

Attachment A – Stipulations – PHO-1-22—Z-48-97-2

Location: Southwest corner of Cave Creek Road and Lone Cactus Drive

Stipulations:

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| 1. | That the approval be conditioned on the development of the site as a plant nursery within 24 months of City Council's approval of the zone change in accordance with Section 506.B.1 of the Zoning Ordinance and that the zoning not vest until final site plan approval by the Development Services Department. |
| 1. 2. | That the site be developed THE DEVELOPMENT SHALL BE in general conformance with the site plan DATE STAMPED OCTOBER 27, 2022, submitted in support of the rezoning application dated April 4, 1997, except as may be modified BY THE FOLLOWING to incorporate the stipulations and the requirements of APPROVED BY the PLANNING AND Development Services Department. |
| 2. 3. | That A minimum 6' high concrete block or masonry fence incorporating decorative detailing and high quality finished surfaces SHALL be constructed along the southerly and westerly property lines. |
| 3. 4. | That A maximum 3' high concrete or masonry fence, with wrought iron view fence above that incorporating decorative detailing and high quality finished surfaces, SHALL be constructed along the easterly and northerly property lines abutting Cave Creek Road and Lone Cactus Road. |
| 4. 5. | That The aforementioned walls/fences and the architectural detailing of the building(s), signage and lighting, and other site plan features SHALL be coordinated to present a high quality image consistent with Commerce Park/Business Park standards. |
| 5. 6. | That Enhanced landscaping SHALL be undertaken along the Cave Creek Road side of the property within the setback area and within the landscaped portion of the Cave Creek Road right-of-way. |
| 6. 7. | That The area shown as bulk storage and deliveries SHALL be landscaped and screened from external views of the property so that it does not detract from the visual qualities of the property. |
| 7. 8. | That On-site lighting SHALL be reviewed to ensure that it does not disturb neighboring properties. |

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| 8. | That The Cave Creek half road SHALL be constructed, asphalted, curbed and landscaped across the frontage of the property as approved by the PLANNING AND Development Services Department. |
| 9. | |
| 9. | THE DEVELOPER SHALL REPLENISH THE EXISTING LANDSCAPE AREA LOCATED BETWEEN BACK OF CURB AND SIDEWALK TO ACHIEVE 50 PERCENT SHADE AT MATURITY. PLANTING TYPE, FREQUENCY, AND SIZE SHALL BE DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR ALL LANDSCAPE AND IRRIGATION MAINTENANCE LOCATED IN THE RIGHT-OF-WAY. |
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| 10. | 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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