

ATTACHMENT A

Stipulations – PHO-2-24--Z-21-02-7

Location: Southeast corner of 83rd Avenue and Lower Buckeye Road

STIPULATIONS:

1. Development shall be in general conformance to the site plan dated OCTOBER 4, 2024 ~~June 22, 2001~~, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT ~~with a commercial pad development site plan date stamped July 1, 2016~~, and include the integration of open space and pedestrian connection between the commercial and residential and the conceptual commercial center elevations (including the one pad site). In addition, 4-sided architectural improvements to the commercial buildings shall be provided.
2. Along arterial and adjoining local streets for a distance of 120 feet within the residential development, the sidewalks shall be detached, and a 5-foot-wide landscape strip shall be located between the sidewalk and back of curb. The planting area shall be planted with minimum 2-inch caliper trees placed an average of 20 feet on center with ground cover.
3. Architecture materials for the commercial development shall be compatible with the elevations date stamped OCTOBER 22, 2024 ~~July 1, 2016~~. Mediterranean Tuscan design and architecture style shall be incorporated into the residential portion of the development.
4. A minimum 40 by 40-foot triangular landscape entry area shall be provided at the Lower Buckeye Road entrance into the residential development.
5. Recreational amenities such as trails, ramadas, and playground equipment, shall be provided in the open space parcel. Connection to the community trails shall be provided where appropriate. Details about the open space layouts, amenities, and trail connections shall be illustrated on the site plan submitted by the developer and approved by the Planning and Development Department.
6. ~~A~~ 108-foot-wide multi-purpose trail shall be provided along Lower Buckeye Road and shall be improved per Parks and Recreation Department standards and the Estrella Village Trails Plan.
7. All retention areas shall be sloped no greater than 4:1 throughout the site.
8. View fencing shall be required for all lots that back onto the open space areas as approved by the Planning and Development Department.

9. Prior to the final plat approval, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and characteristics of the Tolleson and 91st Avenue Wastewater Treatment Plants, the Sunland Beef Company, and the dairy operations in the area. The form and content of such documents shall be reviewed and approved by the City Attorney.
10. The developer of this property shall participate in the Estrella Village Arterial Street Landscape Program.
11. A homeowner's association shall be established which will have the responsibility for maintaining all landscaping within and adjacent to the right of way, and in all common areas and tracts in accordance with approved plans.
12. A 75' by 75' landscape triangle shall be provided on the commercial center site located at the southeast corner of 83rd Avenue and Lower Buckeye Road.
13. The following right-of-way shall be provided:
 - a. Right-of-way totaling 55 feet shall be dedicated for the south half of Lower Buckeye Road.
 - b. Right-of-way totaling 55 feet shall be dedicated for the east half of 83rd Avenue.
 - c. A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 83rd Avenue and Lower Buckeye Road.
 - d. Sufficient right-of-way shall be dedicated to accommodate a far-side busbay (Detail P-1257 and 1261) on Lower Buckeye Road at 83rd Avenue.
 - e. 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.
 - f. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Alan Hilty, 262- 6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

14. There shall be no drive-through facilities for the commercial pad except for the property shown on the site plan date stamped July 1, 2016.
15. 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.