

ATTACHMENT A

Stipulations - PHO-2-23--Z-73-01-6(8)

Location: Approximately 275 feet south of the southwest corner of 32nd Street and Baseline Road

Stipulations:

1. Site Planning:

- a. ~~That~~ The development shall be in general conformance with the site plan and landscape plan dated STAMPED NOVEMBER 1, 2023 ~~August 27, 2001~~, AS APPROVED OR MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~with specific regard to areas to be counted towards approximation of the 50% open space requirements in the MUA as may be approved by DSD, and represented by:~~
 - ~~A circular open space tract in the residential area.~~
 - ~~Linear pedestrian tracts in the east and south connecting to adjacent properties.~~
 - ~~A pedestrian link from the residential to the commercial areas in the north and crossing 32nd Street.~~
- b. A DETACHED SIDEWALK, SEPARATED FROM THE CURB BY landscaped tree lined strips ~~that run~~ SHALL BE PLACED along both ~~sides~~ ONE SIDE of all ~~local~~ THE PRIVATE STREETS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT in the residential area. ~~This landscaped strip shall include a meandering sidewalk as shown on the site plan.~~
- c. ~~That the height for commercial buildings be limited to one story along Baseline Road, as specified on the site plan.~~
- d. ~~That~~ A Homeowners Association (HOA) be created to maintain all COMMON areas specified in 1.a).
- e. ~~That~~ A design for the gated entry for the residential area shall be provided to the PHO for review prior to Preliminary Site Plan approval.
- f. ~~That~~ Solid walls SHALL be allowed on the NORTH AND WEST interior perimeter walls ~~(east and south)~~ WHERE ADJACENT TO SINGLE FAMILY LOTS. A SOLID ~~not the~~ walls SHALL NOT BE ALLOWED along ANY OTHER PERIMETER. ~~32nd Street, or Baseline Road. These solid~~

~~walls must incorporate controlled gates where they intersect the linear pedestrian tracts in the east and south that connect to adjacent properties so pedestrian connections with future adjacent developments is allowed.~~

- ~~g. That 81 parking stalls between the residential and commercial use shall be built with an alternative paving material.~~

2. Building Design:

2.1 Commercial Buildings

- ~~a. That the applicant shall submit detailed elevations of the commercial buildings detailing the open areas between the buildings. These connections shall be made through "transparent" type of architectural elements working as shading devices. These elements may include arcades, ramadas, isolated decorative walls, columns, and other elements that help define and support a shaded pedestrian environment but allow the flow of vistas. This information shall be submitted for review to the Planning Hearing Officer at the time of Preliminary Site Plan approval.~~

~~2.2~~

2.1 Residential Buildings

- a. That only one-story houses shall be built on the south property line and 30% of overall units shall be at one story.
- b. The DESIGN OF THE HOMES SHALL floor plans shall be consistent with the elevations that reflect a rural design AND SHALL BE REVIEWED AND APPROVED BY THE SOUTH MOUNTAIN VILLAGE PLANNING COMMITTEE BEFORE PRELIMINARY SITE PLAN APPROVAL based on the "Tuscan Architecture" style illustrated by the applicant.
- c. BARREL TILE ROOFS SHALL BE PROHIBITED.
- d. OVERHANGING WOODEN EAVES AND EXPOSED RAFTERS, OR SIMILAR, SHALL BE INCORPORATED INTO ONE OR MORE OF THE RESIDENTIAL ELEVATIONS AS A DESIGN OPTION.
- e. ALL ELEVATIONS OF THE HOMES SHALL CONTAIN A MINIMUM OF THREE OF THE FOLLOWING ARCHITECTURAL EMBELLISHMENTS AND DETAILING: TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, OVERHANG CANOPIES, AS APPROVED BY THE

PLANNING AND DEVELOPMENT DEPARTMENT.

- f. ALL ELEVATIONS SHALL INCORPORATE A MINIMUM OF THREE OF THE FOLLOWING BUILDING MATERIALS: NATIVE STONE, BURNT ADOBE, TEXTURED BRICK, WOOD (WHEN SHADED BY OVERHANGS OR DEEP RECESSES), SLUMP BLOCK, CERAMIC TILE (MATTE FINISH), STUCCO (MAXIMUM 70% OF ANY WALL), AND EXPOSED AGGREGATE CONCRETE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. Streets and Rights-of-Way:

- a. ~~That a right-of-way totaling 60 feet shall be dedicated for the south half of Baseline Road.~~
- b. ~~That right-of-way for 32nd Street realignment shall be dedicated as per plans approved by the City of Phoenix. The future intersection for 32nd Street at Baseline Road shall be flared to the minimum extent necessary and tapered in the shortest reasonable distance to function with the existing improvements on the north side of Baseline and with the future 40 foot of pavement within the 60-foot of right-of-way planned for 32nd Street on the south side of Baseline. Additional improvements may be required to accommodate left turn access to the proposed driveways.~~
- c. ~~That a 21 foot by 21-foot right-of-way triangle shall be dedicated at the southeast and southwest corners of 32nd Street and Baseline Road.~~
- d. ~~That sufficient right-of-way shall be dedicated to accommodate a bus bay (Detail P-1256) on Baseline Road east of 32nd Street (new realignment).~~
- e. ~~That rights-of-way dedications and street alignments for local streets within the subdivision will be determined by DSD at the time of Preliminary Subdivision Plat Review.~~
- f. ~~That~~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.
- g. ~~The applicant shall complete and submit the Developer Project Information form for the MAG Transportation Improvement Program to the Street Transportation Department (602-262-6193). This form is a requirement of the EPA to meet clean air quality requirements.~~

- h. ~~That sufficient right-of-way must be provided for a underground tunnel crossing Baseline Road running on the west side of the 32nd Street (realignment) as may be approved by the Parks, Recreation and Library Department and Street Transportation Department. This right-of-way should be approximately 100 feet by 50 feet from the right-of-way of Baseline Road, at the southwest corner of Baseline Road and 32nd Street (realignment).~~

4. ARCHAEOLOGY:

- a. 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.
- b. 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.
- c. 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.

4. Trails:

5.

- a. That a 25-foot easement shall be provided on the west side of 32nd Street ~~and along Baseline Road~~ to incorporate a multi-use trail as indicated on the South Mountain Village/Laveen Village Trail System map. Plans must be submitted to the Parks, AND Recreation ~~and Library~~ Department for final approval.
- b. That the developer shall provide an alternative paving material where the entrance driveway crosses the equestrian trail. The alternative paving material shall be as wide as the equestrian trail and must be used across the entire width of the street or driveway. The alternative paving material

and the material used at the street/trail interface shall be acceptable to the Parks, AND Recreation and Library Department and Street Transportation Department.

5. Other Issues:

6.

- a. That upon approval of this request by City Council, the South Mountain Village Planning Committee will be notified of any subsequent modifications and/or deletions of stipulations ~~and/or variances~~.
- b. 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.
- b. ~~That the development shall commence construction with 24 months of the rezoning request approval by City Council.~~
- c. PEDESTRIAN ACCESS SHALL BE PROVIDED TO THE DEVELOPMENT TO THE NORTH, SUBJECT TO ADA STANDARDS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- d. THE LANDSCAPING FOR THE PROJECT SHALL BE EQUAL TO OR BETTER THAN THE LANDSCAPE DESIGN SHOWN ON THE LANDSCAPE PLAN DATED AUGUST 7, 2023, OR AS REQUIRED BY OTHER CITY CODE, WHICH EVER IS GREATER.
- e. THE LANDSCAPING SHALL BE LIMITED TO THE SONORAN PLANT LIST WITH THE ADDITION OF CERCIDIUM HYBRID (DESERT MUSEUM PALO VERDE), QUERCUS VIRGINIANA (LIVE OAK), AND PISTACIA X 'RED-PUSH (RED PUSH PISTACHE), AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT.
- f. A MINIMUM OF FIVE PERCENT OF THE LANDSCAPED COMMON AREA SHALL BE PLANTED IN FLOWERS.
- g. THE AMOUNT OF CUT AND FILL SHALL BE THE MINIMUM AMOUNT NECESSARY TO ACCOMMODATE SITE INFRASTRUCTURE AND ACCESSIBLE PEDESTRIAN PATHWAYS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- h. ON-SITE LIGHTING SHALL BE ACCOMPLISHED WITH LOW LEVEL, UNIFORM LIGHTING FIXTURES DISPERSED THOROUGHOUT THE SITE WITH A LUMEN RATING OF 3,000 OR LESS.
- i. THE SURFACE OF INDIVIDUAL DRIVEWAYS SHALL BE COMPOSED OF AN ALTERNATIVE TO ASPHALT OR CONCRETE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. THIS RESTRICTION SHALL BE INCLUDED IN THE COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE SUBDIVISION.