

AGENDA ITEM # _____

DATE: December 15, 2014

COAC NUMBER: 14-5411

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: FINAL PLAT FOR
ESTRELLA PARCEL 5.9 FOR
ROSEWOOD GOLF VILLAS

STAFF PRESENTER: Hector Tapia,
Project Planner

CASE NUMBER: 14-520-00007

APPLICANT: Nick McKee, Rosewood
Homes

RECOMMENDATION:

Approve a request for a final plat for Estrella Parcel 5.9 subdividing 28.1 acres into 61 single family residential lots and 23 tracts located on the west side of Golf Club Drive, south of San Miguel Drive, within the Golf Village at Estrella PAD, subject to the following stipulations:

1. Compliance with the stipulations stated in Ordinance No. 99-652, the ordinance establishing the Golf Village at Estrella PAD; and the stipulations and conditions of approval of the preliminary plat for Estrella Parcel 5.9 for Rosewood Golf Villas. If the property owner or developer fails to comply with any of the stipulations contained in Ordinance No. 99-652, the stipulations and conditions of approval of the preliminary plat, the stipulations and conditions of approval related to the final plat approval contained herein, or fails to comply with any other City codes and regulations in the development of Estrella Parcel 5.9, then the City Engineer, or designee, with respect to such property owner or developer may suspend the issuance of building or construction permits within the subdivision parcel in violation until the developer or homebuilder cures the item in default;
2. Common landscape and open space improvements within the platted parcel shall be completed upon issuance of the first certificate of occupancy for a dwelling unit with the plat for such parcel;
3. The CC&Rs for the subdivision shall be recorded prior to or concurrently with the final plat for this subdivision;
4. The developer shall post signage within all subdivision sales offices identifying the location of the Luke Air Force Base Accident Potential Zones (APZs), 65 Ldn and higher noise contours, and departure corridors, as well as the Phoenix-Goodyear Airport Traffic Pattern Area and noise contours per the Goodyear General Plan 2025 (Objective GD-2-4, Policy a). This display shall include a 24-inch by 36-inch map at the main entrance of such sales facilities and shall include the approximate locations of the homes being sold clearly depicted;
5. The following information shall be disclosed in the Public Sales Report and shall be provided in a separate waiver agreement, which shall run with the land, for each

initial homebuyer to sign: “This development is subject to attendant noise, vibrations, dust, and all other effects that may be caused by over-flights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport. The owner does release and discharge the City of Goodyear, developer, and homebuilder 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”;

6. The developer shall disclose in the Public Sales Report the existence of all utility easements and lines within the vicinity of this subdivision;
7. All residential buildings, perimeter wall details, open space, community amenities, landscaping and subdivision signage constructed in this subdivision shall be submitted to the Development Services Department for review and approval prior to submittal of any single family building permit application. Elevations shall conform to the city’s prevailing design guidelines;
8. The location of mail boxes is to be integrated within the development and their architectural design shall utilize the same type of building materials used throughout the subdivision. The location and design of the mail boxes shall be included within the landscape construction plans for this subdivision;
9. A lot with view fencing shall be required to have completed rear yard landscaping within 90 days of the issuance of a certificate of occupancy for the dwelling on that lot. Such requirement shall be placed within the CC&Rs for this subdivision;
10. Lots that have the three unit-townhomes shall have two-hour proprietary fire wall between each unit. The center unit shall be fire suppressed and provided with a gated five-foot access easement at the rear of one of the adjacent lots for Fire Department access in the locations noted on the plat;
11. Stormwater management facilities shall have an enforceable operation and maintenance agreement to ensure the system functions as designed. This agreement will include any and all maintenance easements required to access and inspect the stormwater management facilities, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater management facility. In addition, this agreement shall specify the parties responsible for the proper maintenance of all stormwater management facilities and shall be recorded prior to, or concurrent with, the recording of the final plat;
12. Prior to recording the final plat, an updated title report for the property shall be provided to the City and the ownership shown on the plat and in the title report must be reconciled and properly referenced on the final plat including the full legal name, type of corporation and state of incorporation;
13. Prior to recording the final plat, financial assurances must be in place per City Standards for all on-site and off-site improvements unless an alternate method of

assurance is authorized by a Development Agreement which shall be recorded prior to or concurrent with the final plat;

14. Prior to the recordation of the final plat, Rosewood Homes shall demonstrate to the City that adequate potable water resources exist to serve the proposed development in a manner consistent with the Northern Solutions Water Facilities Agreement, as amended;
15. All technical corrections to the final plat required by the City Engineer shall be made prior to recordation of the final plat;
16. Prior to recordation of the final plat, right-of way need for off-site improvements shall be dedicated in fee through a separate instrument in a form acceptable to the City Attorney and easements needed for off-site improvements shall be dedicated through a separate instrument in a form acceptable to the City Attorney. The conveyance instruments referred to herein shall include lender's consent and either a release for dedications in fee or agreements to subordinate the loan to an easement in the case of a dedication of an easement. All such dedications shall be duly noted on the final plat prior to recording;
17. No building permits shall be issued for vertical construction on lots encumbered with an existing Emergency Access Easement (E.A.E), Temporary Construction Easement (T.C.E.), Access and Utility Easement (A.U.E.), or Golf Course Easement (G.C.E.) until such easements have been abandoned or terminated by separate instrument;
18. Prior to recordation, the final plat shall be amended to include a lenders consent that releases from any deed of trust or mortgage any property that is to be dedicated to the City in fee in the Final Plat and subordinates any deed of trust or mortgage to any easements that is to be dedicated to the City in the Final Plat. The form of the consent shall be in a form approved by the City Attorney;
19. Prior to recordation, the following should be added to first page of the Final Plat:

Northern Solution Water Facilities Agreement

No building permits for vertical construction (i.e. ground up construction) shall be issued until the NNP Common Facilities (except for the NNP Well 2 Facilities) as those terms are defined in the Northern Solution Water Facilities Agreement dated as of March 2, 2012 recorded, in the official records of Maricopa County as instrument 2012 0179581 ("Northern Solutions Agreement") have been completed, except that the Director of Engineering or designee shall, in his/her sole discretion, be allowed to waive this prohibition to allow for the construction of model homes if the Director of Engineering or designee is satisfied with the progress towards the completion of the NNP Common Facilities

PURPOSE:

The final plat for Parcel 5.9 (Rosewood Golf Villas) consists of 28.1 acres that will be subdivided into 61 single family residential lots and 23 tracts located on the west side of Golf Club Drive, south of San Miguel Drive, within the Golf Village at Estrella PAD. The final plat is consistent with the land use, development standards, and density established by the Golf Village PAD. The final plat is consistent with the technical requirements of the City's Subdivision Regulations.

BACKGROUND AND COMMUNITY BENEFIT:**Current Policy:**

According to state and local laws, the subdivision of land must be reviewed and approved by the local governing body before recordation of a final plat. Approval of a final plat is valid for 90 days from the date of City Council approval.

Historical Information:

On May 10, 1999, the City Council adopted Ordinance No. 99-652 approving an amendment to the Estrella Greens PAD and Estrella Phase Two PAD to facilitate the development of the Golf Village PAD. The PAD designates the subject parcel as High Density Residential, which permits residential development at a density of 12 dwelling units per acre or greater.

A preliminary plat for Parcel 5.9 was originally approved by the City Council on December 10, 2007. This preliminary plat provided for 86 condominiums on 28.1 acres. However, the approval expired as a final plat for the parcel was not submitted within the 12-month approval period for preliminary plats. A preliminary plat for Parcel 5.9 (Rosewood Golf Villas) was approved by the City Council on April 28, 2014 for 61 lots to be developed with duplex and tri-plex structures. This request for a final plat is consistent with the approved Preliminary Plat.

Surrounding Properties:

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

- North – Golf course within the Golf Village PAD.
- South – Existing residential development within Parcels 91 and 95B of the Golf Village PAD.
- East – Golf course, Golf Club Drive and existing residential development within Parcel 91 of the Golf Village PAD and a utility easement containing overhead electrical lines, a high-pressure gas line and wastewater line.
- West – Golf course, existing residential development within Parcel 95A and proposed residential development within Parcel 5.5 of the Golf Village PAD.

Details of the Request:

The final plat for Parcel 5.9 consists of 28.1 acres that will be subdivided into 61 single family residential lots and 23 tracts. Although the existing zoning would allow development at 12 du/ac or greater, the proposed gross density is 2.17 du/a. The amount of open space proposed is 16.4 acres (58%). This includes all areas designated for active and passive use, as

well as all tracts designated for roads (2.98 acres) and utilities, including Tract R which is 11.78 acres largely encumbered by gas line and high voltage transmission line easements.

Attached single family homes are intended for this subdivision. With this design, each home will be located on its own lot but will share a common wall and property line with an adjoining home. The proposal includes configurations with both two-unit and three-unit attached homes.

The typical lot within the proposed subdivision will be approximately 50 feet wide and 120 feet deep. The proposed minimum setbacks are 18 feet for the front (10 feet for side-loaded garage) and 15 feet for the rear. The side setback is 5 feet for the unattached side while the attached sides have a zero setback. The unattached side of the units are also located adjacent to an open space tract of at least 10 feet wide or the street tract which provides greater separation between units. Lot coverage is 75%. The maximum building height is 30 feet or two stories.

Rosewood Homes is the intended developer of this subdivision. Examples of the proposed housing product are attached.

Staff Analysis and Findings:

The final plat is consistent with the land use, development standards, and density established by the Golf Village PAD. The final plat is consistent with the technical requirements of the City's Subdivision Regulations. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

The proposed development will provide additional housing opportunities within the City of Goodyear and a different type of housing product with smaller yards, which require less maintenance. The development of the property will provide an increase in the City's construction sales tax revenues.

DEPARTMENTAL/FUNCTIONAL IMPACTS:

Luke Air Force Base:

The subject property is not within the vicinity of Luke Air Force Base and the subdivision should have no impact on base operations. A general note will be included on the final plat to inform the public and homeowners of the military base and potential for over-flights.

Phoenix-Goodyear Airport:

The subject property is outside the traffic pattern airspace of the Phoenix-Goodyear Airport and the subdivision should have no impact on airport operations. A general note will be included on the final plat to inform the public and homeowners of the airport and potential for over-flights.

School Districts:

The subject property is located within the Liberty Elementary School District and the Buckeye Union High School District. The school districts have indicated that they have

adequate capacity to accommodate the projected new students within the Golf Village PAD, which this subdivision is a part.

Fire Department:

The subdivision will be served by Fire Station No. 182 located approximately one mile from the property. City staff continues to monitor development within this portion of Estrella with regards to the need for a new fire station to serve the area based on the recently adopted level of service criteria.

Solid Waste/Recycling:

In accordance with City of Goodyear standard solid waste collection policy, residential solid waste and recyclables collection will be provided curbside by the City.

Stormwater:

The conveyance of stormwater shall be in accordance with City of Goodyear Engineering Design Standards and Policies Manual.

Streets/Access:

All streets within this subdivision will be private and owned and maintained by the HOA. The subdivision will have one gated access point onto Golf Club Drive. To provide a second point of emergency access, an emergency access road is provided at the west end of Fairway Drive which connects to Estrella Parcel 5.5 to the west. All of the private streets will have a clear width of 25 feet from back of curb to back of curb. No parking will be allowed on the street and each unit will have two enclosed parking spaces and two open parking spaces on the driveway leading to the garage. There are also 16 guest parking spaces provided in the development, most of which are clustered near the common amenities area. A five-foot wide sidewalk will be provided on one side of the street on the side that connects to the common amenities area.

Water/Wastewater/Reclaimed Water:

This subdivision will be served by City of Goodyear water and wastewater utilities. The City and Newland Communities have entered into an agreement that will provide additional water supplies necessary to serve the Estrella area. The agreement also permits for the approval of final plats provided that certain conditions are fulfilled. These conditions include certain cash payments being made and certain improvements either being completed or guaranteed prior to the recording of the final plat. Newland Communities of Estrella has fulfilled most of these conditions, but has not completed all of the necessary improvements. It is contemplated that these improvements will be completed within the next six months in time to have a sufficient amount of potable water available for this future subdivision before the construction of homes will begin. Common areas will be watered with non-potable water through a private non-potable water system.

PREVIOUS ACTION AND DISCUSSION:

A preliminary plat for the subject parcel was approved by City Council on April 28, 2014.

FISCAL ANALYSIS:

No fiscal analysis was conducted on this subdivision plat.

ATTACHMENTS:

1. Aerial Photo Exhibit
2. Project Narrative
3. Final Plat
4. Landscape Plan
5. Architectural Drawings