

Attachment A- Stipulations- PHO-1-22--Z-146-06-8

Location: Approximately 200 feet west of the northwest corner of 11th Street and Van Buren Street

Stipulations:

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| 1. | That The development shall be in general conformance with the site plan DATE STAMPED JUNE 17, 2022, and elevations date stamped JUNE 2, 2022 October 26, 2006 , as approved or modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department, with the following specific provisions, all as approved by the Development Services Department WITH SPECIFIC REGARD TO THE FOLLOWING:- | |
| | A. | That All pedestrian routes shall have appropriate lighting and shading created either by landscaping and exterior building design. |
| | B. | That IF PROVIDED, the ANY roof top pool and jacuzzi area shall be provided with PROVIDE a minimum of four ramadas and landscaping to shade A MINIMUM 25% of the deck. |
| | C. | That the townhomes on the west and north part of the site shall be limited to 56' in height. GROUND FLOOR UNITS ALONG POLK STREET SHALL PROVIDE PATIOS AND DIRECT ACCESS TO THE STREET FOR RESIDENT USE. |
| 2. | That The architectural treatment of all buildings in this development shall utilize a consistent, architectural theme, and harmonious building materials and exterior colors, as approved by the PLANNING AND Development Services Department. | |
| 3. | That The architecture of the townhome buildings fronting on Polk Street shall provide design features and architectural embellishments consistent with the character of the neighborhood, as approved by the PLANNING AND Development Services Department. | |
| 4. | That Building materials shall not exceed a reflectivity rating greater than 20 percent, as approved by the PLANNING AND Development Services Department. | |
| 5. | That A minimum of 75% of the sidewalk along the Polk Street and Van Buren Street frontages shall be shaded by a combination of awnings, arcades, and trees (measured at maturity). Shading shall be positioned to shade the sidewalk from April 15th through September 30th, as approved by the PLANNING AND Development Services Department. | |
| 6. | That the applicant shall provide exterior planters with appropriate watering systems on at least 50 percent of the balconies facing the streets, on the first eight floors, as approved by the Development Services Department. | |

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| 6. 7. | That The applicant shall construct a 6-foot high masonry wall along the east, and where provided on the west side of the site. The wall shall be decorative wherever visible both on site and off site, as approved by THE PLANNING AND Development Services Department. | |
| 7. 8. | <p>That a plaza shall be provided at grade level at a location along Van Buren Street adjacent to the façade. The plaza shall have a minimum size of 1,000 square feet, with one side at least 20 feet in length, as approved by the Development Services Department. The following amenities shall be provided within the street level plaza:</p> <p>THE APPLICANT SHALL PROVIDE THE FOLLOWING ENHANCED PEDESTRIAN FEATURES, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:</p> | |
| | A. | <p>Decorative paving</p> <p>ALL PEDESTRIAN PATHWAYS SHALL BE CONSTRUCTED OF DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR ANOTHER MATERIAL, OTHER THAN THOSE USED TO PAVE THE PARKING SURFACES AND DRIVE AISLES.</p> |
| | B. | <p>50% afternoon shade stationary seating to include a minimum of five benches and other planter or low wall ledge seating as deemed appropriate</p> <p>MINIMUM FIVE (5) SEATING NODES. SEATING NODES SHALL BE 100% SHADED BY ARCHITECTURAL FEATURES AND/OR LANDSCAPING. SEATING NODES SHALL INCLUDE LIGHTING AND A UNIQUE ART ELEMENT, OR SIMILAR FEATURE. SEATING NODES SHALL BE ADJACENT AND/OR ACCESSIBLE FROM PUBLIC RIGHTS-OF-WAY.</p> |
| | C. | Trash receptacles as appropriate |
| | D. | Artistic elements which can be incorporated into the design and furnishings of the plaza |
| 8. | THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING AS REQUIRED IN CHAPTER 13, SECTION 1307.H FOR MULTIFAMILY DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. | |
| 9. | <p>That The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.</p> | |
| 10. | IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN | |

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| | 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. |
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| 11. | 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. |
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| 12. | 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. |
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| 13. 40. | That The property owner shall record documents that disclose the existence and operational characteristics of Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney. |
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| 14. | 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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