

Attachment A- Stipulations- PHO-1-18_Z-96-06-7

Location: Southwest corner of 59th Avenue and Southern Avenue

Stipulations:

General	
1.	That THE development shall be in general conformance with the site plan date stamped August 15, 2006 JANUARY 15, 2019 as modified by the following stipulations and as approved by the PLANNING AND Development Services Department, WITH SPECIFIC REGARD TO THE FOLLOWING:
A.	THE MAXIMUM RESIDENTIAL BUILDING HEIGHT SHALL BE 2 STORIES AND 30 FEET ADJACENT TO 59TH AVENUE AND SOUTHERN AVENUE.
B.	THE R-3A PORTION OF THE SITE SHALL NOT EXCEED 20.8 DWELLING UNITS PER GROSS ACRE AND THE ENTIRE RESIDENTIAL DEVELOPMENT SHALL NOT EXCEED 18 DWELLING UNITS PER GROSS ACRE COMBINED.
C.	THE ENTIRE RESIDENTIAL DEVELOPMENT SHALL PROVIDE A MINIMUM 28% COMMON AREA COMBINED, OF WHICH A MINIMUM 10% SHALL BE ACTIVE OPEN SPACE.
D.	ALL DRIVEWAYS SHALL BE FULL MOVEMENT WHERE FEASIBLE AND AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
E.	THE RESIDENTIAL COMMUNITIES SHALL BE GATED.
2.	That e CONCEPTUAL Elevations shall be REVIEWED AND APPROVED BY submitted to the Planning Department for Planning Hearing Officer review and approval through the public hearing process FOR STIPULATION MODIFICATION prior to Development Services Department preliminary FINAL site plan approval. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS WILL BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
A.	ALL ELEVATIONS OF THE BUILDING SHALL CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND/OR OTHER OVERHANG CANOPIES.
B.	ALL ELEVATIONS OF THE BUILDING SHALL INCLUDE A MINIMUM OF THREE FINISHING MATERIALS.
C.	BUILDINGS SHALL INCLUDE PITCHED, HIPPED, GABLE, OR SIMILAR ROOF ELEMENTS OR FACADES.

3.	That a 50- A MINIMUM 30-foot landscaped setback shall be provided ALONG adjacent to the site's eastern property line, as approved by the PLANNING AND Development-Services Department.
4.	SIDEWALKS ALONG 59TH AVENUE AND SOUTHERN AVENUE SHALL BE DETACHED WITH A MINIMUM FIVE FOOT WIDE LANDSCAPED STRIP LOCATED BETWEEN THE SIDEWALK AND BACK OF CURB AND SHALL INCLUDE A MINIMUM 50% TWO INCH CALIPER AND 50% THREE INCH CALIPER SHADE TREES PLANTED A MINIMUM OF 20 FEET ON CENTER OR EQUIVALENT GROUPINGS ALONG BOTH SIDES OF THE SIDEWALK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5.	PERIMETER FENCING ALONG 59TH AVENUE AND SOUTHERN AVENUE SHALL CONSIST OF A MINIMUM 60% OPEN VIEW FENCING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
6.	PEDESTRIAN ACCESS GATES SHALL BE INSTALLED TO PROVIDE CONNECTIVITY TO THE SHARED USE PATH ADJACENT TO THE LOOP 202 FRONTAGE AND THE MARICOPA COMMUNITY COLLEGE PROPERTY TO THE SOUTH AND AT ALL VEHICULAR ACCESS POINTS, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
Disclosures	
7. 4.	That p Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity and operational characteristic of a regional freeway, active agricultural uses, non-domesticated animal keeping, a golf course, and industrial activities. 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.
8. 5.	That t The property owner shall record documents that disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. 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.
Archaeology	
9. 6.	That t The developer shall complete an archaeological survey of the site; the survey shall be submitted to, and approved by, the City Archaeologist prior to any construction related ground disturbance of the site.
10. 7.	That a All construction related ground disturbance within AZ T: 12:90 (ASM) or within 250 feet of AZ T: 12:90 (ASM), AZ T: 12:205 (ASM), and AZ T: 12:221 (ASM) shall be tested and monitored for archaeological resources, as approved by the City Archaeologist.

Parks and Recreation	
11. 8.	That The developer shall dedicate a 30-foot public shared use path easement and construct a 10-foot concrete shared use path adjacent to the Loop 202 frontage, the easement shall be landscaped with a mix of 2 and 3-inch caliper trees and appropriate ground cover, as approved by the PLANNING AND Development Services Department. However, the trail may be located on the west side of the Loop 202 frontage between Southern Avenue and Vineyard Road if a dedicated, publicly accessible route (e.g. underpass) acceptable to the City is provided between the west and east side of the Loop 202, this route must be located between Southern Avenue and Vineyard Road.
12.	THE DEVELOPER SHALL DEDICATE A 30-FOOT WIDE MULTI-USE TRAIL EASEMENT (MUTE) ALONG THE SOUTH SIDE OF SOUTHERN AVENUE AND CONSTRUCT A MINIMUM 10-FOOT WIDE MULTI-USE TRAIL (MUT) WITHIN THE EASEMENT, IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION AND PLANNING AND DEVELOPMENT DEPARTMENTS.
Transit	
13. 9.	That the developer shall construct P1262 transit pad and dedicate related right-of-way for eastbound Southern Avenue located on the far side of the proposed collector loop, as approved by the Public Transit Department. THE DEVELOPER SHALL DEDICATE RIGHT OF WAY AND CONSTRUCT A BUS STOP PAD ALONG EASTBOUND SOUTHERN AVENUE EAST OF THE PROPOSED DRIVEWAY BETWEEN PARCELS B AND C. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A DEPTH OF AT LEAST 10 FEET. THE BUS STOP PAD SHALL BE SPACED FROM THE INTERSECTION OF SOUTHERN AVENUE AND ANY PROPOSED DRIVEWAY AS PER CITY OF PHOENIX STANDARD DETAIL P1258, AS APPROVED BY THE PUBLIC TRANSIT DEPARTMENT.
14. 10.	That the developer shall construct P1261 transit pad and P1256-2 bus bay and dedicate related right-of-way for southbound 59th Avenue on the far side of Southern Avenue, as approved by the Public Transit Department. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT A BUS BAY ALONG SOUTHBOUND 59TH AVENUE, SOUTH OF SOUTHERN AVENUE. THE BUS BAY SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1256. THE ATTACHED BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1261 WITH A DEPTH OF AT LEAST 10 FEET. THE BUS BAY SHALL BE SPACED FROM THE INTERSECTION OF 59TH AVENUE AND SOUTHERN AVENUE AS PER CITY OF PHOENIX STANDARD DETAIL P1258, AS APPROVED BY THE PUBLIC TRANSIT DEPARTMENT.

15. 41.	<p>That the developer shall construct P1261 transit pad and P1256-2 bus bay and dedicate related right-of-way for southbound 59th Avenue on the far side of the proposed collector loop, as approved by the Public Transit Department.</p> <p>THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE BUS STOP PAD ALONG SOUTHBOUND 59TH AVENUE, SOUTH OF THE PROJECT DRIVEWAY. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A DEPTH OF AT LEAST 10 FEET. THE BUS STOP PAD SHALL BE SPACED FROM THE INTERSECTION OF 59TH AVENUE AND THE PROJECT DRIVEWAY AS PER CITY OF PHOENIX STANDARD DETAIL P1258, AS APPROVED BY THE PUBLIC TRANSIT DEPARTMENT.</p>
Street Transportation	
16. 42.	<p>That rRight-of-way totaling 55 feet and a sidewalk easement totaling 10 feet shall be dedicated for the south half of Southern Avenue, as approved by the PLANNING AND Development Services Department.</p>
17. 43.	<p>That rRight-of-way totaling 50 feet and a sidewalk easement totaling 10 feet shall be dedicated for the west half of 59th Avenue, as approved by the PLANNING AND Development Services Department.</p>
18. 44.	<p>That aA 21-foot by 21-foot right-of-way triangle shall be dedicated at the southwest corner of 59th Avenue and Southern Avenue, as approved by the PLANNING AND Development Services Department.</p>
19. 45.	<p>That tThe 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 Americans with Disabilities Act accessibility standards.</p>
20. 46.	<p>That tThe applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Traffic Engineer II, (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.</p>
21. 47.	<p>That tThe applicant shall submit a Red Border letter to ADOT for review. This form is a requirement of ADOT for all projects within 1/2 mile of any freeway, proposed or existing. Contact Right-of-Way Agent III (Louis J. Malloque), ADOT, 205 South 17th Avenue, Mail Drop 612E, Phoenix, AZ 85007, PH: (602) 712-8755, E-mail: lmalloque@azdot.gov for additional information.</p>
18.	<p>That development of the site shall not exceed 10.74 dwelling units per acre, as approved by the PLANNING AND Development Services Department.</p>
19.	<p>That a minimum of 15 percent of Parcel D shall be open space, as approved by the PLANNING AND Development Services Department.</p>

20.	That for each phase of development, a conceptual lighting plan, conceptual signage plan, and conceptual landscaping plan shall be submitted to the Planning Department for Planning Hearing Officer review and approval through the public hearing process prior to Development Services Department preliminary site plan approval.
22. 20.	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.
23. 20.	THE DEVELOPER SHALL NOTIFY THE FOLLOWING INDIVIDUALS AT A MINIMUM 15 CALENDAR DAYS PRIOR TO ANY PLANNING HEARING OFFICER REQUEST TO MODIFY OR DELETE STIPULATIONS OR REZONING ACTION. THE NOTICE SHALL INCLUDE THE DATE, TIME, AND LOCATION OF THE HEARING.
A.	PHIL HERTEL 2845 W BROADWAY RD PHOENIX, AZ 85041
B.	JON KIMOTO 3216 W ANSELL RD LAVEEN, AZ 85339
C.	SANDY HAMILTON 5218 W MAGDALENA LN LAVEEN, AZ 85339