

**Attachment A- Stipulations- PHO-1-18\_Z-142-06-7**

**Location:** Southwest corner of 59th Avenue and Southern Avenue

**Stipulations:**

GENERAL CONFORMANCE	
1.	<del>That d</del> THE Development shall be in general conformance with the site plan date-stamped <del>October 6, 2006</del> JANUARY 15, 2019 <del>with specific regard to the amount and location of decorative paving and water fountains,</del> as modified by the following stipulations and <del>as approved by the PLANNING AND Development Services Department,</del> WITH SPECIFIC REGARD TO THE FOLLOWING:
A.	THE MAXIMUM RESIDENTIAL BUILDING HEIGHT SHALL BE 2 STORIES AND 30 FEET ADJACENT TO 59TH AVENUE AND SOUTHERN AVENUE.
B.	THE R-3A PORTION OF THE SITE SHALL NOT EXCEED 20.8 DWELLING UNITS PER GROSS ACRE AND THE ENTIRE RESIDENTIAL DEVELOPMENT SHALL NOT EXCEED 18 DWELLING UNITS PER GROSS ACRE COMBINED.
C.	THE ENTIRE RESIDENTIAL DEVELOPMENT SHALL PROVIDE A MINIMUM 28% COMMON AREA COMBINED, OF WHICH A MINIMUM 10% SHALL BE ACTIVE OPEN SPACE.
D.	ALL DRIVEWAYS SHALL BE FULL MOVEMENT WHERE FEASIBLE AND AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
E.	THE RESIDENTIAL COMMUNITIES SHALL BE GATED.
-2.	<del>That development shall be in general conformance with the elevations date-stamped October 6, 2006 as modified by the following stipulations and as approved by the Development Services Department.</del>
-3.	<del>That the preliminary site plan shall not be approved until the planned South Mountain Freeway interchange at Southern Avenue is completed, as approved by the Development Services Department.</del>
PLANNING HEARING OFFICER REVIEW	
-4.	<del>That conceptual lighting, signage, and landscaping plans shall be submitted to the Planning Department for Planning Hearing Officer review and approval through the public hearing process prior to Development Services Department preliminary site plan approval.</del>
DESIGN	

-5.	<del>That walls and fences, other than those required for screening (e.g. trash enclosures and mechanical equipment), shall not exceed a height of three feet, as approved by the Development Services Department.</del>
-6.	<del>That a minimum of 75% (per office building or parking structure) of roof surface materials shall be Energy Star compliant as approved by the Development Services Department.</del>
-7.	<del>That all landscaped areas as shown on the site plan immediately adjacent to office buildings shall contain 3" caliper, large, fast growing shade tree species (such as Evergreen Ash, Evergreen Elm, Chilean Mesquite, or Australian Bottle) planted 20 feet on center as approved by the Development Services Department.</del>
PARKS AND RECREATION	
2. 8-	That <del>t</del> The developer shall dedicate a 30-foot public shared use path easement and construct a 10-foot concrete shared use path adjacent to the east side of the Loop 202 frontage, the easement shall be landscaped with a mix of 2 and 3-inch caliper trees and appropriate ground cover as approved by the PLANNING AND Development Services Department. However, if a trail is established between Southern Avenue and Vineyard Road on the west side of the Loop 202 than the developer shall not be responsible for trail construction or dedication on the east side of the Loop 202.
ARCHAEOLOGY	
3. 9-	<del>That t</del> The developer shall complete an archaeological survey of the site. The survey shall be submitted to, and approved by, the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.
4. 10-	<del>That t</del> The developer shall conduct archaeological monitoring or testing with AZ T:12:90 (ASM) or within 250 feet of AZ T:12:90 (ASM), AZ T:12:205 (ASM), and AZ T:12:221 (ASM) prior to clearing and grubbing, landscape salvage, or grading as approved by the City Archaeologist.
5. 11-	<del>That, p</del> Prior to preliminary site plan approval, the landowner shall execute a waiver of claims under Proposition 207 in a form approved by the City Attorney's Office. Said waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the application file for the record.