

## Attachment A- Stipulations- PHO-5-21--Z-111-98-7

**Location:** Approximately 238 feet east of the southeast corner of 67th Avenue and Lower Buckeye Road

### **Stipulations:**

1.	The development of the R1-8 shall be in general conformance to the site plan dated October 6, 1998, and the development shall include the open space elements, landscape tracts, and perimeter setbacks as described in the submitted Riverside Heights Rezoning Request and Plan of Development document dated October 9, 1998. If the commercial portion of this request is denied, stub street access shall be provided to accommodate residential development as approved by the Planning and Development Department.
2.	Development shall be under the Planned Residential Development option.
3.	The open space area shall provide active amenities for recreation activities such as tennis courts, volleyball, playgrounds and picnic areas, as approved by the Planning and Development Department.
4.	The minimum residential lot depth shall be 110 feet.
5.	The housing elevations shall provide pop-outs or other window detailing on the front elevations and on those side and rear elevations adjacent to streets.
6.	Garage door windows should be an option on any available model.
7.	The living space of a house and/or the entry shall be set back no more than 10-14 feet from the garage for 75% of those properties that have lot widths of less than 55 feet.
8.	Staggered front yard setbacks shall occur for every third lot for those properties with less than 55 feet in lot width.
9.	There shall be floor plans that have front porches as an optional element.
10.	The project fencing shall consist of block, which shall be finished with a smooth texture or decorative design on the outside surface (no unfinished block) or may be of wrought iron, steel, or aluminum.
11.	Wherever properties face out into the common open space areas, viewing fencing shall be provided.
12.	At least three distinctive elevations shall be provided for each standard plan.
13.	Accent materials including brick or stone shall be options available for all models.

14.	All subdivision entrances located at 63rd Avenue and Lower Buckeye Road and the local streets extending from the entrances to the open space tracts shall include detached sidewalks behind a landscaped strip and the curb. The landscape shall include trees and live ground cover.
15.	The applicant shall utilize dual pane windows, solid core doors, and additional insulation which is higher than R-19 on the east exterior walls of those residential units adjacent to 63rd Avenue.
16.	Right-of-way totaling 40 feet and a 10-foot sidewalk easement shall be dedicated for the south half of Lower Buckeye Road.
17.	Right-of-way totaling 40 feet and a 10-foot sidewalk easement shall be dedicated for the east half of 67th Avenue.
18.	Right-of-way totaling 30 feet shall be dedicated for the west half of 63rd Avenue.
19.	An 18-foot by 18-foot right-of-way triangle shall be dedicated at the southwest corner of 63rd Avenue and Lower Buckeye Road.
20.	Right-of-way dedication and street alignments for local streets within the subdivision will be determined by the Planning and Development Department at the time of Preliminary Subdivision Plat Review.
21.	The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
22.	If the City Council adopts an infrastructure financing program for the Estrella Village, the developer of this property agrees to participate in the program. The Estrella Village boundaries are from Interstate 17/19th Avenue to 107th Avenue and from Interstate 10 to the Rio Salado.
23.	The developer of this property will participate in any future Estrella Village Major Street Landscape Program prior to final site plan/plat approval if such a program is adopted by the City Council. The landscape program will impact the major streets abutting this property.
24.	The developer agrees to participate in a Master Drainage/Open Space Study for the Estrella Village prior to preliminary site plan/plat approval to ensure linkage between developments and the Rio Salado.
25.	The developer agrees to work with the local school district in acquiring and providing infrastructure services for a new school location.
The following stipulations apply to the C-1 portion of the site:	
26.	Site Plan and Elevations:

	a.	The Phase I development shall be in general conformance with the site plan date stamped January 18, 2019, as approved or modified by the Planning and Development Department.
	b.	The developer shall present Phase I elevations to the Estrella Village Planning Committee for review and comment prior to final site plan approval.
	c.	<p>THE PHASE II DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED MARCH 16, 2021, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.</p> <p><del>Conceptual site plan and elevations for the Phase II development shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.</del></p>
	D.	THE DEVELOPER SHALL PRESENT PHASE II ELEVATIONS FOR THE FUTURE BUILDING PAD, AS DEPICTED ON THE SITE PLAN DATE STAMPED MARCH 16, 2021, TO THE ESTRELLA VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO FINAL SITE PLAN APPROVAL.
27.		Access shall be limited to two driveways onto 67th Avenue and two driveways onto Lower Buckeye Road as approved by the Planning and Development Department.
28.		The site shall be developed with a similar architectural and landscape theme to include minimum 24-inch box size shade trees (spaced 20 feet on center) along the south and east property lines, together with a minimum 50' x 50' landscaped entryway feature at the southeast corner of 67th Avenue and Lower Buckeye Road as approved by the Planning and Development Department.
29.		The developer shall dedicate a 30-foot wide Multi-Use Trail Easement (MUTE) along the south side of Lower Buckeye Road and construct a 10' wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved or modified by the Parks and Recreation Department.
30.		A pedestrian circulation pathway shall be provided across and through the site by utilizing concrete sidewalks, or similar. Where said path crosses a drive-aisle or parking surface, a material that contrasts any asphalt surface shall be used, such as stamped concrete or brick pavers. Said path shall connect with the northeast, northwest, and southwest corners of the site to allow easy pedestrian access to the structure and through the site, as approved or modified by the Planning and Development Department.

31.	If determined necessary by the Phoenix Archaeology Office, 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.
32.	If Phase I data testing is required, and 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.
33.	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.