade of the building. The buffer will be developed in accordance with Landscape Package D provided on page A-46 of this PUD, as may be modified for canopy tree placement and final design modifications by the Resort, with review by the ABEVA Board of Directors. The ABEVA Board of Directors will determine one of three possible locations for the landscape buffer canopy trees with consideration of south curb placement, street median placement, or north curb placement. In the event that the ABEVA Board of Directors does not provide a specific design choice within thirty (30) days of a request by the Resort to select a final design, only those portions of Landscape Package D that are located upon Resort property shall be required.

Rationale: The privacy of the Biltmore Squares residents must be protected through the use of the landscape buffer described above to restrict direct visual line of sight from Resort guests within a new adjacent hotel room building above the second floor level and the adjacent properties within the Biltmore Squares neighborhood. This design guideline is specifically intended to apply to the planned Spa North building.

1.3 Massing and Scale



A. Development Standards & Design Guidelines

- 1.3.1 Revitalized, redeveloped or new buildings should respect the scale of adjacent buildings and, where desirable, serve as an orderly transition to a different scale. Adjacent building heights with a significant change in scale should have a transition to reduce and mitigate potential impacts. This guideline shall not further restrict development intensity and/or density from what is allowed in the PUD. (P)

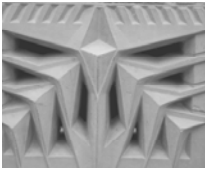
Rationale: An orderly transition created by stair-stepping building height, breaking up the mass of the building, and shifting building placement results in a coherent pedestrian corridor and mitigates the impact of differing building scales and intensities. On sites undergoing change, the Land Use Master Plan and Phoenix General Plan (as identified in Volume I: Existing Conditions and Master Plans should be consulted for guidance as to proposed densities and intensities.

- 1.3.2. The design will minimize the heights of parapets wherever possible. Parapet walls shall not extend beyond the building height more than three feet six inches (3'-6") in height from any horizontal surface unless increased height is needed to screen mechanical or other rooftop equipment. Mechanical equipment should be set back from the perimeter of the structure to support the intent of this design guideline. Equipment needing screening shall not be located as to require a parapet wall to be extended beyond three feet six inches (3' 6"). Refer to page A-7 (footnote 2) for additional provisions for height and equipment. (R*)

Rationale: Parapet walls should not be used to promote increased building height or scale.

- 1.3.3 Large structures should contain elements which transition to the human scale, particularly at the pedestrian level. The pattern and texture of a building and landscaping elements is encouraged to create a more visually interesting project. The variety should be "readable" at the pedestrian scale as well as from a distance (skyline). (C)

Strategies may include:



A. Development Standards & Design Guidelines

- If a structure is larger (or smaller) than its adjacent physical context, the design should provide transitional elements at the perimeter to integrate it with its surroundings. (P)
- The variation of scale, pattern and texture of a building and landscaping elements is encouraged to create a more visually interesting project. The variety should be "readable" at the pedestrian scale as well as from a distance (skyline).

Rationale: Architectural elements that mediate between building mass and the pedestrian contribute to the appropriate scale of the Resort environment.

- 1.3.4 Mitigate building mass by utilizing elements such as windows, doors, cornice components, columns, corbelled arches (as shown) and roof forms. These elements should be detailed to provide modulation, visual interest and textured relief. (P)



Rationale: The stylistic language of a building, as expressed through the traditional elements such as doors, windows, enrich the visual environment by variation of scale, plane, texture, and shadow.

2. Architecture

2.1 Architectural Components

- 2.1.1 Incorporate overhangs, louvers, canopies, and other such shading devices as components of buildings, where possible. (P)





A. Development Standards & Design Guidelines

Rationale: Sunshade devices, such as overhangs and louvers, appropriately respond to the climate which contributes to environmentally sound building practice as well as sustaining a historical character defining element of the historic buildings.



- 2.1.2 Accessory buildings, shade, and canopy structures should reflect the architecture of the primary buildings. (P)

Rationale: Accessory buildings and shade structures, although secondary, should be consistent with the architectural style and materials of the primary buildings in an effort to maintain consistency, quality, and sustain the architectural heritage of the Resort.

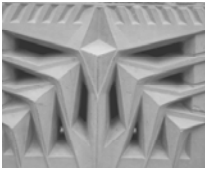
- 2.1.3 Emphasize outdoor connections when possible through elements such as outdoor terraces, patios, or balconies. (P)

Rationale: The relationship of indoors and outdoors is a primary function of the Resort experience and central to the underlying organizing principle of the site plan and architectural design. Patios, terraces, and balconies provide the transitional zone between indoor/outdoor space and private/public zones.



- 2.1.4 Use transparent glazing, when appropriate. (C)

Rationale: Clear or transparent glazing allows for views into and out of the buildings. The inclusion of more natural light within the building interior, and a stronger continuity between the interior and exterior creates a consistent glazing type and treatment throughout a structure.



A. Development Standards & Design Guidelines

- 2.1.5 Incorporate flat roofs or low-pitched gabled roofs. (R*)

Rationale: The roofline is a critical design component of the built environment. As such, future roof forms should imitate the existing roof outlines.



2.2 Building Entrances

- 2.2.1 Building entrances should be defined, allowing for the expression of primary patterns of use and entry. (P)

Rationale: The location of building entrances defines the primary nodes and terminations of the pedestrian circulation system. The expression of these focal points strengthens way-finding and the relationship of indoors to outdoors.

- 2.2.2 The relationship of building entrances and pedestrian paths should be maintained (P)

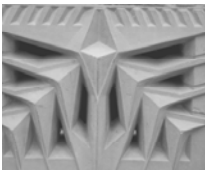
Rationale: The Resort's historic relationship of buildings, open space, and circulation should be retained and expanded in future development by direct connection between paths and building entrances.

- 2.2.3 Building entries should be located along visual and physical axis. (P)

Rationale: The historic pedestrian circulation system is a fundamental organizing component of the Resort.

- 2.2.4 Building entrances should be open and inviting, well lit, and provide a sense of security. (P)

Rationale: Welcome and security are a function of entrances that will be supported by openness, light, and visibility.



A. Development Standards & Design Guidelines

- 2.2.5 Building entries should be designed with a sense of proportion to clearly identify their location and importance while maintaining a human-scale relationship. (P)

Rationale: The relationship of the overall architectural massing and the entrance are a primary signifier of entry and the initial experience of the internal architectural space.

2.3 Articulation

- 2.3.1 Building facades that are visible from public and/or private streets and adjacent to residential property should contain architectural embellishments or detailing such as textural changes, pilasters, patterns, offsets, recesses, window fenestration, and overhead/canopies. (P)

Rationale: Facade embellishments create detail and visual interest at a pedestrian scale and provide transitional elements to the public/private streetscape.

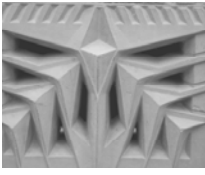
- 2.3.2 The building facade should be designed to provide a sense of human scale at ground level by providing a clear architectural distinction between ground floor levels and all additional levels. (P)

Rationale: A building should reflect a human scale and be inviting to guests and visitors.

- 2.3.3 Enhance massing, where appropriate, by utilizing elements such as windows, doors, cornice components, columns, arches and roof forms. (C)

Rationale: These elements should be detailed to provide modulation, visual interest and textured relief.

- 2.3.4 Multiple buildings on the same site should borrow and incorporate (not duplicate) some of the following elements: architectural styles, materials, forms, features, colors and compatible elements. These may include: the continuation of distinctive rooflines, covered walkway alignments, consistent detailing of finish, accent features on all visible sides of structures, compatible shapes and forms, material, wall and landscaping treatment. (P)



A. Development Standards & Design Guidelines

Rationale: The ability to incorporate one or more of these elements creates a cohesive, yet interesting mix of buildings within the same site.

2.3.5 Building structure should be expressed on the façade. (C)

For example:

- Window openings in masonry walls may be organized by the structural system;
- Precast concrete panels or poured-in-place concrete may be detailed to reflect the building structure or an implied division of the structural grid;
- Horizontal window openings should not extend uninterrupted for lengths that exceed the length of the structural bay without an expression of the supporting structure.

Rationale: The façade is the primary focus of the guest or visitor and should be a reflection of building structure.

2.3.6 Visual monotony should be avoided in order to create interest on building façades through: (P)

- Walls should have a finished appearance;
- Wall lengths exceeding fifty (50') feet should be articulated or be fronted with substantial landscaping to break the continuous wall surface or create varying shading patterns.

2.3.7 Similar details and materials should be employed on side/rear elevations as those on the front elevations. All sides of a structure should exhibit design continuity (P)

Rationale(3.3.5-3.3.7): Four sided architecture is important to translate design quality in a high pedestrian and visible environment.

2.3.8 Accessory buildings, shade and canopy structures should reflect the architecture of the primary buildings. (P)

Rationale: Accessory structures should be an integral design element of the project.



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- 2.3.9 Outdoor connections should be emphasized when possible through elements such as outdoor terraces, patios, or balconies. (P)

Rationale: The climate of the Sonoran Desert is very temperate in the Fall, Winter and Spring and guests enjoy experiencing the outdoors when visiting during these seasons of the year.

2.4 Colors and Materials

- 2.4.1 Materials should be used that exhibit quality and durability. Examples include materials such as concrete, stone and copper. Other materials may include treated metal, concrete, and decorative wood, or similar materials. (P)

Rationale: Monotonous building elevations should be avoided. Building accents should be expressed through differing quality materials and/or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels.

- 2.4.2 Multiple buildings located on the same site should borrow and incorporate (not duplicate) architectural styles, materials, forms, features, colors and compatible elements. These should include: continuation of distinctive rooflines, covered walkway alignments, consistent detailing of finish, accent features on all visible sides of structures, compatible shapes, material, wall and landscaping treatment. (P)

Rationale: Multiple buildings with similar character express a cohesive quality and unity.

- 2.4.3 No use of the following architectural treatments and details shall be allowed: (R)
- Colored plastic or fiberglass
 - Shiny metal details or reflective materials
 - Asphalt shingles
 - Opaque, mirror, or dark colored glazing.

Rationale: Distinctive architectural treatment, detailing and lighting elements should be designed with durable materials that



A. Development Standards & Design Guidelines

exhibit quality and portray an attractive compatible image with their surroundings.

- 2.4.4 Graphics, and highly contrasting bands of vibrant colors on buildings and on accessory structures (excluding signage) should only be used as an accent feature with restraint as a minor element of the building's exterior. (P)

Rationale: Primary colors are obtrusive as a dominant architectural feature or theme.

- 2.4.5 Building color should complement architectural details and blend with surrounding buildings or dominant structures. (C)

Rationale: The ability to choose a related exterior color palette promotes a cohesive Resort.

- 2.4.6 Incorporate high quality materials with historical relevance such as: (C)

- Copper
- Ornamental Metal
- Biltmore Block
- Insulating Glass
- Silk-screened Glass

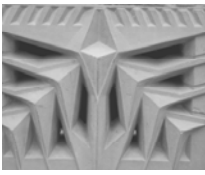
Rationale: The ability to replicate historic elements in new and/or revitalized buildings fosters a more authentic development.

- 2.4.7 Changes in materials shall correlate to changes in plane, direction, or element (R*)

Rationale: Materials and color must be integrated with the architecture. Superficially applied changes of color or material are not appropriate.

- 2.4.8 The use of natural metals or materials for mullions (structural element that divides windows) is encouraged. (C)

Rationale: The original buildings on the property utilize metal or wood mullions, so new buildings would benefit from replicating this design element.



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2.5 Screening

- 2.5.1 All rooftop equipment and satellite dishes must be screened to the height of the highest equipment and/or integrated with the building design. Equipment should not be visible. (R*)
- 2.5.2 All screening shall be architecturally compatible with the primary structure. (R*)

Rationale: (3.5.1 – 3.5.2) It is important that the screening be part of the articulation of the building and not appear to be an afterthought.

3.6 Environmental Protection

- 3.6.1 Decrease energy and atmosphere impacts by implementing one or more of the following measures within building design(P):

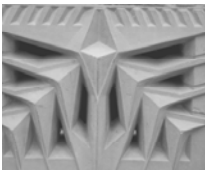
- Provide at least 30% of the Resort's total electricity demand from renewable (i.e. solar, wind, other) sources.

Rationale: The generation of electricity from traditional sources has the ability to produce sulphur dioxide, nitrogen oxide, carbon dioxide, particulate matter, nuclear waste, waste heat, and other products that are detrimental to humans, animals, and the environment.

- Use CFL (compact fluorescent lighting) and LED (light-emitting diode) to illuminate interior and exterior spaces.

Rationale: These bulbs meet the Environmental Protection Agency's strict guidelines for energy efficiency and will last longer than incandescent, standard fluorescent or halogen bulbs and require only 25% of the energy load of conventional lighting fixtures.

- Reduce electricity demand by installing daylight responsive controls in all space typically occupied by guests, and located within 15 feet of windows or under skylight.



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Rationale: Reducing demand through a responsive energy design system can significantly reduce the use of nonrenewable or finite resources (i.e. coal, oil, natural gas, and nuclear).

- Not allowing any CFC (chlorofluorocarbon)-based refrigerants in any Resort Heating, Ventilation, Air Conditioning and Refrigeration (HVAC&R) systems.

Rationale: When CFC's are released into the atmosphere on earth they rise into the stratosphere where they decompose and release chlorine (or bromine) which can thin or deplete the ozone layer, which protects us from the harmful effects of ultraviolet light.

- As necessary, retrofit all appliances and electronics with equipment that carries the Energy Star label.

Rationale: Energy Star products are energy efficient and designed to reduce greenhouse gas emissions.

- When designing interior and exterior spaces, orient their placement to leverage winter sun / summer shade opportunities. When necessary manage exterior solar insulation through structural shades and/or glazing.

Rationale: Passive solar contributions can reduce energy consumption for cooling and heating interior spaces.

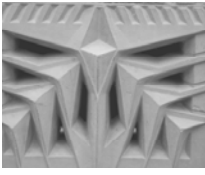
- Use film-coated windows to block ultraviolet light and deflect heat.

Rationale: UV light is a known environmental human carcinogen.

3.6.2 Utilize one or more of the following measures to reduce the carbon footprint of the Resort (P):

- Use low-VOC (volatile organic compounds) or no-VOC paints on interior surfaces.

Rationale: VOC's are known to release low level toxic emissions into the air.



A. Development Standards & Design Guidelines

- Use recycled flooring and wood from managed forest wood with Forest Stewardship Council (FSC) certification.

Rationale: FSC certifies forests based on the way they are managed and maintained to make sure there's a plan for continued maintenance in an environmentally responsible way.

- For new building materials, utilize products with identifiable recycled content, including post-industrial content or post consumer content for construction materials, flooring, and packaging.

Rationale: Recycled-content products are items that contain recovered materials that have been diverted from conventional disposal in landfills to be reused in their existing or new application.

- Save and reuse existing building materials on Resort sites where new, revitalized or redeveloped buildings will be located.

Rationale: Reusing materials will reduce landfill waste, energy use, and impacts from harvest or mining of new materials.

- Utilize rapidly renewable materials such as plant-based non-wood components (i.e. bamboo, wool, cotton insulation, agrifiber, linoleum, wheatboard, strawboard, and cork) that offer the environmental benefits of wood without the need to diminish old growth forests.

Rationale: Rapidly renewable materials are generally defined as exhibiting a harvest rotation of 10 years or less (by example, hardwood used for flooring reaches saleable size in approximately 50-100 years). Using rapidly renewable materials will not overextend the finite supply of natural resources and their respective ecosystem.

- Reduce energy use and transportation costs by utilizing local or regional building materials, components, and systems within a 500 mile radius of the Resort.

Rationale: The ability to purchase materials from local or regional vendors minimizes the distance materials are shipped, reducing



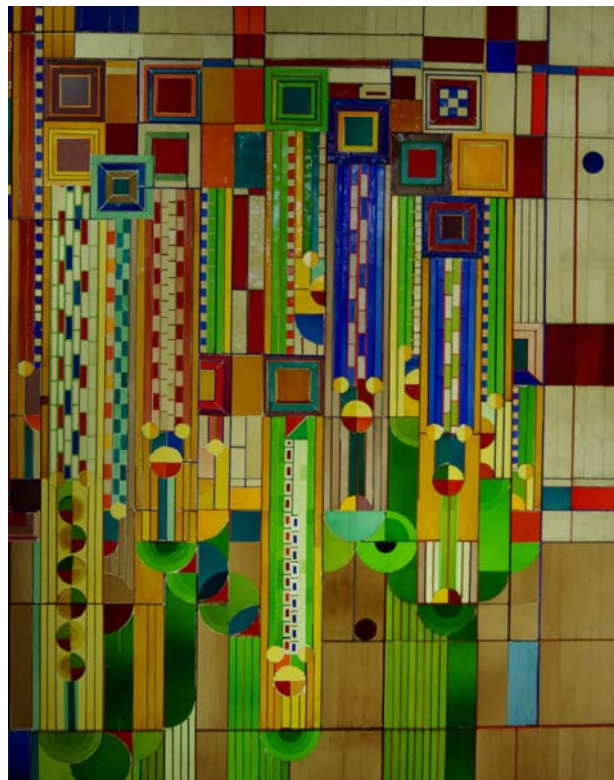
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transportation cost, which also reduces energy consumption and air pollution.

3.7 Arrival Experience

- 3.7.1 The arrival experience to the Arizona Biltmore Resort should be carefully considered and properly address. The views to prominent historical architectural features affiliated with the main hotel structure should be respected and visual access retained. (P)

Rationale: The arrival sequence to this prominent landmark resort needs to be retained and enhanced as a significant component of the guest experience. The primary vantage point should be established at a location approximately 100 feet south of the Arizona Canal and along Thunderbird Trail. From this vantage point, the dominant architectural element designed by McArthur should be prominent and visual access protected.





B. Implementation Program

The Implementation Standards set forth in this Section B are intended solely to guide the implementation of this PUD following its adoption by the Phoenix of City Council.

The Arizona Biltmore Resort and Spa Planned Unit Development will be implemented in multiple phases over an extended period of time. Specifically, the PUD is designed to respond to two major projected revitalization and expansion projects generally by the year 2010 and 2030. As such, the inclusion of implementation procedures will guide the respective actions of the Resort Ownership and Management and the City in achieving its vision for the property. This PUD is based on its supportive master plans (located in Volume I: Appendices) to illustrate the envisioned land use, development intensity, development functionality and general project quality. It is also intended to maintain a cohesive regulatory relationship with the City of Phoenix Zoning Ordinance. To that end, Chapter A has provided development standards, and design guidelines that are unique to the Arizona Biltmore Resort & Spa PUD boundary. These standards and procedures supersede the provisions of the Zoning Ordinance. This chapter is organized in the following five sections:

- Phoenix Zoning Ordinance Applicability
- Site Plan Review
- Easement Abandonment and Dedications
- Planned Unit Development Amendment Procedures

1. Phoenix Zoning Ordinance Applicability

The intended regulatory applicability of the Zoning Ordinance of the City of Phoenix, Arizona (as codified through Ordinance No. G-5138 (TA-25-05), adopted April 2, 2008, effective May 2, 2008, (Supplement No. 12) as amended) is organized by its respective chapters, as identified as follows:

Chapter 1 – Purpose and Applicability/Chapter 1, as amended, remains applicable to the Arizona Biltmore Resort and Spa PUD.

Chapter 2 – Rules of Construction and Definitions/Chapter 2, as amended, remains applicable to the Arizona Biltmore Resort and Spa PUD except, as noted within which are intended to supersede the definitions contained within Chapter 2.



B. Implementation Program

Chapter 3 – Decision Making and Administrative Bodies/Chapter 3, as amended, remains applicable to the Arizona Biltmore Resort and Spa PUD.

Chapter 4 – Planning Documents/Chapter 4, as amended, remains applicable to the Arizona Biltmore Resort and Spa PUD.

Chapter 5 – Development Review Procedures/Chapter 5 procedures are modified by the Resort and Spa PUD as defined by Chapter B, Volume II, Implementation.

Chapter 6 – Zoning Districts/Chapter 6 standards are not applicable to the Arizona Biltmore Resort and Spa PUD.

Chapter 7 – Development Standards of General Applicability/Chapter 7 development standards are modified by the Arizona Biltmore Resort and Spa PUD as defined by Chapter A, Volume II, Development Standards and Design Guidelines.

Chapter 8 – Historic Preservation/Chapter 8 standards and procedures are applicable to the Arizona Biltmore Resort and Spa PUD as applied to the defined Historic Core (see Appendix H) and as modified by Section A.4 of this PUD.



Chapter 9- Nonconformities/Chapter 9, as amended, remains applicable to the Arizona Biltmore Resort & Spa PUD.

Chapter 10 – Enforcement/Chapter 10, as amended, remains applicable to the Arizona Biltmore Resort and Spa PUD.

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Chapter 11 –Severability/Chapter 11, as amended, remains applicable to the Arizona Biltmore Resort and Spa PUD.

The Arizona Biltmore Resort & Spa PUD will be implemented through the commencement and completion of the following processes:

2. Site Plan Review

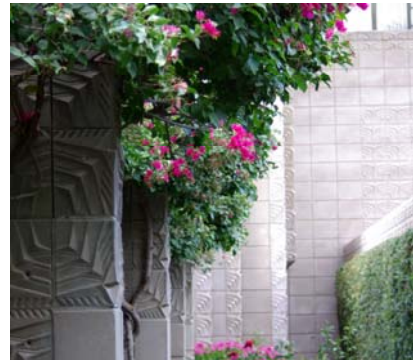
In accordance with the Development Review Approval Process of the Zoning Ordinance, each building within each phase will be subject to the provisions of its review procedures. It is through the Site Plan Review process that the development standards and design guidelines will be implemented. The provisions of Design Review shall apply to the Arizona Biltmore Resort & Spa as follows, with the exception of the provisions provided within Tab A. The Design Guidelines provided herein replace and supersede the provisions contained within Tab A.

Development Review Approval

Purpose

The purpose of Development review is three-fold:

- Establish an integrated site specific review procedure to process development review documents and subdivisions.
- Ensure a high quality visual appearance and promote functional solutions for all development at the Arizona Biltmore Resort & Spa and within the City of Phoenix.
- Provide meaningful continuity between the appearance and function of Arizona Biltmore Resort & Spa. The requirements set forth are not intended to promote uniformity or stifle the creativity expressed at the Arizona Biltmore Resort & Spa.



Applicability

Development review applies to all facilities constructed within the Arizona Biltmore Resort & Spa PUD. The only complete exceptions to compliance with this section are as follows:

- Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;
- Nonstructural remodeling of facade treatment;

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- Sign permits;

Development review approvals for the Arizona Biltmore Resort & Spa PUD are subject to the following:

- Subdivision plats are processed in accordance with the Subdivision Chapter of the City Code.
- Existing legally constructed development (with or without an approved site plan as of the effective date of this PUD) is assumed to have a valid development review plan. Any site plans which received preliminary or final approval from the Development Services Department prior to the enactment of this PUD shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.

Development Standards and Design Guidelines

Design review principles and guidelines are listed in Chapter A – Section 10 of this PUD. The principles reflect desired goals and policies for the Arizona Biltmore Resort & Spa. These guidelines have been presented and discussed through the public review process imposed through the procedures for adoption of this PUD and have been exposed to an extensive neighborhood meeting and public hearing review process. The Arizona Biltmore Estates Community has been actively engaged through the review and action of the Arizona Biltmore Estates Village Association (ABEVA) Board of Directors and its organization of a subcommittee to review this document.



The guidelines also address the consideration for the protection of historic resources on the nearly eighty year old hotel property. The historic preservation design guidelines are to be considered through the Site Plan Review Process with the assistance of the City's Historic Preservation Office staff as a participant. The design guidelines indicate specific implementation standards affiliated with the intent expressed by the PUD Master Plans, presented in Volume I of this PUD.

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The guidelines consist of requirements, presumptions and considerations and are defined as follows:

Requirements (R)

Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and this PUD. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. There is no administrative process to overcome a requirement.

Appeals

If a requirement cannot be satisfied, an applicant may seek relief through an appeals process in accordance with the provisions of this PUD. Those Requirements followed by an asterisk (R*) are appealed to the Design Review Appeals Board.

Presumptions (P)

Most of the guidelines are expressed as presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

Overcoming a Presumption

A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Development Services Department that there is a good reason why the presumption is inappropriate. The Development Services Department or Historic Preservation Office staff reviewer may approve an alternative that achieves the intent of the Presumption.

Appropriate reasons for overcoming a Presumption include:

- Demonstrating that in this instance, the underlying design principles will not be advanced by the application of the Presumption;
- Showing that another design principle is enhanced by not applying the Presumption;
- Demonstrating an alternative method for achieving the intent of the Presumption;



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- Explaining the unique site factors that make the Presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping.

Increases in the cost of development generally will not be an acceptable reason to waive a guideline or determine that a guideline is inappropriate.

Appeals

In the event that a Presumption is not incorporated or overcome, an appeal may be filed by the applicant with the Design Review Appeals Board. It is the responsibility of the design team (developer) to send notice of this appeal to the ABEVA chairperson within two calendar days of filing the appeal.

Considerations (C)

Design guidelines listed in the adopted design review guidelines as Considerations (C) are issues and concepts that an applicant should consider in preparing a plan. Their omission is not grounds for rejecting a plan, but their inclusion or recognition is encouraged and may assist in overcoming certain Presumptions and in gaining acceptance for a plan.

Process

The development review process includes the following steps:

- Pre-application conference with the Development Services Department (DSD) staff (see subsection below);
- Submittal of design review documents to DRAC;
- DRAC review and comment (issue meeting summary and positions);
- Preliminary review (see subsection below);
- Submittal of design review documents by the applicant/property owner;
- Routing of documents to various departments and agencies for comment where needed;
- DSD staff review and consolidation of comments;
- Within the Historic District Core (as defined in the Historic Preservation Master Plan), Historic Preservation staff review and



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consolidation of comments within the DSD Preliminary Review Report;

- Preliminary design review meeting with applicant, Development Services Department and the DRAC (with any interested citizen);
- Consideration of any appeals (see subsection below);
- Review of technical documents (see subsection below);
- Final document submittal responding to staff comments (see subsection below);
- Final approval of development review documents (see subsection below);
- Building permit issuance (see subsection below);
- Site inspection and issuance of certificate of occupancy (see subsection below);
- Follow-up inspection (see subsection below).

Pre-Application Conference

Purpose

The pre-application conference is a meeting between City staff and the applicants' development team to discuss the context plan for the site and how it affects the design and technical requirements for development, and to explain the City processes to secure permits for construction.

Applicability

A pre-application conference is required before submittal of all preliminary (new preliminary, revised preliminary and amendment) development review documents and time extensions. The Development Services Department may waive the pre-application conference, if the staff determines that it would not be necessary.



Context Plan

The Context Plan shall show the relationship of the project's site to its adjacent setting. The context plan must show the

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information required on the checklist provided, and in the format required, by the Development Services Department. The Development Services Department may waive any of the following items whenever they are not necessary for the proposed project. The context plan includes:

- Existing conditions analysis showing surrounding property and the location and general footprint of existing development within the context area. The context area includes all adjacent parcels and property within approximately three hundred feet.
- Conceptual site plan diagram showing the relationship of the proposed project to the existing development.
- A context plan shall be required of the applicant at the time of the pre-application meeting.

Discussion Items

The following items will be discussed at the pre-application conference:

- Impact on surrounding properties.
- Visual appearance.
- Historic context and resource protection.
- Functional relationships.
- Conformance to the PUD design guidelines.
- Compliance with PUD zoning regulations.
- Right-of-way and easement dedications.
- Technical requirements.
- City processes.

Preliminary Review

Application

An application is submitted to the Development Services Department by the property owner or his representative. It shall be accompanied by preliminary development review documents. Preliminary review of these documents shall not begin until all application requirements are complete.



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Preliminary Development Review Documents

The preliminary development review documents shall show how the design guidelines have been addressed. The preliminary development review documents must show the information required on the checklist provided and in the format required by the Development Services Department. The Development Services Department may waive any of the following items whenever they are not necessary for the proposed project.

- Context plan
- Shading and reflectivity plan
- Preliminary landscape plan
- Building elevations
- Technical information required by a checklist on file with the Development Services Department



Notice

The Development Services Department shall notify persons who spoke in interest at the time of the PUD zoning for the Arizona Biltmore Resort & Spa property which is the subject of development review approval. Those persons shall be invited to a meeting to review the development review documents.

Fee

The preliminary application shall be accompanied by a fee as set forth by the Development Services Department fee schedule, as amended.

Review

The Development Services Department may refer the development review documents to affected departments or agencies to check their compliance with pertinent City standards and regulations.

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The Development Services Department, upon timely response from the other departments or agencies, shall take one of the following actions:

- Approve the development review documents as submitted.
- Conditionally approve the development review documents with modifications. In addition to the special requirements of this section, the Development Services Department may impose on the development review documents such additional requirements affiliated with adverse impact as are necessary to safeguard the public health, welfare, and safety or as necessary to implement City Council or Development Services Department policy. Additional requirements imposed by the Development Services Department may be appealed to the Design Review Appeals Board, the Architectural Appeals Board or the City Manager's representative, as determined by the Development Services Department.
- Disapprove the development review documents. If the development review documents are disapproved, the Development Services Department shall notify the applicant of the reasons for disapproval and may state the modifications necessary for approval of the development review documents.
- Grant a time extension. If zoning or other City actions significantly affect the ability of the Department to review the project, then a time extension shall be granted. Payment of appropriate fees is required to remove a project from time extension.

The Development Services Department shall notify the applicant in writing of the decision within thirty calendar days after the application has been filed by the applicant. Following this decision, the City shall not impose additional requirements.





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Final Approval

Development review documents shall be approved when the conditions of preliminary approval are met. Fees will be charged after the second resubmittal of the development review documents. One copy of the approved development review documents shall be filed in the office of the Development Services Department, and one copy sent to the applicant.

Modification to Approved Preliminary Submittal

If the property owner requests changes to the approved development review documents, the Development Services Department may require a revised preliminary submittal with the payment of appropriate fees as set forth in the Development Services Department fee schedule, as amended.

Appeals

There are two distinct categories of review standards, design and technical:

Appeal of Design Review Decisions

An action or decision of the Development Services Department imposing conditions in accordance with presumptive design review guidelines, urban design principles, or design decisions which are imposed to protect the public health, safety and welfare may be appealed by the applicant to the Design Review Appeals Board within fifteen calendar days from the date of staff's preliminary review decision. The Development Services Department will submit any background material regarding the appeal to the Design Review Appeals Board within two working days prior to the hearing date.

- Appeals shall be in writing on a form provided by the Development Services Department and shall include only those items being appealed.
- An appeal will be heard within thirty calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Development Services Department of the date, time and location of appeal hearing.
- A decision on the appeal will be made by the Design Review Appeals Board or the Architectural Appeals Board



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on the date of the hearing unless continued at the discretion of the Board and shall be transmitted to the applicant in writing. The decision of the Design Review Appeals Board shall be final.

Appeal of Technical Requirements

An action or decision of the Development Services Department which results from a non-design-related issue may be appealed by the applicant within fifteen calendar days to the City Manager's representative if the appeal is based on conditions which are not required by City ordinance or conditions which are beyond the requirements of City ordinance or is from a determination that a building addition will have significant impacts and is subject to development review. Deviation from conditions which are ordinance requirements must follow the variance process of that ordinance. The Development Services Department will submit any background material regarding the appeal to the City Manager's representative within two working days prior to the hearing date.

- Appeals shall be in writing on a form provided by the Development Services Department and shall include only those items being appealed. A notice of this appeal shall be provided concurrently to the Chairperson of the ABEVA Board of Directors by the applicant.
- An appeal will be heard within 30 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Development Services Department of the date, time and location of appeal hearing.
- A decision on the appeal will be made by the City Manager's representative and transmitted to the applicant and interested parties in writing.

Appeal to City Council

An appeal of the decision of the City Manager's representative may be made to the City Council within fifteen calendar days after the date of the decision. Appeals shall be in writing on a form provided by the Development Services Department and shall include only those items not agreed upon. Within thirty calendar days after service of the "notice of appeal," the



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Development Services Department shall transmit to the City Council and to the Law Department a transcript, with exhibits, of the City Manager's representative's hearing. The City Council shall review the transcript and exhibits and may, at their discretion, hear further oral arguments and receive written briefs from both the applicant and the Law Department.

City Council Action

The City Council may:

- Affirm the decision of the City Manager's representative;
- Remand the matter for further proceedings before the City Manager's representative; or
- Reverse or modify the City Manager representative's decision.

The decision of the City Council is final.

Review of Technical Documents

Technical Standards Review

As a part of development review process, technical standards will be applied to each property and compliance will be required unless a property owner is relieved of the requirements through an appropriate appeal process. Applicable standards may include, but are not limited to the current editions of the following:

- Grading and Drainage
- Storm Drain Design Manual, Development Services Department.
- Floodplains.
- Streets and Sidewalks, City Code.
- Street classification map.
- Driveway Standards Ordinance.
- Uniform Standard Details for Public Works Construction (with City of Phoenix Supplement).
- Landscape Standards and Guidelines, City of Phoenix.
- American Nursery Association Standards.
- Low Water Using Plant List, Phoenix AMA, State of Arizona Department of Water Resources.
- City Water Conservation Ordinance.
- Shielding and filtering outdoor lighting as defined by the City Code

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- PUD Zoning and other Chapters referencing PUD zoning of the City of Phoenix Zoning Ordinance.
- Phoenix Construction Code.
- Phoenix Fire Code.
- Subdivision Ordinance.
- American Society of Irrigation Consultants Minimum Standards for Landscape Irrigation.

Technical Plans and Improvements

The following plans indicating dedications and improvements should be shown, as determined by the Development Services Department, and are required for review and approval:

- Grading and drainage plans including, but not limited to, hillside and floodplain reviews.
- Paving plans.
- Water and sewer line plans.
- Landscaping plans. Each applicant shall submit landscaping plans showing the information required on the checklist provided, and in the format required, by the Development Services Department including:

Landscape conservation plan. Prior to clearing a site or obtaining a grading permit, an applicant shall submit a landscape conservation plan indicating existing vegetation and salvage items. The Development Services Department will determine if this plan is necessary following the review of the context plan.

Landscape plan. Each applicant shall submit a landscape plan which must show the information required on the checklist provided and in the format required by the Development Services Department. Standards. Plant material sizes and specifications must conform to American Nursery Association standards. Installation and maintenance. All plant material as shown on approved landscape plans is to be installed and maintained with an appropriate watering system in a living and viable state.

- Architectural plans and elevations.

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Final Document Submittal

The Development Services Department will require the applicant to submit a revised site plan incorporating the imposed requirements, conditions and modifications.



Effect of Development Review Approval

Construction document submittal and building permit issuance. Approved development review documents shall be binding upon the applicants and their successors or assignees and shall nullify all previously approved plans. Copies of the approved development review documents or exemption (those documents exempted as stated within the Section entitled: Preliminary Development Review Documents, on page B-9) must be included in any construction documents submitted for building permit approval. No building permit shall be issued for any building or structure not in accord with the approved development review documents and conditions of approval. The construction, location, use or operation of all land and structures within the site shall conform to all conditions and limitations set forth in the development review documents. Evidence of development review approval in the form of a copy of the approved development review documents or exemption (those documents exempted as stated within the Section entitled: Preliminary Development Review Documents, on page B-9) must be available on the construction site. In the event the property owner does not comply with the conditions imposed on the development review documents, this shall be considered a violation of the Zoning Ordinance.

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Temporary Construction Facilities

Subject to City Standards, temporary construction facilities shall be permitted for the purpose of developing the project. In case of a question, the Development Services Department shall determine if facilities proposed qualify as temporary and related to construction. Such facilities shall be removed within seven calendar days after completion of initial construction or prior to issuance of the certificate of occupancy, whichever occurs first.

Amendments

No structure, use or element of approved development review documents shall be eliminated, altered, or provided in another manner unless an amendment is approved in accordance with the standards for new reviews.

Site Inspection and Issuance of Certificate of Occupancy

The Development Services Department shall inspect each project prior to considering a certificate of occupancy. No final certificate of occupancy shall be issued if the project does not meet the requirements of the approved development review documents. The Development Services Department may issue conditional certificates of occupancy in conformance with the provisions of the Construction Code. In the case of subdivision development, the Development Services Department will monitor the build-out of each phase approved through the development review process for conformance to approved development review documents and exhibits.

Enforcement

Development review documents approved under this section shall be enforced by the Development Services Department under the supervision of the Zoning Administrator. Whenever enforcement personnel find that any proposed construction, building occupancy or completed facility does not or will not comply with the approved development review documents, they shall require the property owner to comply with the conditions of the development review documents.

In the event the property owner does not comply with the conditions imposed on the development review documents, it will be considered a violation of the Zoning Ordinance.

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Validity

Preliminary Approval

Approval of the preliminary development review documents shall be valid for a period of twenty-four (24) months. In a phased project, if preliminary development review documents are filed over the total site and final development review approval is achieved on a portion of the site within the twenty-four-month period, the preliminary development review documents will remain valid for an additional twelve months. Additional time beyond thirty-six (36) months shall require approval by the City Manager's representative in accordance with the provisions described above.



Final Approval

Approved development review documents shall be valid for a period of twenty-four months and shall remain in effect beyond twenty-four months if a building permit has been issued and has not expired or a certificate of occupancy has been issued with the project complying with the approved development review documents.

3. Easement Abandonment and Dedications

Public Vehicular and Pedestrian Easements

The Arizona Biltmore Resort & Spa PUD property has been established over time with the following easements formally dedicated and recorded for vehicular and pedestrian use by the public:

- Arizona Biltmore Circle (access from 24th Street and Lincoln Drive – dedicated public right-of-way) – Parcel 4 – A private non-exclusive easement for ingress and egress of the Arizona Biltmore Estates according to the plat of record. The general width is 41.16 feet.
- Godown Road (25th Place) – An easement for roadways and utilities that originates at Arizona Biltmore Circle (ingress and egress easement)

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and extends south through the Arizona Biltmore property to the south property line (or north side of the Arizona Canal Diversion Channel parcel) and lies between the Biltmore Main Building and the McArthur and Frank Lloyd Wright Ballrooms. Width varies.

- Grand Paseo – A 30 foot wide easement for pedestrian, horse, bicycle transient passage, golf carts and incidental purposes that originates at Arizona Biltmore Circle and extends south and southwest through the Arizona Biltmore Resort & Spa property to the south property line (north line of the Arizona Canal Diversion Channel parcel).
- Pedestrian Path – along Godown Road – A six (6) foot wide easement for sidewalk and incidental purposes that extends from Arizona Biltmore Circle south through the Arizona Biltmore Resort & Spa property to the south property line (north line of the Arizona Canal Diversion Channel parcel). The easement generally lies between the Biltmore Main Building and the McArthur and Frank Lloyd Wright Ballrooms.

The approval of this PUD specifically recognizes that all right-of-way dedications have formally been executed with respect to the Arizona Biltmore Resort & Spa PUD property in accordance with the adopted and ratified General Plan for the City of Phoenix and all applicable transportation plans. Additional right of way dedications are not warranted as supported by the Traffic Impact Statement found within Appendix G.

Public Utility and Drainage Easements

The Arizona Biltmore Resort and Spa PUD property has been established over time with the following easements formally dedicated and recorded for public utility and drainage purposes:

- An eight (8) foot wide public utility easement along the south side and adjacent to the Arizona Biltmore Circle ingress and egress easement that extends along the entire north side of the Arizona Biltmore Resort & Spa property.
- A twenty (20) foot wide easement for sewer mains and incidental purposes that extends from Arizona Biltmore Circle south and southwest through the Arizona Biltmore Resort & Spa property to the south property line (north line of the Arizona Canal Diversion Channel parcel).
- A drainage area for the purpose of allowing storm, flood and other waters to pass over, under or through the land. The drainage area

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originates at Arizona Biltmore Circle and extends southwest into the Arizona Biltmore Resort & Spa PUD property and terminates within the Arizona Biltmore Resort and Spa PUD property at the intersection with a private drainage easement. Width varies.

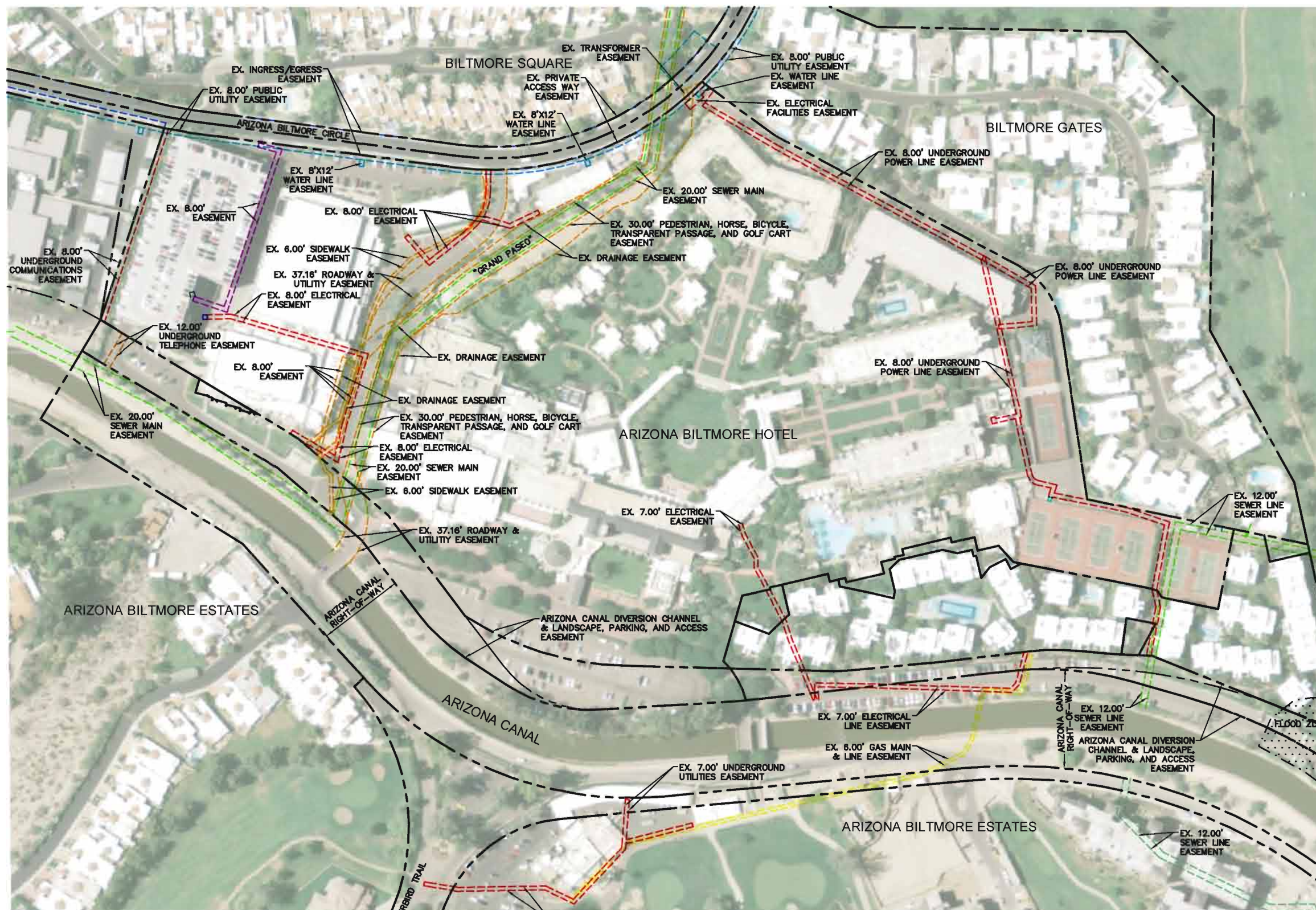
- A twenty-four (24) foot wide easement for drainage and incidental purposes that is privately maintained, which intersects the drainage area described above and continues south through the Arizona Biltmore Resort & Spa property and terminates at the south property line (north line of Arizona Canal Diversion Channel parcel)
- A twelve (12) foot wide easement for a sewer line and incidental purposes that extends west and south through the southeast corner of the Arizona Biltmore Resort & Spa property.
- An eight (8) foot wide by twenty five (25) foot long easement for a water line and incidental purposes that is located at the northeast corner of the Arizona Biltmore Resort & Spa PUD property and lies south of and adjacent to an eight (8) foot wide public utility easement along the south side of Arizona Biltmore Circle.



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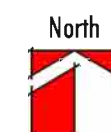
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Easement Exhibit



Legend

- Sewer Easement
- Electrical Easement
- Water Easement
- Roadway/Sidewalk/Drainage Easement



Scale: 1" = 200 ft

Figure

B-1

Preliminary-Not For Construction

Copyright LVA Urban Design Studio, L.L.C.

Revised: 2.2.09
 Revised: 12.11.08
 Revised: 7.3.08
 Revised: 6.26.08
 Date: 6.20.08
 Project #: 0811





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Abandonment and Dedications Affiliated with the 2010 Master Plan

The owner(s) of the Arizona Biltmore Resort & Spa property may seek abandonment, relocations and re-dedications, and/or dedications of easements to implement the 2010 and 2030 Master Plans. All requests to abandon rights-of-way or easements or dedicate rights-of-way or easements must follow existing procedures to abandon or dedicate rights. The anticipated abandonment and dedications of rights-of-ways or easements are as follows:

Utilities

The Arizona Biltmore Resort & Spa Ownership Group anticipates the following abandonment and dedication of easements to the "public" for the provision of public sanitary sewer facilities. These easements will occur in locations and in a configuration applicable to the provision and maintenance of such services.

- The abandonment of a portion of the twenty (20) foot wide easement for sanitary sewer and incidental purposes as described above under Public Easements. The abandonment is to be limited to that portion from Arizona Biltmore Circle extending southwest through the Arizona Biltmore Resort & Spa PUD property to a point where the easement turns south within the property. This abandonment is anticipated as a part of the 2010 Master Plan.
- The dedication of a twenty (20) foot wide easement for sanitary sewer and incidental purposes that will originate from within the Arizona Biltmore Resort & Spa PUD property (where the new easement will intersect the south leg of the existing twenty (20) foot wide sanitary sewer easement described above and will extend north to the north property line (south side of Arizona Biltmore Circle)). This dedication is anticipated as a part of the 2010 Master Plan.
- The abandonment of a portion of the twelve (12) foot wide easement for public sanitary sewer as described above under Public Easements. The abandonment will be limited to the north/south segment between the canal side surface parking lot and the east/west fire lane within the eastern portion of the Resort property and extending through the Arizona Biltmore Hotel Villas property.
- The dedication of a twelve (12) foot wide public sanitary sewer easement that will re-route the public sewer to the east as

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necessary to promote the development of an access ramp to the planned casa garage.

Drainage

The Arizona Biltmore Resort & Spa Ownership Group anticipates that the following abandonment and dedication of the following easements to the 'public" will occur for the provision of stormwater management facilities.

- The abandonment of the drainage area as described above (Public Easements) except for a portion immediately south of the wash crossing under Arizona Biltmore Circle. This abandonment is anticipated as a part of the 2010 Master Plan.
- The dedication of a twenty four (24) foot wide easement for drainage and incidental purposes that will originate at the intersection of the drainage area and private drainage easement, as described above (Public Easements), and extend north to the north property line of the Arizona Biltmore Resort & Spa PUD property. Said easement will change width to twelve (12) feet wide and continue easterly adjacent to and along the south side of Arizona Biltmore Circle and the eight (8) foot wide public utility easement will continue easterly to a point in the northeast corner of the Arizona Biltmore Resort & Spa PUD property where the new easement intersects that portion of the drainage area, described above to remain. Said easement for drainage and incidental purposes will be maintained by the Arizona Biltmore Resort & Spa Ownership Group. This dedication is anticipated as a part of the 2010 Master Plan.

Vehicular and Pedestrian Access

The Arizona Biltmore Resort & Spa Ownership Group anticipates the following abandonment and dedication of easements to the 'public" for the provision of stormwater management facilities.

The Arizona Biltmore Resort & Spa Ownership Group anticipates a partial abandonment and rededication of Godown Road (25th Place) as a roadway and utilities easement for use by the general public. The 2010 Master Plan will include a partial relocation of the roadway and utilities easement within the northern area of the Biltmore property adjacent to, and south of, Arizona Biltmore Circle.



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- A partial abandonment of the thirty (30) foot wide easement for pedestrian, horse, bicycle transient passage, golf carts (Grand Paseo) and incidental purposes as described above (Public Vehicular and Pedestrian Easements). The 2010 Master Plan anticipates a partial relocation of this easement to follow the alignment of Godown Road (25th Place) as realigned as part of the 2010 Master Plan.

Abandonment and Dedications Affiliated with the 2030 Master Plan

The Ownership Group of the Arizona Biltmore Resort & Spa property may seek abandonment, relocations and re-dedications, and/or dedications of easements to implement the 2030 Master Plan as follows:

- The abandonment of the roadways and utilities easement within Godown Road (25th Place) and the dedication of an easement for utilities and incidental purposes in the general location and extent of the abandoned easement, as part of the 2030 Master Plan.
- The dedication of an easement for roadways and utilities along, and adjacent to, the west PUD property line to maintain the vehicular cross access benefit to the general public. This dedication is anticipated as a part of the 2030 Master Plan.
- The abandonment and rededication of the six (6) foot wide easement for sidewalk purposes and incidentals, as described above (Public Vehicular and Pedestrian Easements) that will extend through the Arizona Biltmore Resort & Spa PUD property from Arizona Biltmore Circle south to the south property line of the Biltmore property generally located between the Main Building and the proposed Convention Center Buildings. This abandonment and rededication would be part of the 2030 Master Plan.
- The Arizona Biltmore Resort & Spa Ownership Group anticipates the abandonment and rededication of the thirty (30) foot wide easement for pedestrian, horse, bicycle transient passage, golf carts (Grand Paseo) to a location along the west property line, extending from Arizona Biltmore Circle south to the south property line (north line of the Arizona Canal Diversion Channel parcel) as part of the 2030 Master Plan.

4. Planned Unit Development Amendment Procedures

The following provisions are intended to provide criteria for the determination of major and minor amendments to the Arizona Biltmore



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Resort & Spa PUD. In addition, this Section is intended to define the amendment procedures applicable to major and minor amendments.

1. Formal Amendments (Planned Unit Development)

Formal amendments to the PUD as represented by the Plan narrative as expressed through the Development Standards and Design Guidelines defined within this PUD may become necessary from time to time, and for various reasons which are envisioned as follows:

- to respond to changing market or financing conditions,
- to update the PUD as necessary to reflect new development conditions, and/or
- to respond to the requirements of Resort ownership and/or their designated design consultants on the property.

Amendments to the approved PUD may be requested by the Ownership Group, and / or any land owner within the defined limits of the Arizona Biltmore Resort & Spa PUD area. Only the contents of the specific amendment request may be considered and acted upon by the Planning Director, Phoenix Planning Commission and Phoenix City Council.

When changes or modifications to the PUD are deemed necessary or appropriate by the property owner(s) within the defined limits of the Arizona Biltmore Resort & Spa PUD area, proposed amendments or modifications shall conform to the following procedures:



- a. The applicant(s) shall submit a letter which defines the proposed amendment and a rationale for such amendment to the City of Phoenix Planning Director outlining the applicant's interpretation of the defined amendment (major, or minor).
- b. The applicant(s) shall provide a copy of the letter submitted to the City of Phoenix Planning Director to the Chairperson of ABEVA concurrent with submittal to the City.

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- c. Upon receipt of the proposed amendment letter, the Planning Director shall determine if the proposed amendment constitutes a *major or minor* amendment.

Major Amendments

If the Planning Director determines the proposed amendment to be a *major* amendment, as described below, the amendment request shall be processed in the manner set forth by the City of Phoenix Planned Unit Development District Regulations with the amendment being processed under the same provisions as the original approval by the City Council. Amendments to the approved PUD narrative that are determined to be major amendments shall follow the application and approval process stated in the zoning map amendment (rezoning) section of the Zoning Ordinance. Amendments shall be considered major if they include any of the following:

- A change in the PUD boundary.
- Any change in the height, density, setback, or lot coverage development standards.
- Any change in the location of a land use depicted on the land use plan in the development narrative.
- Any addition to the list of uses in the development narrative.
- Any change to the design guidelines that is inconsistent with the intent of the PUD as described in the development narrative.
- An overall increase of greater than 2.5% in either planned number of hotel rooms (1164), number of casa keys (40), convention square feet (115,000), or planned retail, spa, restaurant, etcetera square feet (345,000) as planned for the Property and as projected for the 2030 horizon year, except as otherwise allowed in the PAD.
- Any substantial alteration to the list of Permitted Uses as defined for the Property set forth in the PUD, as deemed to be substantial by the Planning Director.
- Any proposed alteration to approved Arizona Biltmore Resort & Spa PUD Development Standards (Chapter A) of this PUD which modifies the purpose and intent of this PUD as determined by the City of Phoenix Planning Director.

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Minor Amendments

If the proposed amendment does not meet the requirements outlined above for a major amendment, then it shall be considered a *minor* amendment and shall be acted upon administratively by the Planning Director. Unless otherwise required by law, those changes determined to be *minor* amendments shall not require public notice or public hearings. Amendments not meeting the criteria for a major amendment shall be deemed to be minor amendments and may be administratively approved by the Planning Director or designee. Examples of minor amendments include, but are not limited to the following:

- Any alteration to the PUD narrative which does not directly impact the health, safety and welfare for any adjacent property owner or of that of the general public as determined by the Planning Director.
- Any proposed use which is deemed to be analogous to the defined permitted uses, conditional uses, uses subject to performance standards or accessory uses by the Planning Director.
- Any minor alteration to the list of permitted uses of the Property set forth in the PUD, as deemed to be minor by the Planning Director.
- Any alteration to the Arizona Biltmore Resort & Spa Land Use Master Plan, the Phasing Plan or any other Master Plan (within Volume I: Appendices) which does not directly impact the health, safety and welfare of any adjacent property owner or the general public as determined by the Planning Director.

Upon the approval of any proposed amendment to the Planned Unit Development (PUD), the amendment shall be attached to the PUD as an addendum and shall become a part thereof.

Conceptual Site Plans and Elevations

Amendments may be made to conceptual site plans and/or elevations unless the proposed modifications fail to meet the development standards of the PUD. Amendments to conceptual site plans and/or elevations that change the development standards approved with the PUD development narrative shall follow the PUD amendment process.



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Development Services Department Administrative Review

The Development Services Department may administratively approve modifications to site plans and/or elevations that result in one or more of the following:

- An increase in building height less than five percent;
- Any change in density less than five percent;
- A change in building or landscape setbacks less than five percent;
- Any increase in open space;
- Any change in traffic circulation that positively impacts traffic circulation or increases traffic or pedestrian safety;
- or
- An increase in building footprint less than five percent.

Planning Hearing Officer Public Hearing Process

The Planning Hearing Officer, through the public hearing process, may approve proposed modifications to conceptual site plans and/or elevations that do not meet the criteria for Development Services Department administrative review.

5. Administrative Amendments and Interpretations

On occasion, it may be necessary to request formal or informal interpretation from the City of Phoenix Planning Director related to the administration, implementation and/or interpretation of this PUD. These circumstances may relate to the interpretation of project intent, use, and /or development standards as may be applicable to the interpretation of the provisions of the City of Phoenix Zoning Ordinance or to the interpretation of narrative intent contained in this PUD. The Applicant(s) shall provide a copy of the letter submitted to the City of Phoenix Planning Director to the Chairperson of ABEVA concurrent with the submittal to the city. It is anticipated that interpretation of these provisions may be made in written form upon the request of the Arizona Biltmore Resort & Spa Ownership or a future Arizona Biltmore Resort & Spa Property Owners Association, in the event of subdivision of the current property, and in accordance with City of Phoenix Zoning Ordinance.