

Attachment A- Stipulations- PHO-2-19_Z-180-04-7

Location: Southwest corner of the 65th Avenue and South Mountain Avenue Alignments

Stipulations:

1.	That d Development of FUNCTIONAL UNIT 1A, AS DEPICTED ON THE FUNCTIONAL UNIT EXHIBIT DATE STAMPED FEBRUARY 14, 2020, the project site shall be in general conformance with the following PLANS, and as modified by THE FOLLOWING stipulationS nos. 2, 3 and 22 AND as approved by the PLANNING AND Development Services Department:	
	A.	FUNCTIONAL UNIT 1A Site Plan date stamped FEBRUARY 14, 2020 December 22, 2004
	B.	Land Use Table dated December 1, 2004
	B. C.	FUNCTIONAL UNIT 1A Landscape Master Plan DATE STAMPED FEBRUARY 14, 2020 dated December 1, 2004
	C. D.	FUNCTIONAL UNIT 1A Open Space Amenities Plan DATE STAMPED FEBRUARY 14, 2020, dated December 1, 2004 WITH SPECIFIC REGARD TO THE PROVISION OF A MINIMUM ONE MAJOR OPEN SPACE AMENITY PROVIDED BOTH NORTH AND SOUTH OF DOBBINS ROAD.
	D. E.	Main entry concept dated December 1, 2004
	E. F.	Wall & column concepts dated December 1, 2004
	F.	FUNCTIONAL UNIT EXHIBIT DATE STAMPED FEBRUARY 14, 2020
2.	That all r Residential development AS DEPICTED on the FUNCTIONAL UNIT 1A Site Plan date stamped FEBRUARY 14, 2020 December 22, 2004 shall be modified by the following AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:	
	A.	THE MINIMUM RESIDENTIAL LOT WIDTH SHALL BE 50 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	B. A.	All residential units shall be set back a minimum of 75 feet (75') from the centerline of the 500kv power line easement on the west boundary of the development., as shown on Exhibit A date stamped April 18, 2005 and as approved by the Development Services Department.
	C. B.	All parcels abutting Dobbins Road in FUNCTIONAL UNIT 1A development units, 5, 6, 9, and b shall be developed through a cul-de-sac roadway configuration, OR PROVIDE A MINIMUM THREE-FOOT PERIMETER WALL OFFSET AT A MINIMUM OF EVERY THIRD LOT. as shown on Exhibit B

		date stamped April 18, 2005 and as approved by the Development Services Department.
	D. C.	Where perimeter walls are provided abutting an arterial or collector street that do not include a cul-de-sac back up treatment, THE DEVELOPER shall provide a minimum THREE-FOOT five feet (5') wall offset AT a minimum of every third lot. as shown on Exhibit C date stamped April 18, 2005 and as approved by the Development Services Department. Where offsets occur an inset "v" shaped wall treatment shall be provided that shall be a minimum ten feet (10') wide by five feet (5') deep.
	E.	PARCELS WITHIN THE DEVELOPMENT THAT ABUT AN ARTERIAL OR COLLECTOR STREET THAT DO NOT INCLUDE A CUL-DE-SAC BACK UP TREATMENT SHALL INCLUDE REAR YARD SETBACK VARIATION SUCH THAT NO MORE THAN THREE CONTIGUOUS LOTS CONTAIN IDENTICAL REAR LOT LINES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. AT A MINIMUM, EVERY EIGHTH LOT SHALL BE INTERRUPTED BY AN OPEN SPACE CORRIDOR, STREET CONNECTION, OR SHALL PROVIDE A MINIMUM COMBINED 15-FOOT SIDE YARD SETBACK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	F. D.	Parcels 4B, A and 1b shall each include a minimum of one acre (1 ac) centralized open space area, as approved by the PLANNING AND Development Services Department.
	G. E.	Where appropriate, lots adjacent to the public school site should be oriented facing the school site to maximize view of the school site, as approved by the PLANNING AND Development Services Department.
3.		OPEN SPACE SHALL BE PROVIDED AS FOLLOWS:
	A.	A MINIMUM OF 14 PERCENT OF THE GROSS PROJECT, LESS THE ACREAGE OF THE PROPOSED SCHOOL SITE IF DEVELOPED, SHALL BE RETAINED AS OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	B.	THE DEVELOPER SHALL PROVIDE MINIMUM TWO AMENITY AREAS IN FUNCTIONAL UNIT 1A SOUTH OF DOBBINS ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4.		THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED FEBRUARY 14, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	A.	THE ELEVATIONS SHALL INCORPORATE FOUR-SIDED ARCHITECTURE, EXTERIOR ACCENT MATERIALS, DETAILING, AND A MINIMUM THREE COLOR PALETTES, IN ORDER TO CONVEY A SENSE OF CONTINUITY THROUGHOUT THE DEVELOPMENT.

	B.	WHERE TWO TWO-STORY HOMES ARE BUILT ADJACENT TO EACH OTHER, THE SAME ELEVATION SHALL NOT BE UTILIZED IF BOTH HOMES SHARE THE SAME COLOR SCHEME AND FLOORPLAN.
	C.	THE SPANISH ELEVATION SHALL NOT BE UTILIZED ON ANY TWO ADJACENT HOMES IF BOTH HOMES SHARE THE SAME FLOORPLAN.
	D.	FOR EACH ELEVATION THAT FEATURES EAVES, SUCH EAVES SHALL HAVE A MINIMUM OVERHANG OF 12 INCHES.
5.	3.	That the IF DEVELOPED, THE school site shall HAVE FRONTAGE WITH VEHICULAR INGRESS AND EGRESS TO A COLLECTOR STREET, be relocated to the South Mountain Avenue frontage as approved or modified by the PLANNING AND Development Services Department.
6.	4.	That the residential and commercial elevations shall be subject to approval through the Planning Hearing Officer (PHO) process prior to preliminary site plan approval as approved or modified by the Development Services Department.
7.	5.	That d Development of the project site shall be subject to the approval of the following equivalent Planned Community District (PCD) master plans for Functional Unit 1A, AS DEPICTED ON THE FUNCTIONAL UNIT EXHIBIT DATE STAMPED FEBRUARY 14, 2020, #1 located north of Dobbins Road, for Functional Unit #2 located between Dobbins Road and Olney Road, and for Functional Unit #3 located south of Olney Road, each pursuant to the Development Services Department PCD Master Plan Manual, AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:
	A.	Master Development Plan
	B.	Master Street Plan and Phasing Plans
	C.	Master Wastewater Plan
	D.	Master Water Plan
	E.	Master Drainage Plan
	F.	Master Landscape Plan
	G.	Master Pedestrian, Bicycle, and Trails Plan including
		1) An 8' wide trail system linking open space areas throughout the project site, and providing a minimum of two connections to the Maricopa County trail in the adjacent power line corridor
		2) A pedestrian connection providing access to the Laveen Conveyance Channel
	H.	Master Lighting Plan

8. 6.	That a Development of the project site shall be subject to the approval of a Master Architectural Design, Materials, and Colors Plan reflecting the rural character of the Laveen Village, as approved by the PLANNING AND Development Services Department. Architecture of a rural character utilizes materials that include stone, brick, wood, and smooth stucco, and colors that include those found in the natural environment.	
9. 7.	That a A comprehensive sign plan shall be REQUIRED FOR EACH FUNCTIONAL UNIT approved for the entire development in accordance with Section 705.F.2 of the Zoning Ordinance AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
10. 8.	That a All USA fee title properties shall be relocated out of any existing or proposed right-of-way, as approved by the PLANNING AND Development Services Department.	
STREET TRANSPORTATION		
11.	THE DEVELOPER SHALL DEDICATE 30 FEET OF RIGHT-OF WAY FOR THE EAST HALF OF 67TH AVENUE AND CONSTRUCT TO COLLECTOR STREET STANDARDS FROM DOBBINS ROAD TO THE NORTHERN LIMITS OF THE MCCLELLAN RANCH MASTER STREET PLAN. ANY PROPOSED EXTENSION OF 67 TH AVENUE BEYOND THESE LIMITS WOULD REQUIRE THE FULL DEDICATION AND CONSTRUCTION OF 67 TH AVENUE TO A COLLECTOR STREET STANDARD.	
12.	ACCESS POINTS ALONG 67TH AVENUE SHALL BE ALIGNED TO MATCH THE APPROVED MCCLELLAN RANCH MASTER STREET PLAN TO THE WEST OR BE OFFSET AS ALLOWED BY CITY CODE.	
13.	PEDESTRIAN TRAIL ACCESS SHALL BE PROVIDED AND SHALL ALIGN WITH THE MCCLELLAN RANCH MASTER TRAILS PLAN ALONG THE WESTERN EDGES OF THE SITE.	
14.	STREET ALIGNMENTS SHALL PROVIDE FOR CONNECTIONS TO FUTURE UNPLATTED LANDS AND CONNECT TO ESTABLISHED STUB STREETS IN NEIGHBORING SUBDIVISIONS.	
15.	BLOCK LENGTHS REQUIRED AS PER CITY CODE 32-28 SHALL NOT BE EXCEEDED IN ANY INDIVIDUAL DEVELOPMENT PHASE.	
16.	THE APPLICANT SHALL SUBMIT A TRAFFIC IMPACT STUDY (TIS) FOR THIS DEVELOPMENT. NO PRELIMINARY APPROVAL OF PLANS SHALL BE GRANTED UNTIL THE STUDY IS REVIEWED AND APPROVED BY THE STREET TRANSPORTATION DEPARTMENT. UPON COMPLETION OF THE TIS THE DEVELOPER SHALL SUBMIT THE COMPLETED TIS TO THE PLANNING AND DEVELOPMENT DEPARTMENT COUNTER WITH INSTRUCTIONS TO FORWARD THE STUDY TO THE STREET TRANSPORTATION DEPARTMENT, DESIGN SECTION.	

17.	THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TRAFFIC SIGNALS AND OR ESCROW FUNDS AS IDENTIFIED WITHIN THE TRAFFIC STUDY AND APPROVED STREETS MASTER STREET PLAN.
18.	EXISTING IRRIGATION FACILITIES ALONG ANY EXISTING AND/OR PROPOSED RIGHTS-OF-WAY ARE TO BE UNDERGROUNDED AND RELOCATED OUTSIDE OF CITY RIGHT-OF-WAY. CONTACT SRP TO IDENTIFY EXISTING LAND RIGHTS AND ESTABLISH APPROPRIATE PROCESSES TO RELOCATE IMPACTED FACILITIES. RELOCATIONS THAT REQUIRE ADDITIONAL DEDICATIONS OR LAND TRANSFER REQUIRE COMPLETION PRIOR TO OBTAINING PLAT AND/OR CIVIL PLAN REVIEW APPROVAL.
19.	CONNECTION OF TRAILS SHALL BE MADE TO COLLECTOR STREETS THROUGH CLEARLY DEFINED BICYCLE AND PEDESTRIAN ROUTES. LOCAL STREET CONNECTIONS ALONE ARE INSUFFICIENT TO PROVIDE THIS CONNECTIVITY. THIS CONNECTIVITY SHALL BE ADDRESSED THROUGH THE TRAILS MASTER PLAN, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
20. 9.	That Right-of-way totaling 30 feet shall be dedicated for the south half of South Mountain Avenue, or as may otherwise be modified by the PLANNING AND Development Services Department at time of subdivision review.
21. 40.	That Right-of-way totaling 55 feet shall be dedicated for the west half of 63rd Avenue.
22. 41.	That Right-of-way totaling 110 feet shall be dedicated for Dobbins Road.
23. 42.	That Right-of-way totaling 60 feet shall be dedicated for Olney Avenue.
24. 43.	That Additional rights-of-way for bus-bays, corner triangles and intersection flares will be determined at time of subdivision review.
25. 44.	That 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 Services Department. All improvements shall comply with all ADA accessibility standards.
26. 45.	That The applicant shall submit paving plans for all arterial streets within and adjacent to the development to the PLANNING AND Development Services Department for review.
27. 46.	That 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.

PARKS AND RECREATION	
28.	THE DEVELOPER SHALL DEDICATE A 30' WIDE MULTI-USE TRAIL EASEMENT (MUTE) ALONG THE WEST SIDE OF THE PROPERTY CONNECTING THE LAVEEN AREA CONVEYANCE CHANNEL (LACC) TO DOBBINS ROAD, NORTH OF DOBBINS ROAD, ALONG CARVER ROAD, AND WEST OF 63RD AVENUE. WITHIN EACH EASEMENT, THE DEVELOPER SHALL CONSTRUCT A 10-FOOT WIDE MULTI-USE TRAIL (MUT) AS INDICATED IN SECTION 429 OF THE CITY OF PHOENIX MAG SUPPLEMENT. THE FINAL LOCATION AND DEVELOPMENT STANDARDS REGARDING ALL TRAILS AND TRAIL EASEMENTS SHALL BE AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION AND PLANNING AND DEVELOPMENT DEPARTMENT.
ARCHAEOLOGY	
29.	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.
30.	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.
31.	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.
ADDITIONAL	
32.	ALL RESIDENTIAL DRIVEWAYS SHALL PROVIDE A MINIMUM DEPTH OF 21- FEET FROM BACK OF SIDEWALK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
33. 17.	That a All single-family residential buildings adjacent to Dobbins Road shall be single story, not to exceed 20 feet (20').
34. 18.	That a No less than 50% of the single-family homes abutting South Mountain Drive, Olney Avenue, and 63rd Avenue shall be single-story, not to exceed 20 feet (20'). No more than two contiguous lots shall contain two-story homes.

19.	That parcels within the development that abut an arterial or collector street that do not include a cul-de-sac back up treatment shall include side and rear yard setback variation such that no three contiguous lots contain identical setback dimensions, as approved by the Development Services Department. At a minimum, every eighth lot shall be interrupted by an open space corridor or street connection, or shall provide a minimum 15 foot (15') side yard setback.
35. 20.	That Any green court two-story structures abutting 63rd Avenue or Dobbins Road (Parcels 4b, a, and 1b) shall be setback a minimum of 50 feet (50') from the street right-of-way.
36. 21.	That No residential or commercial building shall exceed two (2) stories of thirty feet (30').
37. 22.	That The development theming elements illustrated through Coe and Van Loo (CVL) Exhibits 1 through 7 date stamped December 1, 2004, be modified by the following:
	A. Variable tree sizes for residential development only, including 25% at 1.5" caliper, 50% at 2" caliper, and 25% at 3", shall be provided for all roadway edge treatment along Dobbins Road, 63rd Avenue, Olney Avenue, and South Mountain Drive.
	B. A windmill feature with blades, consistent with the image illustrated through CVL Exhibit 6, shall be placed on a tower entry feature located at either the northwest or southwest corner of Dobbins Road and 63 rd Avenue, as approved by the PLANNING AND Development Services Department.
	C. The split rail fence concept illustrated through Exhibits 5, 6 and 7 DATED DECEMBER 1, 2004 AND THE OPEN SPACE AMENITIES PLAN DATED FEBRUARY 14, 2020 shall be constructed of metal, as approved by the PLANNING AND Development Services Department.
38. 23.	Prior to preliminary site plan approval for all applicable commercial structures, elevations for these structures, as well as the landscaping, lighting and sign packages for the commercial areas shall be presented by the applicant to the Laveen Village Planning Committee for review and comment.
39.	ANY PROPOSED MODIFICATIONS OF THE STIPULATED PLANS SHALL BE PRESENTED TO THE LAVEEN VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO ANY FINAL PLAN APPROVAL.
40. 24.	That The school site shall be set aside for purchase by the school district for 12 months, commencing with the issuance of the first residential certificate of occupancy.
41. 25.	That Crosswalks on Dobbins Road shall incorporate alternate paving materials, as approved by the PLANNING AND Development Services Department.
42.	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.