

Attachment A- Stipulations- PHO-1-17_Z-78-04-7(5)

Location: Approximately 113 feet north of the northwest corner of 91st Avenue and McDowell Road

Stipulations:

1. That ~~t~~The development shall be in GENERAL conformance with the site plan and elevations date stamped AUGUST 28, 2017 ~~March 5, 2004~~, including an accessible connection between the existing sidewalk along the northern boundary of the site and the proposed sidewalk along the east side of the senior housing as shown, as modified by the following stipulations and as approved by the PLANNING AND Development Services Department.
- ~~2. That the height of the medical office structure shall not exceed 56 feet.~~
- ~~3. That the height of the parking structure shall not exceed three stories.~~
- ~~4. That the senior housing and parking garage design theme shall be in general conformance with the elevations for the medical office as approved or modified by the Development Services Department.~~
- ~~5. That the senior housing structure shall be subject to the R-3A zoning district multiple family planned residential development height and setback standards where adjacent to the north property line. Maximum building height shall be limited to three stories or 40 feet for 150 feet from the north property line, one foot increases in height shall be allowed for each five feet of additional setback from the north property line, not to exceed four stories or 48 feet.~~
- ~~6. That any proposed development of the senior housing structure over two stories shall be subject to Planning Hearing Officer review and approval of building elevations.~~
72. That ~~t~~The approved landscaping for the public trail and drainageway shall be MAINTAINED DURING THE CONSTRUCTION OF THE PROJECT PER LOMR 02-09-723P DATED APRIL 23, 2002. ANY MODIFICATIONS TO THE DRAINAGEWAY NOT IN CONFORMANCE WITH CSPR0100432 AS BUILTS MUST ADHERE TO CITY, STATE AND FEDERAL FLOODPLAIN REGULATIONS~~provided with the first phase of development.~~
83. That ~~a~~Any fence along the north side of the senior housing structure over four feet shall be combination view fencing.
94. That ~~d~~Development shall be subject to the stipulations contained within Z-137-99-5 (Sheely Farms PCD), including:
 - a. That ~~a~~At the major streets corner of commercial and commerce park sites a minimum 75' x 75' triangle landscaped entryway feature shall be provided (Z-137-99-5 stipulation #9).
 - b. That ~~t~~The commercial and commerce park developments shall establish a common architectural theme and use of materials and landscaping as approved by the PLANNING AND Development Services Department prior to Phase I development for each development unit (Z-137-99-5 stipulation #10).

- c. ~~That a~~ All retention areas shall be sloped no greater than 4:1 throughout the site (Z-137-99-5 stipulation #11).
- d. ~~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 vesting of zoning for the first development unit. The Plans, separately for Phases I and II are to address, at a minimum, the following (Z-137-99-5 stipulation #12):
 - 1. Master Pedestrian/Bike/Trails Circulation – to be submitted to the Planning Department for review and approval by the Parks, Recreation and Library, PLANNING AND Development ~~Services~~ Department and Street Transportation Departments.
 - a. Show all pedestrian walkways, multi-use trails, and bikeways within and abutting the site.
 - b. Coordinate the location of walkways and bikeways with drainage ways to provide a rail network throughout the PCD.
 - 2. Master Landscape Plan – to be submitted to the PLANNING AND Development ~~Services~~ Department for review and approval by the Parks, Recreation and Library, PLANNING AND Development ~~Services~~ Departments.
 - a. Plant lists addressing: areas of landscaping to be planted with other arid types of vegetation. Develop landscape palette for common areas of the PCD.
 - b. List of plants not allowed in the development (palms, pine trees, eucalyptus, etc.) due to their incompatibility.
 - c. Coordinate the landscape plan with master drainage plans and trailer plan.
- e. ~~That t~~ The following right-of-way be dedicated (Z-137-99-5 stipulation #17):
 - 1) McDowell Road: 30 to 55 feet north half width right-of-way.
 - 2) 91st Avenue: 33 to 55 feet half width right-of-way.
- f. ~~That t~~ The future transit stop locations, as approved by the Public Transit Department, shall be identified and shown on the Master Street Circulation Plan. That developments adjacent to future transit locations shall integrate the transit stop/shelter with the site, providing convenient access to pedestrians and persons with disabilities (Z-137-99-5 stipulation #18).
- g. ~~That t~~ 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 City. All improvements shall comply with ADA accessibility standards (Z-137-99-5 stipulation #20).

- h. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to ~~Mr. Alan Hilty, (602) 262-6193~~, with the Street Transportation Department. This form is required by the EPA to meet clean air requirements (Z-137-99-5 stipulation #21).
- ~~10. That the developer shall dedicate right-of-way and shall construct a transit accessory pad and bus bay, Detail P-1261 and Detail P-1256-2, on the north side of McDowell Road west of 91st Avenue.~~
- 5. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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.