

## **Attachment A- Stipulations- PHO-3-16\_Z-125-01-2**

**Location:** Approximately 1183 feet west of the southwest corner of Black Mountain Parkway (48th Street Alignment) and Carefree Highway

### **Stipulations:**

#### STIPULATIONS FOR THE EASTERN PORTION OF THE SITE

1. That development shall be in general conformance to the site plan dated May 5, 2004 as approved by the PLANNING AND Development ~~Services~~ Department.
2. That development shall be in general conformance to the elevations dated May 5, 2004 or as approved or modified by THE PLANNING AND Development ~~Services~~ Department. That the level of architectural detail shall be provided on all sides of structures, including the same colors and materials. That the same architectural theme shall be consistent throughout the site.
3. That a comprehensive sign package shall be developed for the site, as approved by the PLANNING AND Development ~~Services~~ Department.
4. That all building elevations visible from the public right-of-way or adjacent residential property include variations in colors, textures, and/or materials to break up the massing of long walls, and provide a sense of human scale and visual interest.
5. That a full archaeological testing and data recovery report be submitted.
6. That the development of the project be limited to three Phases. Phase I the Pharmacy, Phase II retail surrounding pharmacy, and Phase III remaining retail/office at west end of property.
7. That the driveways be limited to five on Carefree Highway and three on Black Mountain Parkway.
8. That right-of-way shall be dedicated and a bus bay constructed (P1256) with a transit pad (P1261) for southbound on Black Mountain Parkway south of Carefree Highway at a location approved by the Phoenix Public Transit Department

#### Landscaping/Screening

9. That the landscape setback along Carefree Highway shall be dedicated as a landscape easement and the scenic corridor shall include only natural materials and native vegetation as approved by the PLANNING AND Development ~~Services~~ Department.
10. That the wash along the southern border be treated as a natural amenity per plans approved by the PLANNING AND Development ~~Services~~ Department and that no construction, filling or grading occur within the 100 year floodplain.
11. That shaded pedestrian paths shall be provided within the proposed parking areas to connect customers of retail establishments with the sidewalks along Black

Mountain Parkway, Landscaping of these shaded walkways shall reflect a common landscaping theme and include a minimum of 2-inch caliper shade trees placed 20 feet on center.

12. That a 10-foot sidewalk be constructed along Carefree Highway and a 5-foot sidewalk be provided along Black Mountain Parkway. Trail needs to be within a 25-foot landscape setback as approved by Parks, Recreation, and Library Department.
13. That lighting shall be shielded with cut-off fixtures and deflectors to direct light downward and limit on-site lighting levels to a maximum of one foot candle at the property line. That all lighting shall be shielded to prevent direct visibility of the light source from adjacent properties. That lighting shall be limited to 15 feet in height. Site lighting shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval.
14. That all refuse containers shall be a minimum of twenty feet from the south property line and shall be screened with a solid wall consisting of the same colors and materials as the main structures.

#### STIPULATIONS FOR THE WESTERN PORTION OF THE SITE:

1. That development shall be in general conformance to the site plan dated ~~October 26, 2004~~ ~~STAMPED~~ MARCH 30, 2017, with regards to setbacks, circulation and the scenic corridor, as modified by the following stipulations and PLANNING AND Development Services Department review.
2. That development shall be in general conformance to the elevations dated ~~August 30, 2004~~ ~~STAMPED~~ MARCH 30, 2017 with regards to architectural theme. The BUILDING ELEVATION theme should assure the building/canopy colors, elevations, exterior materials, landscaping, lighting and signage convey a sense of continuity throughout the development, as approved by the PLANNING AND Development Services Department.
- ~~3. That Shops A, Building A and Building B be shifted to the west to create a design that will offer a marketable, and open concept that will provide visual interest.~~
43. That a comprehensive sign package shall be developed for the site, as approved by the PLANNING AND Development Services Department.
54. That all building elevations visible from the public right-of-way or adjacent residential property include variations in colors, textures, and/or materials to break up the massing of long walls, and provide a sense of human scale and visual interest.
65. That a full archaeological testing and data recovery report be submitted.
76. That the development of the project be limited to three Phases, Phase I the ~~Pharmacy~~ ASSISTED LIVING/INDEPENDENT LIVING BUILDING, Phase II ~~retail surrounding pharmacy~~ THE MEMORY CARE BUILDING, and Phase III FUTURE. ~~remaining retail/office at west end of property.~~

- 87. That the driveways be limited to five on Carefree Highway. ~~and three on Black Mountain Parkway.~~
- ~~9. That a transit stop pad right-of-way be provided for a southbound on Black Mountain Parkway south of Carefree Highway and constructed per City of Phoenix Public Transit Developer Guidelines.~~
- 408. That the parking provided along the north end of the property not follow a hard edge along the Carefree Scenic Corridor. The parking shall consist of a delineated pattern using landscape features to create a softer edge.
- 41. ~~That the drive thru parking on building "B" east end be eliminated to allow room for Building "B" to shift closer to the pharmacy.~~
- 42. ~~That the loading area for Major A, the 51,000 square foot building, provide a loading dock collar and adequate screening to ensure loading operations are kept internal to the site and not visible from the south residential area as approved by the Development Services Department.~~
- 43. ~~That Office "A" provide a 3-foot screen wall along the parking area to buffer the wash corridor~~

#### Landscape/Screening

- 449. That the ~~ninety-five~~FIFTY foot landscape setback FROM THE SEVENTY FOOT RIGHT OF WAY (ONE HURNDRED TWENTY FEEET FROM CENTER LINE OF CAREFREE HIGHWAY) shall be landscaped with plants from Lists A, B and/or C from the "Area C & D Zoning Guidelines Manual Draft" dated September 1995 and shall be designated as a scenic landscape easement. Accent walls and only low scale directional signage may be allowed within the setback if determined appropriate by the PLANNING AND Development Services Department site plan and sign review staff.
- 4510. ~~That the wash along the southern border of treated as natural amenity per plans approved by the Development Services Department and that no construction, filling or grading occur within the 100 year floodplain. AREAS WITHIN THE 100 YEAR FLOODPLAIN WILL NOT IMPEDE THE 100 YEAR STORM WATER FLOW.~~
- 46. ~~That a 10-foot trail be provided adjacent to the wash corridor and vegetation along the wash shall be preserved in place as may be approved by the Parks, Recreation and Library and Development Services Departments. The trail shall be either paved or, if unpaved, comprised of stabilized decomposed granite. The trail cross the wash to connect.~~
- 47. ~~That shaded pedestrian paths shall be provided within the proposed parking areas to connect customers of retail establishments with the sidewalks along Black Mountain Parkway. Landscaping of these shaded walkways shall reflect a common landscaping theme and include a minimum of 2-inch caliper shade trees placed 20 feet on-center.~~
- 48. ~~That a 5-foot landscape median be placed along the pharmacy drive-thru and Building B drive-thru to delineate the traffic from other uses.~~

1911. That a ~~40~~ 6-foot sidewalk be constructed along Carefree Highway CONNECTING TO THE EXISTING DEVELOPMENT TO THE EAST, WITH THE WESTERN EXTENT TERMINATING AT THE NEW PROPOSED ENTRANCE TO SITE. ~~and a 5-foot sidewalk be provided along Black Mountain Parkway.~~ Trail needs to be within a 25-foot landscape setback as approved by Parks, Recreation and Library Department.
- ~~20. That shops "E" provide a softer edge with sufficient landscaping along south side of the building to utilize the space efficiently.~~
12. THE APPLICANT SHALL HOLD A NEIGHBORHOOD MEETING TO WORK WITH ADJACENT PROPERTY OWNERS ON THE PROPOSED LIGHTING, LANDSCAPING, AND FENCING PRIOR TO PRELIMINARY SITE PLAN APPROVAL.
13. THE FUTURE PHASE PORTION OF THE SITE SHALL RETURN TO THE DESERT VIEW VILLAGE PLANNING COMMITTEE AND PLANNING HEARING OFFICER FOR REVIEW AND APPROVAL.
14. A MINIMUM 20-FOOT LANDSCAPE SETBACK SHALL BE REQUIRED ON ALL PROPERTY LINES THAT ARE ADJACENT TO SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS.