

## **Attachment A- Stipulations- PHO-2-17\_Z-81-05-7**

**Location:** Approximately 180 feet south of the southeast corner of 35th Avenue and Southern Avenue

### **Stipulations:**

#### General Conformance

1. That development shall be in general conformance to the site plan date stamped ~~October 25, 2013~~ MARCH 10, 2017, as modified by the following, and as approved or modified by the Planning and Development Department:
  - a. That a shaded walkway shall be incorporated into the parking lot with alternative paving materials where walkways cross drive aisles;
  - b. That the residential portion shall not exceed 59 lots.

#### Residential

2. That development shall be in general conformance to the residential elevations date stamped May 26, 2005, as modified by the following, and as approved or modified by the Planning and Development Department:
  - a. That all homes shall include covered entrances, such as porches, archways, or landscaped courtyards;
  - b. That the elevations shall incorporate four-sided architecture.
3. That the common open space area shall provide active recreational elements, such as tot lots and ramadas, as approved by the Planning and Development Department.
4. That a minimum 40-foot by 40-foot landscaped entry feature shall be provided on both sides of the main entry into the residential development, as approved by the Planning and Development Department.
5. That the side yard setback on Lots 31 and 32 provide a minimum of 20 feet between buildings.
6. That all buildings must have a minimum 12-inch roof overhang.

#### Commercial

7. That the commercial buildings elevations shall be approved through the Planning Hearing Officer process prior to preliminary site plan approval, with specific regard to the following.
  - a. That the commercial structures shall have pitched roofs or pitched roof elements.

8. That a minimum 40-foot by 40-foot landscaped entry feature shall be provided at the two ingress/egress points furthest from the intersection of 35th Avenue and Southern Avenue, as approved or modified by the Planning and Development Department. The enhanced landscape feature shall include a turf area and provide plant types from the following list:
  - a. Trees: pecan, Arizona ash, evergreen elm, heritage live oak, sycamore, or other similar canopied trees;
  - b. Shrubs: myrtle (true, dwarf, and/or twisted), pomegranate, AZ yellow bells, bush lantana, Mexican honeysuckle, primrose jasmine, or other similar shrubs;
  - c. Accents: deer grass, wild sunflowers, penstemon, golden columbine, or other similar accents;
  - d. Vines: White Lady Banks Rose, common trumpet creeper, coral vine, pink trumpet vine, and primrose jasmine, or other similar vines.
9. That the retention area located at the southeast corner of the commercial portion of the site incorporate an offset double row of 3 and 4-inch caliper trees, spaced 20-feet on center, as approved by the Planning and Development Department.
10. That a landscape plan and a lighting plan shall be brought back to the Laveen Village Planning Committee (LVPC) for review and comment prior to City approval.
11. That development shall be subject to a comprehensive sign plan in accordance with Section 705. The LVPC shall have the opportunity to review the plan prior to the public hearing.

#### Street Transportation

12. That right-of-way totaling 55 feet shall be dedicated for the south half of Southern Avenue.
13. That right-of-way totaling 55 feet shall be dedicated for the east half of 35th Avenue.
14. That a 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 35th Avenue and Southern Avenue.
15. That sufficient right-of-way shall be dedicated to accommodate a bus-bay on Southern Avenue at 35th Avenue.
16. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
17. That 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.

#### Transit

18. That right-of-way shall be dedicated and a transit pad constructed (Detail P1261) along eastbound Southern Avenue, east of 35th Avenue, as approved by the Public Transit Department.
19. That right-of-way shall be dedicated and a transit pad constructed (Detail P1262) along northbound 35th Avenue, north of Alta Vista Road, as approved by the Public Transit Department.
20. That right-of-way shall be dedicated and a bus-bay (P1257) constructed along eastbound Southern Avenue, east of 35th Avenue, as approved by the Public Transit Department.

#### Other

21. That prior to final site plan approval, the property owner shall record documents that disclose to the purchasers of property within the development( s) the existence and operational characteristics of Sky Harbor International Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.
22. That the minimum lot width be 50 feet.
23. That residential elevation be brought back to the Laveen Village Planning Committee for review and comment.
24. That one of the amenities shall be a club house or ramada, with lights and seating for use by the Home Owners Association (HOA) for meetings.
25. That any request to change or modify the stipulations or site plan, be brought back to the Laveen Village Planning Committee for review and comment prior to approval by the City.
26. 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.