ATTACHMENT A

Stipulations – PHO-4-25—Z-116-87-8

Location: Approximately 140 feet north of the northwest corner of 44th Steet and Washington Street

STIPULATIONS:

1.	~~That~~ THE development of PARCEL 2 of the master plan ~~and parcels 1, 2, 3 and 4~~ SHALL be in general conformance WITH ~~to~~ the site plan date~~d~~ STAMPED JUNE 16, 2025 ~~April 14, 2006~~ AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~and that development of parcels 5 and 6 submit site plans to be administratively approved by the planning hearing officer.~~	
2.	~~That~~ Office and commercial development on the total site SHALL not ~~to~~ exceed a~~n~~ F.A.R of 1.0 (exclusive of the two hotel structures). The F.A.R may be increased to a maximum of 1.15 (exclusive of the two hotel structures) with the provision of the following improvements/amenities:	
	a.	Additional F.A.R. of 0.05 with the provision of a minimum 30,000 square foot “centralized” retail facility incorporated into a pedestrian plaza.
	b.	Additional F.A.R. of 0.05 with the inclusion of Parcel “N” (the Exxon Parcel) and 0.05 with the inclusion of Parcel “O” (the Circle K Parcel) into the final design. The final design shall incorporate the uses, if retained, to provide internal access from within the site and provide landscaping and amenities general in compliance with the Gateway Guidelines.
3.	~~That~~ Structures SHALL be limited to 12-stories, not to exceed 150 feet exclusive of unoccupied roof areas, subject to approval of a variance from the Sky Harbor Airport Zoning Ordinance for structures that exceed a mean elevation of 1,278 feet above sea level.	
4.	A minimum 10,000 square feet of gross retail space SHALL be provided. Such retail space shall be exclusive of retail banking but inclusive of the existing convenience retail located at the immediate northeast corner of 44th Street and Washington Street and / or the immediate southeast corner of 44th Street and Van Buren Street if and to the extent that such convenience retail is integrated into the master plan with landscaping and pedestrian connections.	
5.	~~That~~ Surface parking shall be screened from streets and private drives in	

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	accordance with section 507 tab a.ii.a.6 (6.1.3) and 662.k, interim transit-oriented zoning overlay one (TOD-1).
6.	~~That~~ A master landscaping, streetscape and pedestrian circulation plan shall be submitted for review to the 44th Street corridor subcommittee of the Camelback East Village Planning Committee and administrative approval by the Planning Hearing Officer and the PLANNING AND Development ~~Services~~ Department. Such plan shall establish circulation within the development and to/from the 44th Street and Washington Street light rail station. Pedestrian amenities such as seating and adequate shading shall be emphasized.
7.	~~That~~ The developers shall provide art features that are visible and accessible to outdoor pedestrians within the project. The art shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval.
8.	~~That~~ All structures within the master planned site parcels 1-6, are to include elements of compatible materials and colors as approved by the PLANNING AND Development ~~Servies~~ Department. Any reflective glass used within the development shall be limited to a maximum 20 percent reflectivity.
9.	~~That~~ Carpooling and public transit programs shall be encouraged through placement of appropriate signs in the lobbies of the office, hotel, and residential developments.
10.	~~That~~ Bicycle storage facilities will be provided on-site.
11.	~~That~~ Additional right-of-way dedications will be determined by the PLANNING AND Development ~~Services~~ Department at the time of preliminary site plan review and that the developer shall construct all streets adjacent to and the private access way within 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 ADA accessibility standards.
12.	That the City of Phoenix Archeologist (4619 E Washington Street Phoenix 8034) be notified of site plan review meetings conducted by the PLANNING AND Development ~~Services~~ Department, in order to ensure/ consider architectural compatibility with the Pueblo Grande Museum and Archeology Park.
13.	That building elevations, on a building by building basis, shall be submitted to the Planning Hearing Officer for administrative review prior to such building's preliminary site plan approval by the PLANNING AND

	Development ~~Services~~ Department.
14.	PRIOR TO FINAL SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. 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.
15.	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.
16.	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.
17.	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.