

## Attachment A – Stipulations- PHO-5-22—Z-6-04-7

**Location:** Approximately 300 feet east of the southeast corner of 107th Avenue and Lower Buckeye Road

### **Stipulations:**

Trails and Landscaping	
1.	<del>That</del> The development shall conform to the Estrella Village Arterial Street Landscaping program that specifically provides landscaping requirements for Lower Buckeye Road, defined in the plan as a village parkway.
2.	<del>That</del> The developer shall provide a 30-foot wide public trail easement along the east side of 107th Avenue and along the south side of Lower Buckeye Road, exclusively for public utility easement, trail, and landscaping, unless modified by the Parks and Recreation Department.
Residential	
3.	<del>That</del> The single-family development shall be in general conformance to the site plan date stamped January 15, 2004, as approved or modified by THE PLANNING AND Development Services Department.
4.	<del>That</del> A minimum 40 x 40 foot triangular landscape entry area SHALL be provided on each corner at the main entrance to the residential subdivision to be located on 107th Avenue, as approved or modified by THE PLANNING AND Development Services Department.
5.	<del>That</del> Open space amenities shall be located outside of retention areas.
6.	<del>That</del> The property owner shall record documents that disclose to purchasers of the property within the development the existence and potential characteristics of the Tolleson Wastewater Treatment Plant and the Phoenix Goodyear Airport. The form and content of such documents shall be reviewed and approved by the city attorney.
Commercial	
7.	<del>That the commercial elevations shall be reviewed and approved through the Planning Hearing Officer process prior to preliminary site plan approval with the Development Services Department.</del>  THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED AUGUST 31, 2022, AS MODIFIED

	BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8.	<del>That</del> The commercial site shall be developed with a similar architectural theme. The theme shall assure that the building and canopy colors, elevations, exterior materials, landscaping, lighting, and signage convey a sense of continuity throughout the development. A master architectural theme shall be provided before preliminary site plan approval of the first building, as approved or modified by THE PLANNING AND Development Services Department.
9.	<del>That</del> The development shall conform to the Estrella Village Arterial Street Landscaping program that specifically requires an entry feature on the southeast corner of 107th Avenue and Lower Buckeye Road, designated as a gateway intersection in the plan.
Street Improvements	
10.	<del>That a</del> Right-of-way totaling 55 feet shall be dedicated for the south half of Lower Buckeye Road.
11.	<del>That a</del> Right-of-way totaling 55 feet shall be dedicated for the east half of 107th Avenue.
12.	<del>That</del> The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the city. All improvements shall comply with all ADA accessibility standards.
13.	<del>That</del> The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
14.	THE DEVELOPER SHALL CONSTRUCT AND LANDSCAPE A 14-FOOT-WIDE MEDIAN ISLAND ALONG LOWER BUCKEYE ROAD, FROM 107TH AVENUE TO THE EXISTING MEDIAN TO THE EAST, AS APPROVED BY THE PLANNING AND DEVELOPMENT AND STREET TRANSPORTATION DEPARTMENTS.
15.	THE DEVELOPER SHALL CONSTRUCT A MINIMUM 5-FOOT-WIDE DETACHED SIDEWALK ALONG THE SOUTH SIDE OF LOWER BUCKEYE ROAD WITH A MINIMUM 10-FOOT-WIDE LANDSCAPE STRIP LOCATED BETWEEN THE BACK OF CURB AND SIDEWALK.

	TREES PLANTED IN THE LANDSCAPE STRIP SHALL BE PLACED NEAR THE SIDEWALK TO PROVIDE THERMAL COMFORT FOR PEDESTRIANS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
16.	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.