

## Attachment A- Stipulations- PHO-4-20\_Z-273-79-5(7)

**Location:** Approximately 670 feet south of the southeast corner of 83rd Avenue and Thomas Road

### **Stipulations:**

<del>**1.</del>	<del>That an overall development plan shall be approved by the City Council showing:</del>
<del>a.</del>	<del>The proposed zoning and land use of each parcel;</del>
<del>b.</del>	<del>The approximate locations of major and collector streets; and</del>
<del>c.</del>	<del>The approximate locations of any public uses such as schools, drainageways, parks, trails, and other recreational facilities.</del>
<del>2.</del>	<del>That all development require site plan approval.</del>
<del>3.</del>	<del>That the items listed below be approved in accord with the overall development plan by the Planning Director at such time as the first major development occurs on the property:</del>
<del>a.</del>	<del>A landscaping and open space plan showing landscaping and screening, and if provided, other open space such as pathways, parks and trails.</del>
<del>b.</del>	<del>A schedule of intensity of use for each parcel of land showing proposed land uses, maximum and minimum number of dwellings, the gross leaseable area, and height limits; and</del>
<del>c.</del>	<del>A development schedule showing the expected beginning and completion of construction for each parcel or use.</del>
<del>4.</del>	<del>That access to major and collector streets to be as approved by the City Traffic Engineer.</del>
<del>5.</del>	<del>That a master drainage plan be approved by the City Engineer.</del>
<del>6.</del>	<del>That the applicant submit acceptable assurances for the assumption of responsibility for 50 percent of the cost of an improved Encanto Boulevard between 79th and 83rd Avenue.</del>
<del>a.</del>	<del>Construction of Encanto Boulevard shall be the responsibility of the applicant.</del>
<del>b.</del>	<del>Construction of the applicant's or adjacent property owner's (29-80) portion of Encanto Boulevard shall be concurrent with the first major development of any parcel abutting Encanto between 79th and 83rd Avenue, but no later than January 1, 1985.</del>
<u>Right of Way Needed</u>	

	Further, sufficient right-of-way to be dedicated by the property owner by July, 1982 to provide for the following:
<del>**1.</del>	<del>A 55' half street for 83rd Avenue.</del>
<del>**2.</del>	<del>Right-of-way for Thomas Road as shown on Traffic Engineering Department Drawing No. 2519.</del>
<del>**3.</del>	<del>A 33' half street for Encanto Boulevard and 79th Avenue.</del>
<del>**4.</del>	<del>Triangles (18' x 18') at 83rd and Thomas Road, 83rd Avenue and Encanto Boulevard, and 79th Avenue and Encanto Boulevard.</del>
5.	Additional right-of-way may be required at the time plans for the use of this site are submitted and after the review of a traffic study that will be required of the developer.
	<del>**To be complied with prior to vesting of zoning.</del>
1.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED DECEMBER 18, 2020 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2.	THE DEVELOPER SHALL PROVIDE A SHADED PEDESTRIAN CONNECTION CONSTRUCTED OF STAMPED OR COLORED CONCRETE, OR ANOTHER MATERIAL OTHER THAN THOSE USED TO PAVE THE PARKING SURFACES AND DRIVE AISLES, AS APPROVED BY THE PLANNING AND DEVELOPMENT. THE PEDESTRIAN CONNECTION SHALL BE FROM THE NORTHERN BOUNDARY OF THE SITE TO VIRGINIA AVENUE AND INCLUDE PEDESTRIAN GATES AT BOTH ENDS WITH THE SOUTHERN GATE LOCATED EAST OF THE DRIVEWAY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3.	THE PUBLIC SIDEWALK ALONG VIRGINIA AVENUE SHALL BE DETACHED WITH A MINIMUM 5-FOOT WIDE LANDSCAPE AREA LOCATED BETWEEN THE SIDEWALK AND BACK OF CURB AND PLANTED WITH MINIMUM 2-INCH CALIPER LARGE CANOPY, SINGLE TRUNK, SHADE TREES PLACED A MINIMUM OF 20-FEET ON CENTER OR IN EQUIVALENT GROUPINGS, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. AT TREE MATURITY, THE TREES SHALL SHADE THE SIDEWALK TO A MINIMUM OF 75 PERCENT.
4.	THE DEVELOPER SHALL REPLENISH THE MEDIAN ISLANDS WITH MINIMUM 2-INCH CALIPER TREES SPACED 20-FEET ON CENTER AND SHRUBS TO PROVIDE A MINIMUM OF 75 PERCENT LIVE COVERAGE AT MATURITY FOR THE LENGTH OF THE PROJECT, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

5.	THE DEVELOPER SHALL DEDICATE A 10-FOOT SIDEWALK EASEMENT ALONG 83RD AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
6.	THE DEVELOPER SHALL CONDUCT A TRAFFIC SIGNAL WARRANT ANALYSIS TO IDENTIFY THE POTENTIAL NEED FOR SIGNALIZATION OF 83RD AVENUE AND VIRGINIA AVENUE, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT. IF A FUTURE SIGNAL IS IDENTIFIED, THE DEVELOPMENT WILL BE REQUIRED TO CONTRIBUTE 25% OF THE FUTURE ESTIMATED COST AND TO INSTALL CONDUIT AND JUNCTION BOXES WITH ANY ASSOCIATED OFF-SITE IMPROVEMENTS. A SIGNAL CONDUIT WOULD BE REQUIRED.
7.	EXISTING IRRIGATION FACILITIES ALONG VIRGINIA AVENUE ARE TO BE UNDERGROUNDED AND/OR RELOCATED OUTSIDE OF CITY RIGHT-OF-WAY. CONTACT SRP TO IDENTIFY EXISTING LAND RIGHTS AND ESTABLISH APPROPRIATE PROCESS TO RELOCATE FACILITY. RELOCATIONS THAT REQUIRE ADDITIONAL DEDICATIONS OR LAND TRANSFER REQUIRE COMPLETION PRIOR TO OBTAINING PLAT AND/OR CIVIL PLAN REVIEW APPROVAL.
8.	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 PLANNING AND DEVELOPMENT DEPARTMENT. ALL IMPROVEMENTS SHALL COMPLY WITH ALL ADA ACCESSIBILITY STANDARDS.
9.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
10.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
11.	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.