

Attachment A- Stipulations- PHO-1-17_Z-142-98-7

Location: Approximately 348 feet north of northwest corner of 99th Avenue and Lower Buckeye Road

Stipulations:

1. That development be in general conformance to the land use exhibit and statistical chart dated March 23, 1999 and the accompanying tables that establish the use and density and intensity limits for the individual parcels.
2. ~~That the commercial parcels shall be limited to one pad per every 300 feet per lineal frontage and that~~ An average 75-foot x 75-foot triangular landscaped entry way feature be provided at the major streets corner for each site. Common architectural theme materials and landscaping shall be used throughout each commercial site which shall be reviewed and approved by the PLANNING AND Development Services Department prior to Phase I development.
3. That all single family development shall be subject to Section 507.Tab A, 2.12 Planned Residential Development Option.
4. That along arterial, collector and appropriate transitions onto adjoining local streets within the residential development, the sidewalk 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 15 gallon trees placed 20 feet on center and ground cover.
5. That a minimum 40-foot by 40-foot triangular landscape entry area be provided on each corner at the main entry into the PCD.
6. That recreational amenities such as trails, ramadas, and playground equipment, be provided in the linear open space parcels. Details of the above amenities and a site plan depicting the location of such on the site shall be submitted by the developer and approved by the PLANNING AND Development Services Department.
7. That all retention areas shall be sloped no greater than 4:1 throughout the site.
8. That view fencing be required for all lots that back onto the central open space.
9. That, in addition to the ordinance required plan elements, the Developer shall submit the following Master Development Plans for review and approval by appropriate City Departments prior to development of the first parcel. The Plans are to address, at a minimum, the following:

A. Master Pedestrian/Bike/Trails Circulation

The Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the Planning Department for review and approval by the Parks, Recreation and Library Department, Planning, AND Development Services, and Street Transportation Departments prior to vesting of zoning for the first development unit and is to address:

1. Show all proposed pedestrian walkways, equestrian trails, and bikeways within and abutting the site. The paseo network should include the width and locations throughout each of the future residential developments.
2. Coordinate the location of walkways and bikeways with drainage ways to provide a trail network throughout the PCD.

B. Master Landscape Plan

The Master Landscape Plan shall be submitted to the Planning Department for review and approval by the Parks, Recreation and Library Department, Planning AND Development Services, and Planning Departments prior to vesting of zoning for the first development unit and is to include but not be limited to the following:

- 1) Plant lists addressing: Areas of landscaping to be planted with other arid types of vegetation.
- 2) List of plants not allowed in development (i.e. palms, pine trees, eucalyptus, etc.) due their incompatibility.
- 3) Coordinate the landscape conservation plan with master drainage plans and trails plan.

C. Water and Wastewater System Master Plans

- 1) That the developer shall submit for approval by the Water Services Director, potable water and wastewater system master plans for the PCD. Such plans must be completed by a registered engineer in conformance with Water Services Department master infrastructure plans for the area.
 - 2) That the water supplies for the greenbelt areas of the development shall be limited to the Salt River Water Users Association Rights associated with the greenbelt acreage only. Water rights associated with non-greenbelt acreage must be transferred to the City of Phoenix Domestic Water Account with the Salt River Project as a condition of domestic water service. This split of the water rights entitlement and transfer into the City of Phoenix water account can be affected by requesting from the Salt River Water Users' Association, a "split for Association Convenience" and transfer to the City Account. A letter from the Salt River Water Users Association stating that the water rights transfer has occurred shall be provided to the Water Services Director prior to vesting of zoning.
 - 3) Water features (ponds, fountains, etc.) In common areas must conform with restrictions outlined in Chapter 37 of the City Code.
10. That prior to the vesting of zoning approved through this request, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and characteristics of the Tolleson Wastewater

Treatment Plant and the Sunland Beef Company. The form and content of such documents shall be reviewed by the City Attorney.

11. That if the City Council adopts an infrastructure financing program for the Estrella Village, the developer of this property agrees to participate in the program at final plat approval. The Estrella Village boundaries are from Interstate 17/19th Avenue to 107th Avenue and from Interstate 10 to the Rio Salado. For the subject property the gross impact fee will not exceed \$9,400 per equivalent dwelling unit.
12. That the developer of this property will participate in any future Estrella Village Major Street Landscape Program if such a program is adopted by the City Council. The landscape program may impact the major streets abutting this property.
13. That a homeowner's association 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.
14. That the developer of individual parcel agrees to participate in a Master Drainage/Open Space Study for the Estrella Village in insure linkage between developments and the Rio Salado, if such a program is adopted prior to preliminary approval by the PLANNING AND Development Services Department.
15. That proposed development adjacent to future transit locations shall integrate the transit stop/shelter with the site, providing convenient access to pedestrians and persons with disabilities.
16. That the future transit stop locations, as approved by the Public Transit Department, shall be identified and shown on the Master Street Circulation Plan.
17. That the following right-of-way be dedicated:
 - a. Right of way totaling 65 feet shall be dedicated for both the north and south half of Lower Buckeye Road.
 - b. Right of way totaling 55 feet shall be dedicated for the west half of 91st Avenue.
 - c. Right of way totaling 55 feet shall be dedicated for both the east and west half of 99th Avenue.
 - d. A 21-foot by 21-foot right of way triangle shall be dedicated at the corners of all arterial street intersections.
 - e. Sufficient right of way shall be dedicated to accommodate a far side busbay (Detail P-1257) on 91st Avenue south of Lower Buckeye Road, 99th Avenue south of Lower Buckeye Road and on Lower Buckeye Road west of 99th Avenue.
 - f. Right of way dedications and street alignments for local streets within the subdivision will be determined by the PLANNING AND Development Services Department at the time of Preliminary Subdivision Plat Review.

- g. 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 City. All improvements shall comply with all ADA accessibility standards.
- 18. That 10-foot wide multi purpose trails be provided within the power line corridor south of the property adjacent to Elwood Street alignment and on both sides of Lower Buckeye Road. Trails shall be improved using the Parks and Recreation Department Recreation Trails standards.
- 19. That the location of two elementary school sites should be reserved in each district for a period of 4 years.
- 20. That the developer provide a conceptual site layout for the out parcels located north and south of Lower Buckeye Road and west of 99th Avenue for the purpose of providing future connection and linkage to the PCD particularly with regard to the street layout.
- 21. THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX GOODYEAR AIRPORT (GYR) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.