

## Attachment A – Stipulations - PHO-1-19--Z-SP-5-99-7(8)

**Location:** Southwest corner of 15th Avenue and Dobbins Road

### Stipulations:

1.	<del>That</del> The development SHALL be in general conformance with the site plan date stamped JUNE 11, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. <del>January 19, 2000 and with all supporting documentation submitted with the rezoning application dated May 7, 1999 and any subsequent information submitted relative to the site plan.</del> General conformance INCLUDES, BUT IS NOT LIMITED TO, <del>is in regards to</del> building layout, building height, open space, parking, and facility operations, and regulations. <del>unless otherwise stipulated in this report.</del>
2.	<del>That</del> The developer SHALL submit examples of elements that will be used to convey a rural character throughout the proposed development to be approved by the Planning AND DEVELOPMENT Department. These shall include, but not be limited to, signage, fencing, streetlights, street signs and monument entries.
3.	<del>That the</del> Landscaping SHALL incorporate trees and plants which are consistent with those found in undisturbed areas in proximity to this site, as approved by the PLANNING AND Development Services Department.
4.	<del>That</del> The entire site SHALL be developed with a similar architectural theme. The theme should assure the building colors, elevations, exterior materials, landscaping, lighting, and signage convey a sense of continuity throughout the development, as well as complement the natural setting of the South Mountain Preserve, as approved by the PLANNING AND Development Services Department.
5.	<del>That a</del> All buildings shall be limited to a single story.
6.	<del>That a</del> All outdoor storage shall be screened from view at the boundaries of the site.
7.	<del>That</del> The number of the driveways necessary for the project SHALL be determined by the PLANNING AND Development Services Department to be both an efficient use of space for ingress, egress, and traffic flow.
8.	<del>That if</del> solid masonry block wall is used, any segment that exceeds 40-feet in length SHALL have a vertical element such as a column, pilaster, or difference in pattern/texture to avoid monotony and create visual interest. Any continuous wall in excess of 20-feet in length should be softened with trees, shrubs, vines, and flowering plants.
9.	<del>That</del> The PLANNING AND Development Services Department SHALL determines the amount of parking spaces needed to accommodate the functions of the facilities. ALL REQUIRED PARKING SHALL BE PROVIDED ON-SITE. There SHALL <del>should</del> be adequate parking for buses and large vans. Parking SHALL <del>should also</del> be screened where possible from roadways and adjacent properties.

10.	<del>That</del> The applicant SHALL mitigate the drainage issues identified by the Maricopa County Flood Control District by providing retention basins within the open spaces of the development, AS <del>to be</del> approved by the PLANNING AND Development <del>Services</del> Department.
11.	<del>That</del> 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 paving to be of asphaltic concretes or concrete paving in accordance with Section 702.B of the Phoenix Zoning Ordinance. All improvements shall comply with all ADA accessibility standards.
12.	<del>That</del> Dobbins Road SHALL be improved and right-of-way dedicated per the cross section standards designed by the City of Phoenix Street Transportation Department for the Dobbins Road Scenic Drive.
13.	<del>That</del> 15th Avenue SHALL be improved and right-of-way is dedicated as determined by the PLANNING AND Development <del>Services</del> Department.
14.	<del>That</del> The developer shall submit for approval by the Water Services Director, a potable water and wastewater system master plan for the development. Such plans must be completed by a registered engineer in conformance with the Water Services Department infrastructure plans for the area.
15.	<del>That</del> The water supplies for the greenbelt areas of the development shall be limited to the Salt River Water Users Associations (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 the Salt River Project (SRP) as a condition of the domestic service. This split of the water rights entitlement and transfer into the City of Phoenix can be effected 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 vesting of zoning.
16.	<del>That w</del> Water features (ponds, fountains, etc.) in common areas must conform to restrictions outlined in Chapter 37 of the City Code.
17.	<del>That</del> The developer SHALL cooperates with the South Mountain Village Planning Trails Subcommittee on trails that may be affected by this project.
18.	THE DEVELOPER SHALL PROVIDE AND MAINTAIN A 10-FOOT WIDE MULTI-USE TRAIL AND A MINIMUM 20-FOOT WIDE MULTI-USE TRAIL EASEMENT ALONG THE WEST SIDE OF 15TH AVENUE, IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL AND AS APPROVED BY THE PARKS AND RECREATION AND PLANNING AND DEVELOPMENT DEPARTMENTS.
19. 48.	<del>That</del> The developer SHALL works closely with <del>the</del> surrounding neighbors and the PLANNING AND Development <del>Services</del> Department to resolve any nuisance, traffic, and design issues that may arise once the facility is completed.
20.	<del>That</del> The following stipulations, submitted by the applicant, SHALL BE <del>are</del> strictly

19.	followed:	
	A.	<del>That t</del> The “Animal Adoption Center” will contain no more than 300 150 dogs in 300 150 dog runs. and 150 ALL cat kennels SHALL BE COMPLETELY LOCATED INSIDE A CLOSED BUILDING.
	B.	<del>That</del> ALL the dogs will be completely housed inside of the building(S) between the hours of 8:00 p.m. and 7:00 a.m.
	C.	<del>That t</del> The best and most appropriate construction materials will be used for the projects, including the installation of a sound wall surrounding the entire “Animal Adoption Center”.  A SOUND WALL WITH A MINIMUM HEIGHT OF 9 FEET AND 6 INCHES SHALL BE CONSTRUCTED AROUND THE ADDITIONAL/NEW DOG ADOPTION KENNEL BUILDINGS AS DEPICTED ON THE SITE PLAN DATE STAMPED JUNE 11, 2019, AS RECOMMENDED IN THE NOISE STUDY PREPARED BY ACOUSTICAL CONSULTING SERVICES DATED JANUARY 30, 2019, AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	<del>D.</del>	<del>That a maximum of 10 children can visit the “Equestrian Therapy Center” per day on weekdays, during the school year. A maximum of 20 children per day on weekends and on weekdays when the school year is not in session shall be served.</del>
	<del>D.</del> <del>E.</del>	<del>That none of these c</del> Children VISITING THE EQUESTRIAN CENTER SHALL NOT BE are housed OVERNIGHT on THE site.
	<del>E.</del> <del>F.</del>	<del>That c</del> Children in this THE EQUESTRIAN program are permitted only during a-scheduled appointmentS and SHALL BE are supervised directly on a one-to-one basis by staff and trained docents.
	<del>F.</del> <del>G.</del>	<del>That a</del> Animal waste will be removed from all stalls, pens, and pastures at least once per day. It will be stored in fly-proof covered waste containers and regularly transported away from the site to a County-approved landfill. The program shall comply with all County Health Department Regulations.
	<del>G.</del> <del>H.</del>	<del>That t</del> The arena surface will be of washed sand and cedar. A large-headed automatic sprinkler system will be installed for the arenas so that it will be periodically watered down to avoid adverse impacts on adjacent properties. A rigorous cleaning and maintenance regimen shall be established and provided to the PLANNING AND Development Services Department.
	<del>H.</del> <del>I.</del>	<del>That t</del> The lighted arena will comply with the Dark Sky Ordinance. Lights will be of the appropriate “shoebox” style used to illuminate such things as private tennis courts in residential communities. There will be no late night activities or events, and the lights will be turned off no later than 9:00 p.m.
	<del>J.</del>	<del>That none of the equestrian facilities will be open to use by any other agency for any other purposes, unless initial neighborhood support is</del>

		<del>provided to AHS for an identified community use.</del>
	I.	THE HOURS OF OPERATION FOR THE VETERINARY CLINIC SHALL BE LIMITED TO 6:00 A.M. TO 10:00 P.M. ON A DAILY BASIS. THE ARIZONA HUMANE SOCIETY SHALL EXPLORE THE PROVISION OF LOW-COST VETERINARY SERVICES (E.G. ONE-DAY LOW-COST VACCINATION EVENTS) FOR PETS OF SOUTH MOUNTAIN VILLAGE RESIDENTS AT THE CAMPUS OR IN OTHER NEIGHBORHOOD MEETING LOCATIONS.
	J.	THERE SHALL BE NO CREMATION OF ANY ANIMALS ON THE SITE.
	K.	THE DOG WALK-AND-PLAY FIELD AND DOG YARDS SHALL ONLY BE USED DURING DAYLIGHT HOURS AND THE FIELD AND YARDS SHALL BE CLEANED DAILY.
21.		THE AVERAGE NOISE LEVEL MEASURED AT THE PROPERTY LINE SHALL NOT EXCEED 55 DB (ONE LDN) WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY, AS DETAILED BY THE FINDINGS AND INFORMATION PROVIDED WITHIN THE NOISE STUDY PREPARED BY ACOUSTICAL CONSULTING SERVICES DATED JANUARY 30, 2019.
22.		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.