

## **Attachment A- Stipulations- PHO-6-21--Z-29-03-1**

**Location:** Southeast corner of 67th Avenue alignment and the Pinnacle Vista Drive alignment (6524 West Gold Mountain Pass)

### **Stipulations:**

1. Development (building envelopes) shall not be allowed above the 20% slope line with the exception of Lots 1, 8, 24, 25, 26, 27, and 28 on the site plan dated May 4, 2004, except Lots 4 and 5 which shall be in specific conformance to the site plan date stamped April 30, 2010, with specific regard to a maximum disturbed hillside area above the 10% slope of 15,620 square feet. The building envelope for Lot 1 shall not exceed the 1525 contour line as shown on the site plan. The existing manmade disturbed areas located above this line shall be chemically treated and revegetated to blend with the surrounding desert as approved by the Planning and Development Department. This stipulation is not intended to allow any further grading for Lot 1 beyond the building envelope. Lot 8 shall be allowed to develop up to the 25% slope line. Lots 25, 26, and 27 shall be allowed to develop up to the cut line as shown on the site plan. Lot 24 shall be allowed to develop up to the cut line as shown on the preservation easement area exchange exhibit date stamped April 22, 2015. The building envelopes for Lots 28 and 29 shall maintain a 100-foot setback from the southern property line. LOT 9 IS PERMITTED TO DEVELOP UP TO THE NEW HILLSIDE LINE AS SHOWN ON THE SITE PLAN AND PRESERVATION AREA EXCHANGE EXHIBIT DATE STAMPED AUGUST 18, 2021 IF ALL REQUIRED ADDITIONAL APPROVALS (INCLUDING BUT NOT LIMITED TO, HILLSIDE REVIEW AND ABANDONMENTS) ARE OBTAINED, AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. The total numbers of lots on the site shall not exceed 30 lots.
2. Per the Street Transportation Department:
  - a. Right-of-way dedications and street alignments for local streets within the subdivision shall be determined by the Planning and Development Department at the time of Preliminary Subdivision Plat Review.
  - b. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. Trails shall be provided as an amenity as illustrated on the site plan date stamped March 31, 2003, as approved or modified by the Planning and Development Department to avoid cutting through lots. The intent is to provide central access of interior lots to the common open space.
4. ~~That~~ Lots along the south boundary of the site shall be limited to single story units.
5. ~~That,~~ Prior to the commencement of the sale of individual lots on the property, covenants, conditions and restrictions shall be developed and recorded with the

Maricopa County Recorder's Office which, among other things, shall give notice to potential buyers of the property that there exists a quarry/mine with a special permit for a landfill in the quarry, which allows the quarry to also be used as a construction debris landfill. These uses may generate dust and traffic in near proximity to the property. The real estate report filed with the State Real Estate Department shall also provide the same notice. The language of the notice shall be developed with the involvement of the quarry owner and the City of Phoenix Law Department.

The notice requirements shall not be amended without the consent of the quarry owner except as otherwise provided herein. Each special permit, license for a landfill, and mining permit is a separate entitlement which may permanently and separately be revoked without affecting other entitlements. Upon the permanent revocation of any one of these entitlements, the language in the C, C, and R's relating to the specific entitlement may be unilaterally amended or deleted by the property owner.

6. ~~That~~ The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey prior to final site plan approval for review and approval by the City Archeologist (602) 495-0901.
7. The developer shall combine Lots 4 and 5 and amend the larger Gold Mountain Subdivision site plan to show the combined lots as approved by the Planning and Development Department.
8. Portions of the combined 4 and 5 lot that are already disturbed below the 10% slope line shall be revegetated as approved by the Planning and Development Department.
9. The developer shall file for and pursue a grading waiver for the combined 4 and 5 lot through the Planning and Development Department.