

Attachment A – Stipulations – PHO-6-22—Z-14-05-1

Location: Approximately 1,000 feet south of the southeast corner of 7th Avenue and Happy Valley Road

STIPULATIONS:

PHO recommended legislative edit of stipulations applicable to that portion of the site subject to PHO-3-20—Z-14-05-1.

GENERAL CONFORMANCE	
1.	The development shall be in general conformance with the site plan date stamped OCTOBER 20, 2022 December 16, 2020 , as approved or modified BY THE FOLLOWING STIPULATIONS AND APPROVED by the Planning and Development Department.
2.	An average 20-foot (minimum 10-foot) landscape setback shall be required along 7th Avenue and an average 10-foot (minimum 5-foot) landscape setback shall be required along ALAMEDA ROAD Misty Willow Lane and all internal streets, as approved by the Planning and Development Department.
TRAILS	
3.	The applicant shall provide two pedestrian access points to the regional trail system located adjacent to the CAP Canal via the two public streets adjacent to the canal, as approved by the Planning and Development Department.
ARCHAEOLOGICAL	
4.	The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey for review and approval by the City Archaeologist (602) 495-0901 prior to preliminary approval.
NOTIFICATION	
5.	At such time as the sale of any parcel, the property owner shall record documents that disclose to purchasers or occupants of property within the development(s) the existence and operational characteristics of Deer Valley Airport. The form and content of such documents shall be reviewed by the City Attorney.

6.	The property owner shall record documents that disclose to prospective purchasers of property within the developments the nature of environmental remediation activities at the former site of the Goodrich Universal Propulsion Company. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
STREETS AND TRANSPORTATION	
7.	THE DEVELOPER SHALL PERFECT THE EXISTING 55-FOOT RIGHT OF-WAY EASEMENT FOR THE EAST HALF OF 7TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8.	THE DEVELOPER SHALL DEPOSIT FUNDS IN ESCROW TO THE STREET TRANSPORTATION DEPARTMENT THAT COVER 25% OF THE COST FOR A TRAFFIC SIGNAL AT 7TH AVENUE AND HAPPY VALLEY ROAD AND 25% OF THE COST FOR A TRAFFIC SIGNAL AT 7TH AVENUE AND ALAMEDA ROAD, PRIOR TO PRELIMINARY SITE PLAN APPROVAL.
9.	THE DEVELOPER SHALL CONSTRUCT MINIMUM 5-FOOT-WIDE DETACHED SIDEWALKS ALONG 7TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. 7.	The developer shall dedicate 40 feet of right-of-way for the north half of ALAMEDA ROAD Misty Willow Lane (Alameda Road alignment) , as approved by the Planning and Development Department.
11. 8.	Right-of-way totaling 70 feet shall be dedicated for the south half of Happy Valley Road.
12. 9.	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 7th Avenue and Happy Valley Road.
40. 10.	Sufficient right-of-way shall be dedicated to accommodate a bus bay on Happy Valley Road at 7th Avenue.
13. 11.	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.
14. 12.	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review and approval.

15. 13.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
16.	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.

Stipulations: PHO-5-22—Z-14-05-1

PHO recommended legislative edit of stipulations applicable to that portion of the site subject to PHO-5-22—Z-14-05-1.

GENERAL CONFORMANCE	
1.	The development shall be in general conformance with the site plan date stamped OCTOBER 20, 2022 July 7, 2022 , as modified by the following stipulations and approved by the Planning and Development Department.
2.	An average 20-foot (minimum 10-foot) landscape setback shall be required along 7th Avenue and an average 10-foot (minimum 5-foot) landscape setback shall be required along Alameda Road and all internal streets, as approved by the Planning and Development Department.
TRAILS	
3.	The applicant shall provide two pedestrian access points to the regional trail system located adjacent to the CAP Canal via the two public streets adjacent to the canal, as approved by the Planning and Development Department.
ARCHAEOLOGICAL	
4.	The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey for review and approval by the City Archaeologist (602) 495-0901 prior to preliminary approval.
NOTIFICATION	

5.	At such time as the sale of any parcel, the property owner shall record documents that disclose to purchasers or occupants of property within the development(s) the existence and operational characteristics of Deer Valley Airport. The form and content of such documents shall be reviewed by the City Attorney.
6.	The property owner shall record documents that disclose to prospective purchasers of property within the development(s) the nature of environmental remediation activities at the former site of the Goodrich Universal Propulsion Company. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
STREETS AND TRANSPORTATION	
7.	The developer shall perfect the existing 55-foot right of-way easement for the east half of 7th Avenue, as approved by the Planning and Development Department.
8.	The developer shall deposit funds in escrow to the Street Transportation Department that cover 25% of the cost for a traffic signal at 7th Avenue and Happy Valley Road and 25% of the cost for a traffic signal at 7th Avenue and Alameda Road, prior to preliminary site plan approval.
9.	The developer shall construct minimum 5-foot-wide detached sidewalks along 7th Avenue, as approved by the Planning and Development Department.
10.	The developer shall dedicate 40 feet of right-of-way for the north half of Alameda Road, as approved by the Planning and Development Department.
11.	Right-of-way totaling 70 feet shall be dedicated for the south half of Happy Valley Road.
12.	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 7th Avenue and Happy Valley Road.
13.	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.

14.	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review and approval.
15.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
16.	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.

Final Stipulations: PHO-6-22—Z-14-05-1

Final stipulations reflecting the PHO recommended legislative edits of both PHO-3-20—Z-14-05-1 and PHO-5-22—Z-14-05-1, resulting in a single set of stipulations for PHO-6-22—Z-14-05-1.

GENERAL CONFORMANCE	
1.	The development shall be in general conformance with the site plan date stamped October 20, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2.	An average 20-foot (minimum 10-foot) landscape setback shall be required along 7th Avenue and an average 10-foot (minimum 5-foot) landscape setback shall be required along Alameda Road and all internal streets, as approved by the Planning and Development Department.
TRAILS	
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	approval by the City Archaeologist (602) 495-0901 prior to preliminary approval.
NOTIFICATION	
5.	At such time as the sale of any parcel, the property owner shall record documents that disclose to purchasers or occupants of property within the development(s) the existence and operational characteristics of Deer Valley Airport. The form and content of such documents shall be reviewed by the City Attorney.
6.	The property owner shall record documents that disclose to prospective purchasers of property within the development(s) the nature of environmental remediation activities at the former site of the Goodrich Universal Propulsion Company. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
STREETS AND TRANSPORTATION	
7.	The developer shall perfect the existing 55-foot right of-way easement for the east half of 7th Avenue, as approved by the Planning and Development Department.
8.	The developer shall deposit funds in escrow to the Street Transportation Department that cover 25% of the cost for a traffic signal at 7th Avenue and Happy Valley Road and 25% of the cost for a traffic signal at 7th Avenue and Alameda Road, prior to preliminary site plan approval.
9.	The developer shall construct minimum 5-foot-wide detached sidewalks along 7th Avenue, as approved by the Planning and Development Department.
10.	The developer shall dedicate 40 feet of right-of-way for the north half of Alameda Road, as approved by the Planning and Development Department.
11.	Right-of-way totaling 70 feet shall be dedicated for the south half of Happy Valley Road.
12.	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 7th Avenue and Happy Valley Road.
13.	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.
14.	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review and approval.
15.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
16.	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.