

## Attachment A- Stipulations- PHO-1-20\_Z-27-B-01-7

**Location:** Approximately 1,750 feet west of the southwest corner of 75th Avenue and Lower Buckeye Road

### Stipulations:

SITE PLAN		
1.	<del>That</del> THE development shall be in general conformance with the site plan date stamped JANUARY 3, 2020 <del>August 4, 2006</del> as approved or modified by FOLLOWING STIPULATIONS AND APPROVED BY the PLANNING AND Development Services Department.	
A.	THE DEVELOPER SHALL PROVIDE A MINIMUM OF TWO PEDESTRIAN PATHWAYS ALONG THE NORTH PROPERTY LINE PROVIDING DIRECT ACCESS TO THE MULTI-USE TRAIL ALONG THE SOUTH SIDE OF LOWER BUCKEYE ROAD.	
ELEVATIONS		
2.	<del>That t</del> The development shall be in general conformance with the elevations date stamped JANUARY 3, 2020 <del>August 4, 2006</del> with SPECIFIC REGARD TO THE FOLLOWING ELEMENTS <del>the following additional elements</del> as approved or modified by the PLANNING AND Development Services Department:	
A.	<del>That t</del> The elevations shall include the use of the use of stone and exposed beams projecting from the facades at sill, header and eave locations. That the exterior color theme shall be Tuscano color tones.	
B.	<del>That the apartment</del> ALL buildings adjacent to Lower Buckeye Road and ALONG the east side of the property LINE shall utilize construction materials such as but not limited to, triple pane windows, and additional insulation, OR OTHER NOISE MITIGATION CONSTRUCTION TECHNIQUES to achieve an interior noise level not to exceed 45 decibels.	
C.	<del>All garage doors shall include architectural details, such as decorative windows, included as follows: there shall be a minimum of three different garage door styles throughout the development. Each "carriage unit" has a set of three single car garage doors facing the drive aisle (a grouping), in which all garage doors shall all be identical. Where carriage units occur adjacent to each other, the style of each grouping shall be different than the style of any adjacent groupings.</del>  ALL GARAGE DOORS SHALL INCLUDE ARCHITECTURAL TREATMENTS SUCH AS WINDOWS, RAISED OR RECESSED PANELS, ARCHITECTURAL TRIM, AND/OR SINGLE GARAGE DOORS.	
TRAILS AND PEDESTRIAN ACCESS		
3.	<del>That a</del> An internal pedestrian circulation plan shall be provided between open	

	spaces, amenities, parking areas, and the dwelling structures, which shall consist of a minimum 5-foot wide walkway adjacent to all amenities (clubhouse, pool and porte cochere) and across all drive aisles and a minimum 3½ foot wide walkway in all other areas to be constructed of pavers, stamped concrete, or other non-asphalt material, that shows pedestrian connection from the residential units to the recreation/clubhouse area and the Tuscano Towne Center as approved or modified by the PLANNING AND Development Services Department.
A.	<del>That t</del> Two pedestrian access points shall be provided on the east side of the development to provide pedestrian access to the Tuscano Towne Center located at the north and south end of the property.
B.	<del>That</del> THE DEVELOPER SHALL PROVIDE a non-access controlled multi-use trail OR ALTERNATIVE PEDESTRIAN PATHWAY <del>be provided to connect the trail system of the neighborhood directly south of the site to the Tuscano Towne Center, to be located as shown on the approval final site plan of the Tuscano Towne Center or as APPROVED OR</del> modified by the Parks and Recreation PLANNING AND DEVELOPMENT Department.
4.	<del>That a</del> A 10-foot wide multi-use trail in a 30-foot pedestrian easement shall be provided on the south side of Lower Buckeye Road as approved or modified by the Parks and Recreation Department.
STREET IMPROVEMENTS	
5.	The right-of-way for Lower Buckeye Road shall be dedicated as per the approved Tuscano Master Street Plan.
6.	<del>That t</del> 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.
OTHER	
7.	<del>That p</del> Prior to final site plan approval, the developer shall create and record documents that ensure disclosure to the occupants within the development, the existence and characteristics of the dairies and Tolleson and Phoenix Wastewater Treatment Plants. The form and content of such documents shall be reviewed and approved by the City Attorney.
Other stipulations brought forward from the Tuscano Planned Community District PCD/Z-27-01-7	
8.	<del>That d</del> Development shall be in general conformance to the statistical table below Dated May 23, 2006 and Statistical Data listed below.

**Land Use Map, Figure 2.2**  
4/23/01. Rev. 9/10/04, 12/30/04, 5/11/06

UNIT NO	USE	ZONING	GROSS ACRES	DENSITY	DWELLING UNITS
1	Single-Family	R1-8	50.3	3.2 – 4.4	406 (Unit 1 & 3)
2	Open Space	R1-8	5.4 +	n/a	n/a
3	Single-Family	R1-6	46.8 +	4.1 – 5.0	see above
4	Open Space	R1-6	3.6	n/a	n/a
5	City Park	R1-6	17.1	n/a	n/a
6	School	R1-6	16	n/a	n/a
7	Single-Family	R1-6	41.2	4.1 – 5.0	252
8	Single-Family	R1-8	34.3	3.2 – 4.4	139
9	Single-Family	R1-10	46.7	2.4 – 3.4	135
10	Single-Family	R1-8	73.8	3.2 – 4.4	221
11	Open Space	R1-6	20.4	n/a	n/a
12	Single-Family	R1-6	67.2	4.1 – 5.0	357
13	Multifamily	R-2	33.5	6 – 7.5	400 (Unit 13 & 14)
14	Church	R-2	6.3	6 – 7.5	see above
15	Commercial	C-2	34.76***	n/a	*376,450 sq. ft.
16	Multifamily	R-3A	9.68 ***	20 – 24	220
Totals			507.04		2130
+ Corrects Mistype from 12/3/04 Minor Amendment					
* Gross Lease Area in Square Feet					
** Dwelling Count Change based upon 12/3/04 Minor Amendment					
*** Acreage Change reflects 7/8/02 Minor Amendment Correction					

9.	<del>That a</del> All single-family development shall be subject to Section 507.Tab A, 2.12 Planned Residential Development Option.
10.	<del>That t</del> The commercial parcel shall be limited to eight commercial pads only.
<b>PARKS, OPEN SPACE, LANDSCAPING</b>	
11.	<del>That t</del> The property owner agrees to dedicate both school and park sites and the dedication and temporary landscape improvements of the County drainage way west of 79th Avenue. Dedication of the park shall be done in two phases as approved by the Parks and Recreation and Library Department. Improvements of the park shall be provided by the applicant pursuant to the City of Phoenix park standards on a phased basis. Timing of school site dedication shall be according to an agreement between the applicant and the school district.
12.	Should an Intergovernmental Agreement be formed in the future to facilitate the construction of the Buckeye Flood Control Channel project, the developer agrees to cooperate in the design of the drainage way through the project. The developer will submit to the PLANNING AND Development <del>Services</del> Department a design that shows the clean take line and the adjacent subdivision plats for the east half of Tuscano. Once an intergovernmental agreement is completed, the developer agrees to cooperate with the City and the County for temporary improvements of the eastern half from 75th Avenue to 79th Avenue. On the west half, the property owner agrees to dedicate the property and provide temporary landscaping improvements to the county drainage way. The City shall not own or maintain

	common private retention areas. Final ownership and maintenance responsibilities for the drainage way will be worked out between the City and the Maricopa County Flood Control District.
13.	<del>That a</del> Along arterial, collector, and appropriate transitions onto adjoining local streets within the residential development, the sidewalk shall be detached, and a minimum 5-foot wide landscape strip shall be located between the sidewalk and back of curb except for intersections (where ADA requirements apply). The planting area shall be planted with minimum 15-gallon trees placed 20 feet on center with ground cover.
14.	<del>That a</del> A minimum 40 by 40-foot triangular landscape entry area SHALL be provided at the main residential entries from both Lower Buckeye Road and 83 <sup>rd</sup> Avenue into the PCD.
15.	<del>That a</del> At the main entry on Lower Buckeye Road, a large stone entry monument shall be constructed as a main focal point for the project as approved by the PLANNING AND Development <del>Services</del> Department.
16.	<del>That r</del> Recreational amenities such as trails, ramadas, and playground equipment, shall be provided in the development's 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 <del>Services</del> Department prior to preliminary site plan approval.
17.	<del>That a</del> All retention areas shall be sloped no greater than 4:1 throughout the site except adjacent to streets or entrances. A 6:1 slope shall be used within the park and school sites. If a 6:1 slope requires additional land for retention volume, applicant has flexibility to widen basin to south.
18.	<del>That f</del> For the C-2 portion of the development, an average 75-foot by 75-foot triangular landscaped entryway feature shall be provided at the street intersection of 75th Avenue and Lower Buckeye Road.
19.	<del>That s</del> Stone, pots, urns, ironwork, and/or wood timbers or such other similar materials/elements as approved by THE PLANNING AND Development <del>Services</del> Department, shall be integrated in the streetscape and building design of commercial and subdivision entry features within the Tuscano development. The exterior color theme will be deep rich tones.
DESIGN	
20.	The future homebuilders will be required to apply the Tuscano design theme in their subdivisions. The use of stone, will be required to be used on at least one of the models constructed. The look will include stone accents using the mortar-wash technique. Additionally, exposed beams projecting from the facades at sill, header and eave locations will also be encouraged.
21.	<del>That v</del> View fencing shall be required for all lots that back onto the central open space as approved by the PLANNING AND Development <del>Services</del> Department, except where it is adjacent to roadways.

22.	<del>That t</del> The commercial parcel shall be developed with common architectural themes, materials, and landscaping as the Tuscano residential portion of the Planned Community District as approved by THE PLANNING AND Development Services Department.		
23.	<del>That f</del> For the C-2 portion of the development the following features shall be included in the design:		
	a.	<del>That t</del> The use of “corporate” colors, specifically but not limited to those typically associated with chain/franchise establishments shall only be used as an accent.  Building design, common areas, and parking lots of the commercial center shall integrate the Tuscano architectural theme: i.e. stone surfaces, wood trusses, pots, urns or exposed wood beams.	
	b.	<del>That a</del> A gas station pump island canopy shall be constructed to match the proposed Tuscano retail buildings in terms of color and materials. The maximum height of the canopy shall be 19 feet to the canopy ceiling.	
	c.	<del>That t</del> The pump island canopy columns shall be constructed to match the retail buildings in terms of color and materials. The construction shall extend completely to the canopy ceiling and leave no gaps. The minimum width and depth of each column shall be 2 feet.	
	d.	<del>That a</del> Any light fixtures mounted in or on the ceiling of the pump island canopy shall be fully recessed and directed downward. Dropped lenses extending below the ceiling of the canopy shall not be permitted.	
24.	<del>That w</del> With the development of the commercial parcel, an 8-foot high wall shall be constructed where the parcel abuts any residential parcel.		
MASTER PLAN DEVELOPMENTS			
25.	<del>That, i</del> n 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.	<u>Master Pedestrian/Bike/Trails Circulation</u> The Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the City for review and approval by the Parks AND Recreation and Library Department, Planning AND Development, Services and Street Transportation Departments prior to vesting of zoning for the first development unit and shall identify:	
		1)	All proposed pedestrian walkways, multi-use trails, and bikeways within and abutting the site. The network shall include the width and locations throughout each of the future residential developments.

			2)	Coordination of the location of walkways and bikeways with drainage ways to provide a trail network throughout the PCD.
			3)	<del>That</del> 10-foot wide multi use trails SHALL be provided within the power line corridor or in combination with the regional drainage way location and along the north side of Broadway Road. An 8-foot wide trail should be provided on the south SIDE of Lower Buckeye Road. Also, an 8-foot wide trail shall be located along 79th Avenue from Lower Buckeye Road until it reaches the utility corridor where the 10-foot wide trail is located. The 8-foot wide trail will continue in a north south direction through the park and continue along approximately the 81st Avenue alignment until it reached Broadway Road as approved by THE PLANNING AND Development Services Department and Parks AND RECREATION DepartmentS. The community trails are recommended based on the Estrella Village Multi-Purpose Trail Plan. Trails shall be improved using the Parks and Recreation Department's recreation trails standards.
			4)	<del>That a</del> A sidewalk (the width meeting Street Transportation Department standards) SHALL be provided which links the middle of the east half of the utility corridor through subdivisions proposed in phase III and VI to reach the commercial center through an opening in the back wall. The sidewalk should meander between the commercial anchor buildings to the front parking area. A north/south sidewalk should also be provided which links subdivisions in Phase I, II, and IV with the park and school sites.
	B.	<u>Master Landscape Plan</u>		
		The Master Landscape Plan shall be submitted to the City for review and approval by the Parks AND Recreation and Library Department, AND Planning AND Development Services, and Planning Departments. The Master Landscape Plan shall be submitted 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 arid types of vegetation.
			2)	List of plants not allowed in the development (i.e. pine trees, eucalyptus, etc.) due to their incompatibility. Palm trees are allowed as accent planting within the interior of the development and maintained by the homeowners association.
			3)	Coordination of the landscape conservation plan with master drainage plans and trails plan.
			4)	<del>That t</del> The developer of this property will participate in the Estrella Village Arterial Street LANDSCAPING Landscape

				Program as approved by the Estrella Village Planning Committee. The landscape program impacts the arterial streets abutting this property.
	C.			<u>Master Water and Wastewater System</u>
			1)	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)	<del>That</del> 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 final plat approval of each phase. This phased transfer of water rights is to allow for the retention of those water rights necessary for the interim agricultural use on the property until each phase is developed.
				RIGHT OF WAY DEDICATIONS, STREETS
26.				<del>That</del> The following rights of way and transit pads SHALL be provided based on the request of the Public Transit Department or as approved by THE PLANNING AND Development <del>Services</del> Department. In addition, bus bays will be required for locations a and b listed below or as approved by THE PLANNING AND Development <del>Services</del> Department:
		a.		Southbound 75th Avenue south of Lower Buckeye Road (P1257) (P1261)
		b.		Northbound 83rd Avenue north of Broadway Road (P1257), (P1261)
		c.		Southbound 75th Avenue south of Superior Avenue (P1262)
		d.		Southbound 75th Avenue south of Elwood Street (P1262)
		e.		Southbound 75th Avenue south of Jones Avenue (P1262)
		f.		Westbound Broadway Road west of 79th Avenue (P1262)
		g.		Westbound Broadway Road west of 81st Avenue (P1262)

		h.	Westbound 83rd Avenue north of Jones Avenue (P1262)
		i.	Northbound 83rd Avenue north of Elwood Street (P1262)
		j.	Northbound 83rd Avenue north of Superior Avenue (P1262)
		k.	Eastbound Lower Buckeye Road east of 81st Avenue (P1262)
		l.	Eastbound Lower Buckeye Road east of 79th Avenue (P1262)
27.	That the following right-of-way SHALL be dedicated:		
	a.	Right-of-way be dedicated for the arterial and collector streets as per the approved Master Street Plan.	
	b.	The PLANNING AND Development Services Department at the time of Preliminary Subdivision Plat Review will determine right of way dedications and street alignments for local streets within the subdivisions.	