

Attachment A - Stipulations – PHO-12-25--Z-204-87-1

Location: Northeast corner of 27th Avenue and Runion Drive and approximately 350 feet east of the southeast corner of 27th Avenue and Rose Garden Lane

STIPULATIONS:

1. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE TO THE SITE PLAN DATE STAMPED DECEMBER 13, 2025 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~That development be in general conformance to the site plan presented at the Planning Hearing Officer hearing of April 2, 1997, and design guidelines dated February 14, 1997, as may be modified by the following stipulations or in the alternative, the applicant may utilize the approved site plan dated September 12, 1996 for retail development on the east side of 27th Avenue.~~
2. ~~That~~ Individual Development Plans shall be submitted to and approved by the PLANNING AND Development Services Department and shall incorporate the design guidelines dated February 14, 1997, and shall include further detail on such items as
 - a. Master street and pedestrian/bicycle circulations
 - b. Master landscape plan
3. ~~That~~ Right of way SHALL be dedicated as reflected in the approved Master Street Plan. Additional right of way for right turn lanes into parcels and bus bays shall be dedicated as may be required by the PLANNING AND Development Services Department at the time of site plan review.
4. ~~That~~ The applicant shall fully improve all interior roadways and adjacent half streets (exclusive of freeway construction) including 27th Avenue in accordance with the approved Master Street Plan. Said improvements shall include the cost of pedestrian and bikeway facilities and signage and the following signalized intersections.
 - a. The developer will be financially responsible for the total cost of installation of the traffic signals at the following intersections when warranted as determined by the Street Transportation Department.

27th Avenue and Runion Drive
27th Avenue and Beardsley Road (unless constructed by ADOT)
 - b. The developer will be financially responsible for 50% of the cost of installation of the traffic signal at the intersection at 27th Avenue and

Rose Garden Lane when warranted as determined by the Street Transportation Department.

5. That 29th Avenue in its current alignment shall be dedicated and improved by the abutting property owners. Each abutting property owner shall be responsible for the dedication and improvement of the half street adjacent to its respective parcel. The timing of the street improvements shall be agreed to by the affected property owners at such time as the master street plan shall be approved for this application.
6. ~~That development shall not exceed a maximum of 540 dwelling units (conditioned on a City Council density waiver) one hotel 220,000 square feet of office and 50,000 square feet of retail uses west of 27th Avenue and east of 27th Avenue 1,000,000 square feet of office one hotel and 20,000 square feet of retail use. In the alternative, the applicant may develop 450,00 square feet of retail/office in lieu of the 1,000,000 square feet of office development.~~
7. ~~That approval is conditioned on the development of the office use within 18 months and retail component east of 27th Avenue is developed. A maximum of six (6) pad sites (defined as a stand-alone structure of less than 5,000 square feet in area) are permitted with no more than two (2) pads permitted in the development of the first 50,000 square feet of commercial development.~~
6. That Development shall be consistent with the goals and policies of the Deer Valley Core Specific Plan with particular emphasis on the designated view corridors and design of 27th Avenue.
8. ~~That The Chairman of the Deer Valley Planning Committee shall be notified in writing by the applicant of all development review meetings with the PLANNING AND Development Services Department.~~
10. ~~That the multifamily parcel be in general conformance with the site plan dated April 15, 1996.~~
8. That The following design modifications as approved by the PLANNING AND Development Services Department SHALL be incorporated into the final site development of each parcel as applicable
11. ~~That~~
 - a. That clearly defined shaded pedestrian connections a minimum of four (4) feet in width generally consistent with the pedestrian plan submitted in conjunction with this application be provided. Where the major pedestrian spines cross driveway aisles the crosswalk area shall be enhanced with decorative or colored pavement material. The pedestrian connections shall be developed in conjunction with the development of individual sites as approved by the PLANNING AND Development Services Department.

- b. Gateway/entryway statements by provided at 27th Avenue and Rose Garden and at 27th Avenue and Runion Drive intersections. The 27th Avenue and Runion Drive intersection shall include a minimum 1/ acre landscape plaza that shall encompass all four corners of the intersection. The landscape plaza may include retention and be included in the required building setback.
 - c. Design of the commercial development shall minimize the linear effect with substantial building offsets vertical relief and architectural embellishments/focal points. The design shall maintain architectural uniformity around the entire center with particular emphasis to minimizing the visual impacts from the freeway.
9. ~~That~~ The development (exclusive of the approved residential parcel and the
42. OPUS office development) shall be subject to approval of a Comprehensive Sign Plan to be submitted by June 30, 1997. Any requests for sign permits prior to final approval of the comprehensive sign plan shall be submitted to the Planning Hearing Officer for review of consistency with the proposed design guidelines.
10. ~~That~~ The master developer of the entire 136-acre parcel shall be responsible
43. for completing a revised Master Street Plan based on the interim uses approved for the site. Any deviation from the approved interim uses may require additional traffic analysis by the applicant traffic engineer as determined by the Street Transportation Department.
11. The master developer of the entire 136-acre parcel or subsequent property
44. owners as may be assigned shall be required to make all right of way dedications and street improvements for each phase according to the approved Master Street Plan as directed by the PLANNING AND Development Services Department at the time of preliminary site plan review.
12. The master developer of the entire 136-acre parcel shall be responsible for
45. completing the Deer Valley Towne Center Master Pedestrian/Bicycle Circulation Plan based on the interim uses approved for the site. Any deviation from the approved interim uses may require additional analysis by the applicants traffic engineer as determined by the Planning and DEVELOPMENT AND Street Transportation Departments.
13. ~~That~~ THE master developer for the entire 136-acre parcel or subsequent
46. property owners as may be assigned shall be required to make all necessary dedications and improvements for each phase according to the approved Master Pedestrian/Bicycle Circulation Plans as directed by the PLANNING AND Development Services Department at the time of preliminary site plan review.

14. ~~That~~ The PLANNING AND Development Services Department shall pay particular attention to the orientation of buildings and parking adjacent to 27th Avenue. The following building locations shall provide buildings located adjacent to the street landscape setback with no parking or driveways permitted between the building and 27th Avenue landscape setback.
- a. The building located at the northwest corner of 27th Avenue and Beardsley Road
 - b. The building located at the southwest corner of 27th Avenue and Runion Drive
 - c. The building located immediately to the south of the building referenced above in 17 b,
 - d. The building(s) located at the southeast corner of 27th Avenue and Runion Drive
 - e. ~~The building located at the northeast corner of 27th Avenue and Runion Drive, and~~
 - e. The building located at the southeast corner of 27th Avenue and Rose Garden Lane
 - f.
15. ~~That~~ Automobile circulation may be provided adjacent to the 27th Avenue for the freestanding building shown on Area F located at the northwest corner of 27th Avenue and Runion Drive Parking should be discouraged adjacent to the 27th Avenue landscape setback.
19. ~~That in the event of development of a drive through restaurant driveway circulation may occur between the 27th Avenue landscape setback and the restaurant building. However, no parking is permitted adjacent to the 27th Avenue landscape area in this instance.~~
16. ~~That~~ Project landscaping for individual sites shall be consistent with the landscape design theme provided along 27th Avenue and shall incorporate materials consistent with the attached plant palette.
17. ~~That~~ All sidewalks pedestrian crossings seating areas light standards and screen walls if applicable shall be consistent throughout the project.
18. Use of the originally approved MR zoning overlay shall require modification of stipulations through the Planning Hearing Officer process and may be subject to further traffic analysis, offsite improvements and design standards.

19. RETAIN THE EXISTING BUS PAD ON NORTHBOUND 27TH AVENUE NORTH OF RUNION DRIVE AS MODIFIED OR APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
20. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

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