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2 When recorded, return to:  
3 Paradise Valley Town Attorney  
4 6401 East Lincoln Drive  
5 Paradise Valley, Arizona 85253  
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11 **ORDINANCE NUMBER 636**  
12

13 **AN ORDINANCE OF THE TOWN OF PARADISE**  
14 **VALLEY, ARIZONA, AMENDING THE SPECIAL USE**  
15 **PERMIT FOR LINCOLN PLAZA MEDICAL CENTER,**  
16 **7125 EAST LINCOLN DRIVE, PROVIDING FOR THE USE**  
17 **OF A PHARMACY AND AN URGENT CARE CENTER,**  
18 **PROVIDING FOR SEVERABILITY; AND PROVIDING**  
19 **FOR AN EFFECTIVE DATE.**

20 WHEREAS, the Town of Paradise Valley Planning Commission held public hearings on  
21 June 21, 2011 and September 20, 2011, in the manner prescribed by law, for the purpose  
22 of considering an Intermediate Amendment to the Special Use Permit for Lincoln Plaza  
23 Medical Center, and recommended approval to the Town Council; and

24 WHEREAS, the Town of Paradise Valley Council held a public hearing on November  
25 17, 2011, in the manner prescribed by law, to hear and to take action on the Intermediate  
26 Amendment to the Special Use Permit for Lincoln Plaza Medical Center, as  
27 recommended by the Planning Commission.  
28

29 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN**  
30 **COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA THAT:**  
31

32 **SECTION I. In General**


- 33 1. The Special Use Permit for the Lincoln Plaza Medical Center is on the land  
34 legally described as the east 200 feet of the north half of the northwest quarter  
35 of the northeast quarter of the southeast quarter; and the east 200 feet of the  
36 north half of the south half of the northwest quarter of the northeast quarter of  
37 the southeast quarter of Section 10, Township 2 North, Range 4 East of the Gila  
38 and Salt River Base and Meridian, Maricopa County, Arizona. Assessor Parcel  
39 Number 174-64-003-B (hereinafter "the Property").  
40 2. The Special Use Permit for the Property is hereby amended to permit the  
41 additional uses of a pharmacy and an urgent care center on the Property, subject  
42 to the stipulations set forth in Exhibit A, attached hereto.  
43 3. The Intermediate Amendment to the Special Use Permit for Lincoln Plaza  
44 Medical Center is approved in accordance with Section 1102.7 of the Zoning  
45 Ordinance.  
46

47 **SECTION 2. Severability.** If any section, subsection, sentence, clause, phrase or portion  
48 of this ordinance is for any reason held invalid or unconstitutional by a court of

1 competent jurisdiction, such portion shall be deemed a separate, distinct and independent  
2 provision and such holding shall not affect the validity of the remaining portions thereof.

3  
4 SECTION 3. Effective Date. This ordinance shall become effective at the time and in  
5 the manner prescribed by law.

6  
7 PASSED AND ADOPTED by the Mayor and Town Council of the Town of Paradise  
8 Valley, Arizona, this 17<sup>th</sup> day of November, 2011.


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17 Scott P. LeMarr, Mayor

18 SIGNED AND ATTESTED TO THIS 17 DAY OF November 2011

19  
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21 ATTEST:

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24   
25 \_\_\_\_\_  
26 Duncan Miller, Town Clerk

27 APPROVED AS TO FORM:

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31 \_\_\_\_\_  
32 Andrew Miller, Town Attorney

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**EXHIBIT A  
TO  
ORDINANCE NUMBER 636**

**STIPULATIONS**

**TOWN OF PARADISE VALLEY  
INTERMEDIATE AMENDMENT TO THE SPECIAL USE PERMIT FOR  
LINCOLN PLAZA MEDICAL CENTER  
SUP-11-2**

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1. All existing Special Use Permit stipulations shall remain in full force and effect, unless changed or modified by the Intermediate Amendment SUP-11-2.

**Pharmacy**

2. Only one (1) pharmacy shall be allowed.
3. The pharmacy shall be located in Suite A-101 as identified on the Site Plan and the Floor Plan (Exhibit A and Exhibit C, respectively). The pharmacy floor plan and usable square footage shall be substantially compliant with the narrative and Exhibit C.
4. Tenant signage shall be permitted on Building A at the entrance to the pharmacy, but such sign shall be no larger than the signs for other tenants of the building or for similar buildings at the Lincoln Plaza Medical Center.
5. The pharmacy shall not sell, dispense, lease or market any non-medically related paraphernalia, products and sundries.
6. The pharmacy's days and hours of operation shall be limited to Monday through Saturday, 8:00 am to 6:00 pm.
7. All activity related to the pharmacy shall be conducted in compliance with State and Federal rules and regulations; and other implementing state statutes and administrative regulations.
8. The pharmacy security measures shall be substantially compliant with the Floor Plan and the narrative.
9. An apothecary may be located in Suite A-101. The apothecary must comply with all State and Federal rules and regulations, and all SUP pharmacy stipulations.

**Urgent Care Center**

10. The urgent care center shall be located in Suite A-103 as identified on the Site Plan and the Floor Plan (Exhibit A and Exhibit D, respectively). The urgent care center
- 44  
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1 floor plan and usable square footage shall be substantially compliant with the  
2 narrative and Exhibit D.

- 3
- 4 11. The urgent care center shall not have any out-patient surgical facilities,  
5 ambulatory services or sell any prescription drugs.
- 6
- 7 12. The urgent care center's days and hours of operation shall be limited to Monday  
8 through Saturday, 8:00 am to 7:00 pm.
- 9
- 10 13. The east and west monument sign copies shall be substantially compliant with the  
11 sign elevation plans and the narrative.
- 12
- 13 14. Tenant signage shall be permitted on Building A at the entrance to the urgent care  
14 center, but such sign shall be no larger than the signs for other tenants of the  
15 building or for similar buildings at the Lincoln Plaza Medical Center.
- 16
- 17 15. Directional signs for the urgent care center shall not be substantially visible from  
18 off site, must comply with the Special Use Permit Guidelines and shall be limited  
19 to a maximum/total number of three (3) signs.

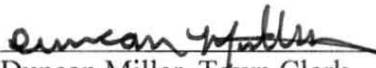
STATE OF ARIZONA            )  
  :SS.  
COUNTY OF MARICOPA        )

**CERTIFICATION**

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the foregoing is a full, true, and correct copy of Ordinance Number 636 duly and regularly passed and adopted by a majority vote of the Town Council at a meeting duly called and held on the 17<sup>th</sup> day of November, 2011. Said Ordinance appears in the minutes of said meeting, and it has not been rescinded or modified and is now in full force and effect.

I further certify that said municipal corporation is duly organized and existing, and has the power to take the action called for by the Ordinance.



  
\_\_\_\_\_  
Duncan Miller, Town Clerk

**VOTE**

AYES: LeMarr, Hamway, Collins, Dembow, Kirby, Parker, Trueblood

NAYES:

NOT PRESENT:

ABSTAIN:

SUP-76-12  
195615  
Permit

PARADISE VALLEY TOWN COUNCIL

DKT 1179576 934

AMENDMENT TO SPECIAL USE PERMIT ISSUED FOR MEDICAL CLINIC FOR LINCOLN PLAZA MEDICAL CENTER AT 7125 EAST LINCOLN DRIVE, IN THE TOWN OF PARADISE VALLEY.

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RESOLVED, that the Special Use Permit issued by the Paradise Valley Town Council for the Lincoln Plaza Medical Center at 7125 E. Lincoln Drive, in the Town of Paradise Valley, on June 27, 1974, as amended on December 19, 1974, November 13, 1975, and January 8, 1976, is hereby further amended as follows: The following new paragraph 5 is hereby approved and adopted and added to the Special Use Permit heretofore granted:

5. Notwithstanding any other provision of this Special Use Permit, the grantee is hereby authorized to construct and maintain an aviary upon the premises subject to this Special Use Permit (a) upon condition that such aviary complies in location, size, design and all respects with the "Site Plan: for Aviary for Lincoln Plaza Medical Center, July, 1976" as certified as such plan by the Paradise Valley Town Clerk, and (b) upon condition that the use of the aviary and the care of the birds therein comply with all applicable laws.

This amendment is hereby incorporated into the Special Use Permit issued for the Lincoln Plaza Medical Center on June 27, 1974, as amended on December 19, 1974, on November 13, 1975, and January 8, 1976, and made an integral part thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Paradise Valley, Arizona, this 8 day of July, 1976.

Barbara vonAmmon  
Barbara vonAmmon, Mayor

ATTEST:  
Mary Ann Brines  
Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:  
Roger A. McKee  
Roger A. McKee, Town Attorney



SUP-76-12

DKT 11795PG 935

AGREED TO AND ACCEPTED BY:

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\_\_\_\_\_  
*Whitney Sorrell*  
Whitney Sorrell

6.9.76  
Date

\_\_\_\_\_  
*George Sims*  
George Sims

1 Aug 76  
Date

STATE OF ARIZONA } ss  
County of Maricopa }

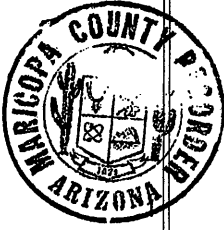
I hereby certify that the with-  
in instrument was filed and re-  
corded at request of

TOWN OF PARADISE VALLEY

AUG - 4 1976 - 10 85  
in Docket 11795  
on page 934-935

Witness my hand and official  
seal the day and year aforesaid.

Tom Freestone  
By *[Signature]* County Recorder  
Deputy Recorder 100



DKT 11624PG 893

SUP-75-12  
86184

PARADISE VALLEY TOWN COUNCIL

M | PERMIT

AMENDMENT TO SPECIAL USE PERMIT ISSUED FOR MEDICAL CLINIC FOR LINCOLN PLAZA MEDICAL CENTER AT 7125 EAST LINCOLN DRIVE, IN THE TOWN OF PARADISE VALLEY

2 RESOLVED, that the Special Use Permit issued by  
3 the Paradise Valley Town Council for the Lincoln Plaza  
4 Medical Center at 7125 E. Lincoln Drive, in the Town of  
5 Paradise Valley, on June 27, 1974, as amended on December 19,  
6 1974, and November 13, 1975, is hereby further amended  
7 as follows:

8 Subparagraph A of Paragraph 1 of the Amended  
9 Special Use Permit is amended by deleting and repealing  
10 the words crossed out, and adding and adopting the words  
11 in all capitalized letters, as follows:

12 A. Construction AND OPERATION AND MAINTENANCE  
13 of a medical AND DENTAL clinic, pursuant to Article XI,  
14 Section 1101, subparagraph (e) of the Zoning Ordinance  
15 of the Town of Paradise Valley, SHALL BE in STRICT compliance  
16 with ~~drawings pgs. 1-4, dated revised June 7, 1974, entitled~~  
17 ~~LINCOLN PLAZA MEDICAL CENTER, such drawings to be known~~  
18 ~~as Exhibit A, incorporated herein by reference, and made a~~  
19 ~~part of this special use permit.~~ EACH OF THE FOLLOWING SIX  
20 DOCUMENTS, CERTIFIED AS SUCH BY THE PARADISE VALLEY TOWN  
21 CLERK, WHICH ARE HEREBY APPROVED BY THE TOWN OF PARADISE  
22 VALLEY AND THE SPECIAL USE PERMIT GRANTEEES AND INCORPORATED  
23 HEREIN BY REFERENCE AND MADE AN INTEGRAL PART OF THIS SPECIAL  
24 USE PERMIT:

- 25 1. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA  
26 MEDICAL CENTER OF JANUARY, 1976 - AS BUILT SITE PLAN WITH  
27 RED LINE CORRECTIONS DATED January 6, 1976"  
28 2. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA  
29 MEDICAL CENTER FOR JANUARY, 1976, - SHEET #1"  
30 3. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA  
31 MEDICAL CENTER OF JANUARY, 1976 - SHEET #3"  
32 4. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA  
MEDICAL CENTER OF JANUARY, 1976 - SHEET #4"



5. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA  
MEDICAL CENTER OF JANUARY, 1976 - SHEET 11"

6. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA  
MEDICAL CENTER OF JANUARY, 1976 - LANDSCAPING PLAN"

Said construction shall also be in compliance with 1/87  
scale model. Said Special Use Permit shall also be subject  
to the following stipulations:

.....  
This amendment is hereby incorporated into the Special  
Use Permit issued for the Lincoln Plaza Medical Center  
on July 27, 1974, as amended on December 19, 1974, and  
on November 13, 1975, and made an integral part thereof.

PASSED AND ADOPTED by the Mayor and Common Council  
of the Town of Paradise Valley, Arizona, this 8 day  
of January, 1976.

Barbara von Ammon  
Barbara von Ammon, Mayor

ATTEST:  
Mary Ann Brines  
Mary Ann Brines, Town Clerk

STATE OF ARIZONA } ss  
County of Maricopa }  
I hereby certify that the with-  
in instrument was filed and re-  
corded at request of

TOWN OF PARADISE VALLEY  
APR 9 - 1976 - 11 20

APPROVED AS TO FORM:  
Roger A. McKee  
Roger A. McKee, Town Attorney

in Docket 11624  
on page 893-894  
Witness my hand and official  
seal the day and year aforesaid.  
Tom Freestone  
County Recorder

AGREED TO AND ACCEPTED BY:  
Whitney Sorrell  
Whitney Sorrell

1.9.76  
Date

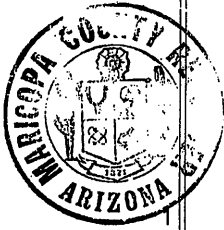
Dr. Robert Winkler  
Dr. Robert Winkler

1/13/76  
Date

By R. J. Montross  
Deputy Recorder

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DXT 11624PG 891

86183

PARADISE VALLEY TOWN COUNCIL

M/PERMIT  
SEP-75-11

AMENDMENT TO SPECIAL USE PERMIT ISSUED FOR MEDICAL  
CLINIC FOR LINCOLN PLAZA MEDICAL CENTER AT 7125  
EAST LINCOLN DRIVE, IN THE TOWN OF PARADISE VALLEY

2 RESOLVED, that the Special Use Permit issued by  
3 the Paradise Valley Town Council for the Lincoln Plaza  
4 Medical Center at 7125 E. Lincoln Drive, in the Town of  
5 Paradise Valley, on June 27, 1974, as amended on December 19,  
6 1974, is hereby further amended as follows:

- 7 1. Subsection 11 in the middle of page three (3) of the  
8 amended Special Use Permit is hereby amended by  
9 deleting all of subsection 11 and substituting and  
10 adopting the following new subsection 11:

11 "Construction of all improvements and structures,  
12 and all landscaping, with the exception of "tenant  
13 improvements", shall be completed on or before  
14 February 1, 1976, and the grantee shall have quali-  
15 fied for and obtained a Certificate of Occupancy  
16 from the Town of Paradise Valley, on or before  
17 February 1, 1976."

- 18 2. The following new paragraph 4 is adopted and added to  
19 the Special Use Permit (at the bottom of page three (3)  
20 of the amended Special Use Permit).

21 "4. This Special Use Permit shall become void  
22 and of no force and effect, at the option of  
23 the Paradise Valley Town Council, upon the  
24 failure of the grantee Special Use Permit holder  
25 to comply with any of the terms, conditions,  
26 or stipulations of this Special Use Permit".

27 This amendment is hereby incorporated into the  
28 Special Use Permit issued for the Lincoln Plaza Medical  
29 Center on July 27, 1974, as amended on December 19, 1974,  
30 and made an integral part thereof.

31 PASSED AND ADOPTED by the Mayor and Common Council  
32 of the Town of Paradise Valley, Arizona, this 13th day of  
November, 1975.

SUP-B-11

Barbara vonAmmon  
Barbara vonAmmon, Mayor

ATTEST:

Mary Ann Brines  
Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:

Roger A. McKee  
Roger A. McKee, Town Attorney

AGREED TO AND ACCEPTED BY:

Whitney Sorrell  
Whitney Sorrell

11-21-75  
Date

Dr. Robert Winkler  
Dr. Robert Winkler

11-26-75  
Date

APR 9 - 1976 -11 20

STATE OF ARIZONA }  
County of Maricopa } ss

I hereby certify that the with-  
in instrument was filed and re-  
corded at request of  
TOWN OF PARADISE VALLEY.

in Docket 11624  
on page 891-892

Witness my hand and official  
seal the day and year aforesaid.

Tom Freestone  
County Recorder  
By R. J. Montague  
Deputy Recorder

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AMENDED SPECIAL USE PERMIT

TO CONSTRUCT A MEDICAL CLINIC TO BE KNOWN AS "LINCOLN PLAZA MEDICAL CENTER," AT 7125 E. LINCOLN, IN THE TOWN OF PARADISE VALLEY, ARIZONA.

RESOLVED, that an amended Special Use Permit be, and it is hereby issued to Lincoln Plaza Medical Center, a general partnership of Whitney Sorrell and Dr. Robert Winkler, for the use of the property hereinafter described upon the terms and conditions hereinafter set forth:

1. Property. The property to which this amended Special Use Permit applies is located within the Town of Paradise Valley, Maricopa County, Arizona, at 7125 E. Lincoln, the legal description of which is as follows:

The east 200' of the following described property: The north one-half of the north-west one-quarter of the northeast one-quarter of the southeast one-quarter, and the north one-half of the south one-half of the north-west one-quarter of the northeast one-quarter of the southeast one-quarter of Section 10, Township two north, Range four east, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

The utilization of the land and buildings of which shall be as follows:

A. Construction of a medical clinic, pursuant to Article XI, Section 1101, subparagraph (e) of the Zoning Ordinance of the Town of Paradise Valley, in compliance with drawings pgs. 1-4, dated "Revised June 3, 1974," entitled "Lincoln Plaza Medical Center," such drawings to be known as Exhibit A, incorporated herein by reference, and made a part of this Special Use Permit. Said construction shall also be in compliance with 1/8" scale model. Said Special Use Permit shall also be subject to the following stipulations:

1. The Town Engineer's memo dated May 17, 1974, which recommends the following, shall be complied with:

SUP-7A-7

- a. Paving width of Lincoln Drive across main portion of the lot should be 24' to back of curb with acceptable tapers at east and west property lines.
  - b. Vertical curb and gutter to match existing at east property line should be provided.
  - c. Driveway entrances should be graded to allow water carried in existing ditch to flow across drives at about 6' north of 40' right-of-way line.
  - d. Ditch flowline should be relocated to align with driveway dips and gutter at east property line.
  - e. Drainage reports for the property should be prepared comparing existing flows with post-development drainage patterns.
2. Exterior building colors shall be the same as used on the scale model and the color chip included in the file.
  3. Mechanical equipment is to be concealed from view from Lincoln Drive.
  4. Exterior lighting levels throughout the project are not to exceed three (3) foot-candles at three (3) foot heights above grade, exterior.
  5. Exterior construction materials, colors, and trim, shall conform to the model and the site plan.
  6. Sewer flow will connect to the City of Scottsdale sewer trunk line in Scottsdale Rd., at Lincoln. Sewer line will be extended north on Scottsdale Rd. and west on Lincoln to the northwest corner of subject property. The City of Scottsdale will approve the sewer plan and appropriate connection fees will be paid to the City of Scottsdale.
  7. The six (6) trees to be located in the front of the property shall have a minimum height of fifteen feet, and palm trees shall be excluded from these plantings.

SUP-74-7

- 8. Commercial laboratories and pharmacies are specifically excluded from occupancy.
- 9. The maximum number of rentable office suites shall not exceed twenty-two (22).
- 10. Title of all land and improvements shall remain under the ownership of Lincoln Plaza Medical Center, a general partnership, and be non-transferable until completion of building project.
- 11. Building permits shall be obtained within seven (7) months from Town Council approval with final landscaping substantially completed and Certificate of Occupancy issued within sixteen (16) months from Town Council approval.
- 12. Failure to commence construction within ten (10) months from date of Council approval shall automatically cancel this Special Use Permit, except that the owner(s) may petition the Council for an extension.
- 13. Certified "as built" drawings shall be submitted after completion of the project, and prior to issuance of a Certificate of Occupancy.

2. Nature of Use. Said property shall be operated only as set forth herein with no expansions, additions, changes or alterations to said real property or uses described herein without an express amendment to this Special Use Permit.

3. Unenforceable Provisions. Should any portion of this Permit be deemed to be unenforceable or invalid, such a determination shall not affect the balance of the provisions hereof.

SUP-74-7

This Special Use Permit was originally approved on June 27, 1974, by the Mayor and Common Council of the Town of Paradise Valley, Arizona, and is re-approved, passed, and adopted as amended this 19th day of December, 1974, nunc pro tunc to June 27, 1974; the time and date provisions of this Permit shall be held to be effective from June 27, 1974.

E. Robert Tribken

E. Robert Tribken, Mayor

ATTEST:

Mary Ann Brines

Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:

Roger A. McKee

Roger A. McKee, Town Attorney

INCORPORATED  
ACCEPTED AND AGREED TO BY  
LINCOLN PLAZA MEDICAL CENTER

Whitney Sorrell

Robert Winkler  
Dr. Robert Winkler

APR 9 - 1976 - II 20

STATE OF ARIZONA }  
County of Maricopa } ss

I hereby certify that the within instrument was filed and recorded at request of  
TOWN OF PARADISE VALLEY

in Docket 11624  
on page 887-890

Witness my hand and official seal the day and year aforesaid.

Tom Freestone  
County Recorder  
By R. J. Hamilton  
Deputy Recorder

SPECIAL USE PERMIT

PERMIT  
SUP-74-6

1 TO CONSTRUCT A MEDICAL CLINIC TO BE KNOWN AS "LINCOLN PLAZA  
2 MEDICAL CENTER," AT 7125 E. LINCOLN, IN THE TOWN OF PARADISE VALLEY,  
3 ARIZONA.

4 RESOLVED, that a Special Use Permit be, and it is hereby issued  
5 to Lincoln Plaza Medical Center, a general partnership, for the  
6 use of the property hereinafter described upon the terms and condi-  
7 tions hereinafter set forth:

8 1. Property. The property to which this Special Use Permit  
9 applies is located within the Town of Paradise Valley, Maricopa  
10 County, Arizona, at 7125 E. Lincoln, the legal description of  
11 is as follows:

The east 200' of the following  
described property: The N $\frac{1}{2}$  of the  
NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , and  
the N $\frac{1}{2}$  of the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the  
NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 10, T2N,  
R4E, G&SRB&M, Maricopa County, Arizona.



12 The utilization of the land and buildings of which shall be as  
13 follows:

14 A. Construction of a medical clinic, pursuant to Article  
15 XI, Section 1101, subparagraph (e) of the Zoning Ordinance of the  
16 Town of Paradise Valley, in compliance with drawings pgs. 1-4,  
17 dated "Revised June 3, 1974," entitled "Lincoln Plaza Medical  
18 Center," such drawings to be known as Exhibit A, incorporated  
19 herein by reference, and made a part of this Special Use Permit.  
20 Said construction shall also be in compliance with 1/8" scale model.  
21 Said Special Use Permit shall also be subject to the following  
22 stipulations:

- 23 1. The Town Engineer's memo dated May 17, 1974, which  
24 recommends the following, shall be complied with:
  - 25 a. Paving width of Lincoln Drive across main  
26 portion of the lot should be 24' to back of  
27 curb with acceptable tapers at east and west  
28 property lines.
  - 29 b. Vertical curb and gutter to match existing at  
30 east property line should be provided.
  - 31 c. Driveway entrances should be graded to allow  
32 water carried in existing ditch to flow across  
drives at about 6' north of 40' right-of-way  
line.
  - d. Ditch flowline should be relocated to align with  
driveway dips and gutter at east property line.



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- e. Drainage reports for the property should be prepared comparing existing flows with post-development drainage patterns.
  - f. On site driveway grades should be a minimum of .5% to carry storm waters.
2. Exterior building colors shall be the same as used on the scale model and the color chip included in the file.
  3. Mechanical equipment is to be concealed from view from Lincoln Drive.
  4. Exterior lighting levels throughout the project are not to exceed three (3) foot-candles at three (3) foot heights above grade, exterior.
  5. Exterior construction materials, colors, and trim, shall conform to the model and the site plan.
  6. Sewer flow will connect to the City of Scottsdale sewer trunk line in Scottsdale Rd., at Lincoln. Sewer line will be extended north on Scottsdale Rd. and west on Lincoln to the NW corner of subject property. The City of Scottsdale will approve the sewer plan and appropriate connection fees will be paid to the City of Scottsdale.
  7. The six (6) trees to be located in the front of the property shall have a minimum height of 15', and palm trees shall be excluded from these plantings.
  8. Commercial laboratories and pharmacies are specifically excluded from occupancy.
  9. The maximum number of rentable office suites shall not exceed twenty-two (22).
  10. Title of all land and improvements shall remain under the ownership of Lincoln Planza Medical Center, a general partnership, and be non-transferable until completion of building project.
  11. Building permits shall be obtained within six (6) months from Town Council approval with final landscaping substantially completed and Certificate of Occupancy issued within fifteen (15) months from Town Council approval.

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12. Failure to commence construction within nine (9) months from date of Council approval shall automatically cancel this Special Use Permit, except that the owner(s) may petition the Council for an extension.

13. Certified "as built" drawings shall be submitted after completion of the project, and prior to issuance of a Certificate of Occupancy.

2. Nature of Use. Said property shall be operated only as set forth herein with no expansions, additions, changes or alterations to said real property or uses described herein without an express amendment to this Special Use Permit.

3. Unenforceable Provisions: Should any portion of this Permit be deemed to be unenforceable or invalid, such a determination shall not affect the balance of the provisions hereof.

PASSED AND ADOPTED by the Mayor and Common Council for the Town of Paradise Valley, Arizona, this 27th day of June, 1974.

E. Robert Tribken  
E. Robert Tribken, Mayor

ATTEST:

Mary Ann Brines  
Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:

Ronald H. Petica  
Ronald H. Petica, Town Attorney

ACCEPTED AND AGREED TO:

By: [Signature]  
By: Robert Winkler

Lincoln Plaza Medical Center,  
a general partnership  
between Whitney Sorrell and  
Dr. Robert Winkler

STATE OF ARIZONA }  
County of Maricopa } ss

I hereby certify that the within instrument was filed and recorded at request of

TOWN OF PARADISE VALLEY

APR 9 - 1976 - 11 20  
in Docket 11624  
on page 884-886

Witness my hand and official seal the day and year aforesaid.

Tom Freestone  
County Recorder  
By [Signature]  
Deputy Recorder