

AGENDA ITEM #: \_\_\_\_\_

DATE: January 25, 2021

CAR #: 2021-7154



## CITY COUNCIL ACTION REPORT

**SUBJECT: Preliminary Plat for Estrella Parcel 9.29**

**CASE NUMBER:** 19-500-00016

**STAFF PRESENTER(S):** Alex Lestinsky, Senior Planner

**APPLICANT:** Pete Teiche, Newland Communities

**Summary:** Preliminary Plat for Estrella Parcel 9.29 subdividing approximately 10 acres into 65 residential lots and seven tracts generally located at northwest of Willis Road and 181<sup>st</sup> Avenue.

**Recommendation:** Approve a request for Preliminary Plat for Estrella Parcel 9.29, subject to the following stipulations:

1. Prior to approval of all final plats platting any portion of the property included in the preliminary plat for this parcel, Parcel 9.29 (the "Property"), owner shall demonstrate to the city that adequate potable water resources exist to serve the proposed final plat in the form of Equivalent Dwelling Units (EDU) pursuant to any development agreement with the City. The EDU calculation demonstrating compliance with such agreement shall be placed on the final plat.
2. Prior to recordation of any final plat subdividing all or part of the Property, a final plat consistent with the Preliminary Plat of Estrella Parcel 9.28 approved by the Mayor and Council of the City of Goodyear September 28, 2020 shall be recorded in the official records of the Maricopa County Recorder.
3. Owner shall dedicate to the City by separate instrument, all easements and right-of-way for the areas located outside the Property in which infrastructure needed to provide access and utility services, including water, wastewater and electrical, service to the Property. This may include, but is not limited to, water easements, sewer easements, public utility easements, access easements, and right-of-way, and it specifically includes a 20' wide sewer easement from the westerly boundary of Tract C to the easterly boundary of Estrella Parcel 9.30 to provide a sewer outlet connection to serve this property. The easements and conveyances referred to herein shall be in a form approved in form by the City Attorney or his/her designee and the rights-of-way shall be dedicated lien free and in fee. The easements and conveyances referred to herein shall be recorded prior to the recordation of the first final plat subdividing all or

part of the property and the recording information for the easements and conveyances shall be inserted onto the final plat where indicated before the final plat is recorded.

4. No building permits shall be issued for vertical construction within the Property except for model homes until all on-site and off-site infrastructure improvements needed for the City to provide water and wastewater services to the Property and needed to provide at least two points of access to the Property have been substantially completed and accepted by the City Engineer or his designee subject to the two-year warranty period. No certificates of completion of occupancy shall be issue for any structure within the Property, including model homes, until all water and wastewater sewer infrastructure needed to serve such structure has been completed and is in service.
5. The developer shall provide a waiver agreement for each initial homebuyer to sign, and shall include the following statement in the waiver agreement as well as a similar statement in the Public Sales Report and on the final plat: "This property is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflights and by the operation of aircraft landing at or taking off from the Phoenix-Goodyear Airport and Luke Air Force Base. The Owner does release and discharge the City of Goodyear from any liability for any and all claims for future damages and complaints of any kind to persons or property that may arise at any time in the future from the operation of such aircraft near and over the area." Developer shall note on the final plat and disclose in the Public Sales Report the proximity of the proposed Loop 303, which may subject the property to noise.

**Fiscal Impact:** Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer-term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased Property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

## Background and Previous Actions

The site is located on the west side of West Willis Road and east of South 182<sup>nd</sup> Drive and north of West Mountain Vista Drive. On January 22, 2018, the City Council adopted Ordinance No. 2018-1380 approving the Montecito PAD Amendment which designated the subject parcel as Single Family Detached/Attached (SFD/A).

To the west of Parcel 9.29 is Estrella Parcel 9.30, which was created pursuant to a Final Plat of Estrella Parcel 9.30 recorded in the official records of Maricopa County on July 8, 2020 at Book 1534 of Maps, Page 35, Instrument No. 2020-0608592. To the east of Parcel 9.29 is Estrella Parcel 9.28, as described in the Preliminary Plat of Estrella Parcel 9.28 approved by the Mayor and Council of the City of Goodyear on September 28, 2020. Water and wastewater service to Parcel

9.29 is dependent upon completion of the water and wastewater infrastructure improvements within Parcels 9.30 and 9.28 and the two points of access required under applicable development standards is dependent upon completion of street infrastructure improvements adjacent to Parcels 9.30 and 9.28. Accordingly, final plats for Parcels 9.30 and 9.28 must be recorded prior to the recordation of any final plat subdividing all or part of Parcel 9.29.

The Planning and Zoning Commission recommended approval of the Preliminary Plat (6-0) on January 13, 2021.

## **Staff Analysis**

### **Current Policy:**

Prior to subdividing a property, the owner must submit a preliminary plat that demonstrates compliance with public objectives, subdivision design principles and standards, and streets and thoroughfare planning. The preliminary plat also must be accompanied by information demonstrating the adequacy of utilities, open space and other public facilities necessary to serve the site. An approved preliminary plat shall expire within 12 months from the date of City Council approval unless either a final plat has been submitted for all or part of the property included in the preliminary plat or an extension has been obtained.

### **Details of the Request:**

Existing land uses and zoning surrounding the subject property include the following:

- North – Estrella Parcel 9.26 existing residential subdivision.
- East – Estrella Parcel 9.28 residential subdivision.
- South – Vacant land designated Commercial in the Montecito PAD.
- West – Estrella Parcel 9.30 platted residential subdivision.

The typical lot within the subdivision will be 35-feet wide and 86-feet deep. The SFD/A zone is intended to provide a variety of residential housing types on small and moderately sized lots and includes the possible use of side yard use and benefit easements, and front, side, or rear alley-loaded garage residences. As designated in the PAD, minimum setbacks are 18-feet to the front and 5-feet to an alley loaded garage, and 0 and 5-feet for the sides. Maximum lot coverage is 75%. A specific housing product or homebuilder has yet to be determined.

### **Phoenix-Goodyear Airport:**

Although this parcel may experience aircraft overflights, the site is not within or adjacent to the high noise or accident potential zones for the Phoenix Goodyear Airport, and is outside the traffic pattern airspace of the Phoenix Goodyear Airport.

### **Luke Air Force Base:**

The subject property is not located in proximity to Luke AFB. It is anticipated that the proposed development of the property will not adversely impact base operations, nor will this parcel be adversely impacted.

### **Fire Department:**

Currently, Estrella Mountain Ranch is served by Fire Station 182 which is located near Estrella Parkway and Santa Maria Drive. Emergency responses to this parcel are within the 7-10 minute estimate.

| Nearest Goodyear Fire Station | Shortest path |       | Longest path |       | 2nd nearest Fire Station | Shortest path |       | Longest path |       |
|-------------------------------|---------------|-------|--------------|-------|--------------------------|---------------|-------|--------------|-------|
|                               | Mins          | Miles | Mins         | Miles |                          | Mins          | Miles | Mins         | Miles |
| #182                          | 8.09          | 4.04  | 9.20         | 4.60  | Station #184             | 22.78         | 11.39 | 23.89        | 11.95 |

**Police Department:**

The subdivision is located within an existing Police patrol beat and the current level of service within the beat can accommodate the development of the property.

**Water/Wastewater:**

The subdivision will be served by city of Goodyear water and wastewater utilities. Subdivision plats in Estrella include documentation regarding the amount of water being used in terms of Equivalent Dwelling Units (EDUs).

**Streets/Access:**

The subdivision will have primary vehicular access off of West Willis Road. Additional access are to be provided from three different entry points from streets that connect through Estrella Parcel s9.28 and 9.30. The streets within this parcel are private streets and will be maintained by the HOA. A stipulation has been included as a condition of approval of this preliminary plat to insure two points of access are provided as required by applicable development standards and policies.

**School Districts:**

The subject property is located within the Liberty Elementary School District and the Buckeye Union High School District. Westar Elementary School and Estrella Foothills High School are located approximately 2.5 miles from this parcel.

**Staff Findings:**

The Preliminary Plat is consistent with the land use, development standards and density approved by the Montecito PAD zoning. The Preliminary Plat is consistent with the technical requirements of the City's Subdivision Regulations and Engineering Design Standards. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development. The Planning and Zoning Commission recommended approval of the Preliminary Plat (6-0) on January 13, 2021.

**Attachments**

1. Aerial Photo
2. Preliminary Plat