

Attachment A- Stipulations- PHO-3-21—Z-155-01-7

Location: Northeast corner of 103rd Avenue and Broadway Road

Stipulations:

1. The master development plan shall be in general conformance to the Sunset Farms Master Development Plan date stamped December 10, 2018 as approved or modified by the Planning and Development Department, except that the entire 517-acre PCD shall not exceed 2,264 dwelling units.
2. All R-2, R1-6, and R1-8 parcels shall utilize the Planned Residential Development option.
3. View fencing shall be required on all lots that back onto open space/retention areas, except for those adjacent to arterial streets as approved by the Planning and Development Department.
4. All of Development Unit 3 of Figure 3 (Sunset Farms General Development Plan) shall be developed as auto-court cluster, single-family attached or shared driveway subdivisions as approved by the Planning and Development Department.
5. Along arterial, collector and appropriate transitions onto adjoining local streets within the residential development, the sidewalks shall be detached and a 5-foot wide landscaped strip shall be located between the sidewalk and back of curb. The planting area shall be planted with minimum 1-inch caliper trees placed 20 feet on center and appropriate ground cover as approved by the Planning and Development Department. WHERE UTILITY CONFLICTS EXIST, THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT ON ALTERNATIVE DESIGN SOLUTIONS CONSISTENT WITH A PEDESTRIAN ENVIRONMENT.
6. A minimum 40-foot by 40-foot triangular landscape entry area shall be provided on each arterial street main entry corner into the PCD as approved by the Planning and Development Department.
7. All retention areas shall be sloped no greater than 4:1 throughout the site, except within the Estrella Channel.

Master Plans

8. The applicant shall develop an architectural theme for the entire PCD. The theme shall assure that building colors, elevations, exterior materials, roofline treatment, and a street appurtenance package such as, but not limited to benches and signage, convey a sense of continuity throughout the different residential and commercial parcels and shall be submitted concurrent with the Master Plan submittal items as approved by the Planning and Development Department.

9. The Master Drainage Plan shall delineate a conceptual layout of the 150-foot wide tract area for the Estrella Channel (Buckeye Flood Control Channel) through the site. Said layout may also incorporate the 100-year 2-hour storm retention requirement.
10. In addition to the Zoning Ordinance required plan elements, the developer shall submit the following Master Development Plans for review and approval by the appropriate city departments prior to issuance of preliminary plat approval. The plans shall address the following at a minimum and the Planning and Development Department may require additional items:

Master Pedestrian/Bike/Trails Circulation Plan

- A. A Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the City for review and approval concurrent with Planning and Development Department review of the Master Plan documents 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 walkway and bikeway locations with drainage ways and open space to provide a trail network throughout the PCD.
 - 3) It shall incorporate and be in specific conformance with the Trails Plan labeled Figure 8 in the Sunset Farms Application Binder as approved by the Planning and Development Department and developed in the following manner, which is consistent with the Estrella Village Multi-Purpose Trails Plan:
 - a) 10-foot wide multi-use trails shall be provided along the south side of the Estrella Channel (Buckeye Feeder Channel) and along the north side of Broadway Road in the powerline corridor.
 - b) 8-foot wide multi-use trails shall be provided along the half-mile collector streets between 91st and 99th Avenues and 99th and 107th Avenues.
 - c) The trails shall be improved using the Parks and Recreation Department recreation trails standards.

Master Landscape Plan

- B. A Master Landscape Plan shall be submitted to the City for review and approval concurrent with the Planning and Development Department review of the Master Plan documents and shall identify:
 - 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, palm trees, eucalyptus, etc.) due to their incompatibility.
- 3) Coordination of the landscape conservation plan with master drainage and trails plan. The conservation plan shall preserve the mature trees along 99th Avenue, if possible, as approved by the Planning and Development Department.
- 4) The developer shall participate in the Estrella Village Arterial Street Landscaping Program as it relates to arterial streets abutting the site and the recommended gateway landscaped entry feature on the northwest corner of 107th Avenue and Broadway Road. The developer shall also utilize the recommended plant list for areas within the powerline corridors as suggested in the Program.
- 5) Open space and retention area improvements such as tot lots, ramadas, tennis or sports courts, barbecues, large seating areas, etc. as approved by the Planning and Development Department.

Master Water and Wastewater Plans

- C. 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.
- D. The water supplies for any greenbelt areas of the development shall be limited to the Salt River Water Users Association (SRWUA) 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 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 SRWUA, a split for Association Convenience and transfer to the City Account. A letter from the SRWUA 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.

Commercial Parcels

11. For the C-2 portion of the development at the intersection of 91st Avenue and Broadway Road, an average 75-foot by 75-foot triangular landscaped entryway feature shall be provided and the landscaping of the feature shall connect to the trail within the powerline corridor adjacent to Broadway Road.

12. The use of “corporate” colors (excluding signage); 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 center shall integrate the approved PCD architectural theme as approved by the Planning and Development Department.
13. Any gas station pump island canopies and columns shall be constructed with the approved PCD architectural theme to minimize “corporate” colors as approved by the Planning and Development Department. The maximum height of the underside of the canopy (canopy ceiling) shall be 19 feet.
14. 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.
15. A 75-foot by 75-foot landscaped gateway shall be provided on the northeast corner of 107th Avenue and Broadway Road consistent with the Estrella Village Arterial Street Landscape Program as approved by the Planning and Development Department.
16. The commercial areas, labeled as parcels 1, 2 and 16 on Figure 3, shall be allowed a maximum of four commercial pads in addition to a primary use.

Transit Department

17. The following right-of-way shall be dedicated along with construction for a bus bay (P1257) and transit pad (P1261) as approved by the Public Transit Department.
 - A. Westbound Broadway Road west of 91st Avenue.
 - B. Westbound Broadway Road west of 99th Avenue.
 - C. Eastbound Broadway Road east of 99th Avenue.
 - D. Northbound 99th Avenue north of Broadway Road.
 - E. Northbound 107th Avenue north of Broadway Road.
18. The following right-of-way shall be dedicated along with construction for transit pads (P1262) as approved by the Planning and Development Department.
 - A. Westbound Broadway Road west of 93rd Avenue.
 - B. Westbound Broadway Road west of 95th Avenue.
 - C. Westbound Broadway Road west of 97th Avenue.
 - D. Westbound Broadway Road west of 101st Avenue.

- E. Westbound Broadway Road west of 103rd Avenue.
- F. Westbound Broadway Road west of 105th Avenue.
- G. Eastbound Broadway Road east of 97th Avenue.
- H. Southbound 99th Avenue south of Jones Avenue.
- I. Northbound 99th Avenue north of Wier Avenue.

Street Transportation

- 19. Right-of-way for all arterial and collector streets shall be dedicated as per the approved Master Street Plan.
- 20. Along the park site and the Estrella Channel or the power line corridor along the Elwood alignment, no more than 66 percent of the lots for each development parcel shall back onto the Channel as approved by the Planning and Development Department.
- 21. Right-of-way dedications and street alignments for local streets within the subdivision shall be determined by the Planning and Development Department at the time of Preliminary Subdivision Plat Review.
- 22. The applicant shall submit a Traffic Impact Study to the City for this development. No zoning shall be vested until the study is reviewed and approved by the City. Please contact the Traffic Engineer II in the Street Transportation Department (602) 534-5688, to set up a meeting to discuss the requirements of the study.
- 23. 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.
- 24. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Chief Engineering Tech with the Street Transportation Department at (602) 262-6193. This form is a requirement of the EPA to meet clean air quality requirements.
- 25. A 15-acre parcel for an elementary school site and an adjacent 10-acre neighborhood park shall be designated within the Littleton School District boundaries as approved by the superintendent and Parks and Recreation Department. The two sites shall be reserviced for a period of one year following the approval of the first final plat in phase two unless otherwise released by the Littleton School District or the Parks and Recreation Department. If the school district does not acquire the site, then the park will increase in size to 15 acres.
- 26. Should an intergovernmental agreement be formed in the future to facilitate the construction of the Estrella Drainage Channel (Buckeye Flood Control Channel),

the developer agrees to cooperate in the design of the drainageway through this project. The design will include the laying out of the adjacent subdivision plats to accommodate a 150-foot "clean take" line on the lots adjacent to the channel in parcels 6, 7, and 11. The applicant shall be allowed to plan the southern most 50-feet of the 150-foot "clean take" area.

27. Prior to issuance of building permits for each individual parcel, the property owner shall record documents that disclose to purchasers of the property within the development the location, existence and operational characteristics of the multiple dairies on the site and in the area along with the 91st Avenue Wastewater Treatment Plant. That the developer shall prepare an odor study to evaluate the potential for complaints of the 91st Avenue wastewater treatment plant. The City Attorney shall approve the form and content of such documents.
28. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of undeveloped or newly developed property within the development the existence and operational characteristics of Phoenix Goodyear Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.
29. The applicant shall contact the City Archaeologist (602-597-0901) for the potential survey request for Parcel 15.
30. 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 for parcels 8 and 15.
31. 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 for parcels 8 and 15.
32. 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.
33. 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.