

## Attachment A- Stipulations- PHO-1-18\_Z-151-02-7

**Location:** Northwest corner of 63rd Avenue alignment and South Mountain Avenue

### Stipulations:

1. ~~That~~The development shall be in general conformance with the site plan date stamped ~~December 30, 2002~~JANUARY 4, 2018, except that development shall be in substantial conformance pertaining to the following elements.
  - a. Development shall not exceed ~~442~~179 dwelling units on the site.
  - b. The development shall maintain a minimum of ~~29~~18% open space indicated on the site plan **TO BE RELOCATED TO A MORE CENTRALLY LOCATED AREA WITHIN THE SUBDIVISION.**
  - c. **THERE SHALL BE A MINIMUM OF 45% OF 50-FOOT WIDE LOTS. THERE SHALL BE A MAXIMUM OF 55% OF 45-FOOT WIDE LOTS.**

As approved or modified and approved by the PLANNING AND Development Services Department and the following stipulations.

2. ~~That~~Two vehicular entrances shall be useable and functional prior to issuance of any certificate of occupancy for any buildings.

### Streets Access and Right of Way

3. ~~That~~aAccess shall be provided on both 63rd Avenue and South Mountain Avenue as approved and/or modified by the PLANNING AND Development Services Department.
4. ~~That~~tThe applicant shall provide a conceptual alignment of the South Mountain Loop from 63rd Avenue to the freeway access prior to preliminary site plan approval, as approved and/or modified by Street Transportation Department. That the applicant shall provide a letter from the property owner to the south acknowledging they have seen the conceptual alignment.
5. ~~If Development Services Department determines that added right-of-way is needed for the north half of South Mountain Avenue alignment such right-of-way up to 50 feet shall be dedicated.~~THE EXISTING 40-FOOT RIGHT-OF-WAY EASEMENT SHALL BE DEDICATED AS RIGHT-OF-WAY. ADDITIONAL RIGHT-OF-WAY MAY BE NECESSARY FOR THE ALIGNMENT OF 67<sup>TH</sup> AVENUE AND SOUTH MOUNTAIN AVENUE INTERSECTION, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT
6. ~~That~~rRight-of-way totaling 30-feet and a 10-foot sidewalk easement shall be dedicated for the west half of 63rd Avenue or as approved by the PLANNING AND Development Services Department.
7. ~~That~~tThe developer shall construct all streets within and adjacent to the development with paving, cur, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.

## Open Space, Trails, Fencing and Entrances

8. ~~That the applicant shall connect the east/west open space spine with the 63rd Avenue pedestrian walkway as approved and/or modified by the PLANNING AND Development Services Department.~~
89. ~~That~~ The applicant shall provide a 100% view fencing along the boundary of the Laveen Area Conveyance Channel (LACC) ALONG THE OPEN SPACE AREAS AND PARTIAL VIEW FENCING SHALL BE PROVIDED WHERE RESIDENTIAL HOMES ARE ADJACENT TO THE LACC as approved and/or modified by THE PLANNING AND Development Services Department.
910. ~~That~~ The applicant shall provide a minimum of ~~three (3)~~ TWO (2) pedestrian gates within gated area CONNECTIONS to the trail located on the south side of the Laveen Area Conveyance Channel (LACC) as approved and/or modified by the PLANNING AND Development Services Department.
1044. ~~That~~ 10-TEN-foot fully improved multi-use trails shall be provided along the south side of the Laveen Area Conveyance Channel (LACC) and along the south property line as approved by the PLANNING AND Development Services Department and Parks and Recreation Department.
12. ~~That signage shall be provided at the 62rd Avenue and South Mountain Avenue intersection directing trail users to the LACC via thru trail along the south property line.~~

## Notice

1143. ~~That~~ Prior to final site plan approval the property owner shall record documents that disclose to purchasers of property within the development the existence and potential characteristics or agricultural use property in the vicinity. The form and content shall be reviewed and approved by the City Attorney.

## (VPC stipulations 2 to 7)

14. ~~That a~~ minimum of 20 additional non-exclusive parking spaces be provided within the development with a focus of placement of the additional spaces within the vicinity of the clubhouse and within the vicinity of the Laveen Area Conveyance Channel (street turn around cul-de-sacs). The addition of parking spaces to the plan will not constitute a reduction of project open space as indicated within Stipulation number 1.
15. ~~That the treatment of access drives to the building clusters be treated with a vehicular circulation surface treatment that deviates from standard black asphalt.~~
16. ~~That development of the site as a multi-family development will incorporate view fencing and avoid the use of solid masonry walls.~~
17. ~~That the developer/builder work with the city and MCC Flood Control to facilitate pedestrian crossings over the LACC.~~
18. ~~That development of the multifamily buildings incorporate wrap around architectural details and materials on all sides of the buildings.~~

1249. ~~That p~~Prior to Preliminary Site Plan ~~submittal~~ APPROVAL the project building elevations shall be submitted to the Laveen Village Planning Committee for review and COMMENT AND SHALL demonstrate attention to providing a range of durable materials that would minimize stucco and tile by offering brick decorative concrete block and stone accents along with a variety of roof materials and textures.
13. IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33-FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.
14. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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.
15. ALL LOTS WITHIN THE DEVELOPMENT SHALL HAVE A MINIMUM DRIVEWAY LENGTH OF 22 FEET FROM THE BACK OF CURB TO FACE OF THE GARAGE.