

Attachment A – Stipulations – PHO-1-20--Z-62-02-7(8)

Location: Northeast corner of 59th Avenue and Dobbins Road

Stipulations:

1.	That The COMMERCIAL development shall be in general conformance with the site plan DATE STAMPED JULY 20, 2020, dated August 20, 2002 as may be modified BY THE FOLLOWING STIPULATIONS and approved by the PLANNING AND Development Services Department, WITH SPECIFIC REGARD TO THE FOLLOWING:	
	A.	ANY GAS STATION SHALL BE LOCATED AT THE IMMEDIATE NORTHEAST CORNER OF 59TH AVENUE AND DOBBINS ROAD.
2.	THE COMMERCIAL DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE BUILDING, FUEL CANOPY, AND SCREEN WALL ELEVATIONS DATE STAMPED JULY 20, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
3.	A COMPREHENSIVE SIGN PLAN SHALL BE APPROVED FOR THE COMMERCIAL DEVELOPMENT IN ACCORDANCE WITH SECTION 705 OF THE ZONING ORDINANCE AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
4.	That Residential elevations SHALL conform to the Laveen Residential Design Guidelines.	
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5.	That the site plan and elevations of the commercial development prior to preliminary site plan review submittal shall be reviewed and approved through the Planning Hearing Officer hearing process. Also, The ChairPERSONS of the LAVEEN VILLAGE PLANNING COMMITTEE (LVPC) AND LAVEEN CITIZENS FOR RESPONSIBLE DEVELOPMENT (LCRD) shall be invited BY THE APPLICANT to attend Development Service Department's ANY preliminary SITE PLAN review meeting HELD BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
3.		
Streets and Right-of-Way		
6.	That The following rights of way shall be dedicated:	
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	a.	60 feet shall be dedicated for the north half of Dobbins Road;
	b.	30 feet shall be dedicated for the south half of South Mountain Avenue;
	c.	55 feet shall be dedicated for the east half of 59th Avenue;
	d.	30 feet shall be dedicated for the west half of 55th Avenue.

7. 5.	Twenty-one foot by 21-foot right-of-way triangles shall be dedicated:
	a. At the northeast corner of 59th Avenue and Dobbins Road;
	b. At the northwest corner of 55th Avenue and Dobbins Road;
	c. At the southwest corner of 55th Avenue and South Mountain Avenue.
8. 6.	That t The applicant shall work with the developer of Laveen Commons to establish the alignment of 59th Avenue at South Mountain Avenue.
9. 7.	That s Sufficient right-of-way shall be dedicated to accommodate a far-side busbay (Detail P-1257) on 59th Avenue at Dobbins Road.
10. 8.	That t 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.
11. 9.	That t The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvements Program to the Chief Engineering Technician, (602) 262-6193, Street Transportation Department. This form is a requirement of the Environmental Protection Agency to meet clean air quality standards.
12.	THE APPLICANT SHALL SUBMIT A TRAFFIC IMPACT STUDY (TIS) TO THE CITY OF PHOENIX FOR THE COMMERCIAL DEVELOPMENT. NO PRELIMINARY APPROVAL OF PLANS SHALL BE GRANTED UNTIL THE STUDY IS REVIEWED AND APPROVED BY THE CITY UPON SATISFACTORY RESOLUTIONS OF REVIEW COMMENTS BY CITY STAFF, AS APPROVED OR MODIFIED BY THE STREET TRANSPORTATION DEPARTMENT.
Site Amenities	
13.	THE DEVELOPER SHALL PROVIDE A GATEWAY FEATURE SUCH AS ENHANCED LANDSCAPING, SIGNAGE, AND/OR PUBLIC ART, LOCATED AT THE NORTHEAST CORNER OF 59TH AVENUE AND DOBBINS ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
14. 10.	That a A walkway SHALL be provided between the commercial and residential development as noted on the site plan. Pedestrian walkways/ connections within/between the commercial and residential developments shall be constructed of materials other than asphalt. If concrete is chosen it will be stamped.
15.	PEDESTRIAN PATHWAYS, CONSTRUCTED OF DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR ANOTHER SIMILAR MATERIAL, OTHER THAN THOSE USED TO PAVE THE PARKING SURFACES AND

	DRIVE AISLES, SHALL BE PROVIDED CONNECTING THE SIDEWALK OR SIDEWALKS TO THE MAIN ENTRANCES OF ALL BUILDINGS IN THE MOST DIRECT ROUTE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	Open Space, Trails, Fencing and Entrances
16. 14.	That t The main entrance (59th Avenue, Dobbins, 55th Avenue, and South Mountain) to the housing subdivision shall incorporate subdivision entry signage and monumentation. Entry design concepts shall be attractive, low in profile, as approved by the PLANNING AND Development Services Department.
17. 12.	That a A continuous multi-use trail from Dobbins Road to South Mountain Road shall be provided, as approved by the Parks and Recreation Department.
18. 13.	That a A trail shall be provided along South Mountain Road between 55th and 59th Avenues that shall connect with the trail through the development, as approved by the Parks and Recreation Department. Said trail shall be 15 feet in width as shown on the site plan.
	Commercial Design
19. 14.	That r Rear and side facades and roofline treatment including color texture and material shall be “architecturally finished” to minimize visual impact to adjacent residential areas, as approved by PLANNING AND Development Services Department.
20. 15.	That c Corporate colors and associated graphics shall be used only as an accent feature as to not dominate the architectural design of the development, as determined by the PLANNING AND Development Services Department.
21. 16.	That commercial structures shall provide a continuous shade protected walkway a minimum of ten feet in depth along all building walls that have a customer entrance. COVERED WALKWAYS, EXTERIOR PORCHES, ARCADES, CANOPIES, AND/OR OTHER SIMILAR ARCHITECTURAL FEATURES WITH A MINIMUM DEPTH OF 6 FEET SHALL BE PROVIDED AT ALL MAIN BUILDING ENTRANCES AND ALONG ALL OTHER BUILDING FACADES WITH ADJACENT PEDESTRIAN WALKWAYS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
22. 17.	That a All buildings shall have a similar architectural character and have architectural enhancements such as stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco or exposed aggregate concrete.
23. 18.	That p Parking at the time of preliminary approval shall be limited to no more than 20% above that required by the Zoning Ordinance.

24. 19.	That t Landscaping along Dobbins Road and 59th Avenue shall include 2-inch caliper trees planted 20 feet on center. Landscaping or other forms of shading in the parking lots shall shade 25% of the parking lot by maturity. Berms or decorative walls shall be provided along Dobbins Road and 59th Avenue.
25. 20.	All items for sale, excluding fuel dispensing machines, shall be located within buildings or located in designated areas screened from view so as to minimize potential impacts.
26. 21.	That a All accessory equipment in the commercial development such as air, water, vacuums, and venting pipes shall be screened from view so as to minimize potential impacts.
27. 22.	That p Proposed drive-through facilities shall orient drive-through windows away from Dobbins Road or adjacent residential uses. Drive-through queueing lanes shall be screened from view of Dobbins Road and/or residential uses through the incorporation of a landscaped berm, screen wall, or a combination of a wall and berm at least four feet in height as approved by the PLANNING AND Development Services Department.
28. 23.	That a Any service station canopies, or drive-through canopies shall not exceed 14 feet in height measured from the ground to the underside of the canopy. The overall height of the canopy shall not exceed 46 18 feet. All lights attached to the underside of the canopy shall be fully recessed.
29. 24.	That a All canopy support pillars shall be a minimum of two feet wide by two feet deep from the ground to the underside of the canopy and shall be finished with compatible body and accent materials as the primary building.
30. 25.	That t The residential developments shall use the Planned Residential Development (PRD) option.
31. 26.	That a At least one of the following options SHALL be offered to purchasers of single-family houses excluding cluster homes:
	a. Front porch
	b. Front yard patio
	c. Low wall or fence in the front yard
32. 27.	That t The property owner shall record documents that disclose to purchasers of property within the development the existence and potential characteristics of agricultural use property in the vicinity. The form and content of such documents shall be reviewed and approved by the City Attorney.
33. 28.	That a Archaeological excavation shall occur to determine if there are prehistoric cemeteries within the site, per the City Archaeologist (602) 495-0901). If prehistoric human remains are discovered the remains shall be removed per the State of Arizona Antiquities Act Standards.

34.	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.
35.	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.
36.	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.
29.	That the commercial development plans be presented for comment to the Laveen Village Planning Committee prior to commencement of commercial development.
37. 30.	That sSidewalks, curbs, and streetscapes in the single-family residential areas SHALL be designed in such a way to allow for rural mail delivery unless forbidden by the local serving post office.
38. 31.	That mMulti-story construction shall not be allowed on residential lots 408-415 inclusive.
39. 32.	That wWrap-around architectural details and materials SHALL be used on all sides of homes along all street frontages on corner lots.
40. 33.	That hHome builders SHALL provide a range of durable materials that will minimize stucco and tile by offering decorative elements such as brick, decorative concrete block, and stone accents.
41. 34.	That aAll mechanical equipment in or on commercial developments must be ground mounted or be screened from view in such a manner to minimize potential impacts using materials consistent with the architectural character and theme of the development.
42. 35.	That bBetween the commercial development and the cluster residential area there SHALL be a minimum 15-foot-wide landscape buffer with two rows of two-inch caliper trees planted 15 feet on center.
43.	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.
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