

AGENDA ITEM # _____

DATE: August 31, 2015

COAC NUMBER: 15-5653

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

**SUBJECT: PRELIMINARY PLAT
FOR ESTRELLA MOUNTAIN
RANCH PARCEL 9.8**

CASE NUMBER: 14-500-00005

STAFF PRESENTER: Karen Craver,
AICP, Planner III

APPLICANT: Newland Communities,
Inc., represented by Pete Teiche

RECOMMENDATION:

Approve a preliminary plat for Estrella Mountain Ranch Parcel 9.8, subdividing 38.15 acres into 106 single family residential lots and 13 open space, landscape, and drainage tracts, generally located on the north side of West Calistoga Drive, west of South 184th Avenue, within the Estrella Mountain Ranch Villages VII and IX Planned Area Development (PAD), subject to the following stipulations:

1. The subdivision shall be developed in compliance with the City of Goodyear Zoning Ordinance, Subdivision Regulations, and Engineering Design Standards for Public Works Construction, Maricopa Association of Governments (MAG) Standards for Public Works Construction and all other applicable codes and ordinances. All development on the subject property shall comply with the prevailing City of Goodyear Design Guidelines;
2. Compliance with the development standards, design guidelines, design concepts, and other provisions contained within the Estrella Mountain Ranch Villages VII and IX Planned Area Development (PAD) as adopted by Ordinance No. 04-917 and the stipulations thereto; compliance with the Montecito Phase 3 PAD Amendment as adopted by Ordinance No. 08-1114 and the stipulations thereto; and compliance with the Estrella Mountain Ranch Villages VII and IX Planned Area Development (PAD) Amendment as adopted by Ordinance No. 14-1295 and the stipulations thereto; except as modified herein;
3. If the developer fails to comply with any of the stipulations contained within Ordinance No. 04-917, the stipulations contained within Ordinance No. 08-1114, and the stipulations contained within Ordinance No. 14-1295, or fails to comply with any other City codes and regulations in the development of the property, then the City Engineer, or designee, may suspend the issuance of building and construction permits for the project until the developer cures the item in default;

4. Prior to final plat approval, Newland Communities shall demonstrate to the City that adequate potable water resources exist to serve the proposed development pursuant to the Northern Solutions Water Facilities Agreements;
5. The location of all fire hydrants and access ways for emergency equipment shall be reviewed and approved by the Fire Chief, or his designee, prior to commencement of any vertical construction within the subdivision;
6. The developer shall dedicate all necessary rights-of-way and utility easements in form and substance acceptable to the Engineering Department, with the final plat for the property;
7. Prior to final plat recordation, all of the following conditions must be met:
 - a. All construction plans for onsite and offsite infrastructure have been reviewed and approved by the Engineering Department;
 - b. A “for reference only” construction plan set for the offsite Calistoga full width street improvements and associated utility infrastructure from the South 186th Avenue driveway to the west property line has been reviewed and approved by the Engineering Department. The plan set will be approved “for reference only” and the project is not required to install the improvements as part of the Parcel 9.8 subdivision improvements. The plan set is needed to ensure the future street improvements coordinate with the subdivision improvements. The plan set should have the same level of detail as other offsite infrastructure construction plans that are required with the subdivision improvements;
 - c. All required financial assurances are in place. Performance bonding or letters of credit will be required to be provided to the City in the amount of 100% of the cost for the offsite and onsite improvements that have been identified as being the responsibility of the developer;
8. Prior to final plat recordation, a stormwater maintenance agreement prepared pursuant to Section 9.1.3.C.11.b. of the Engineering Design Standards & Policy Manual (EDS&PM) must be submitted to and approved by the Engineering Department;
9. Prior to final approval of grading and drainage construction, the developer shall submit a copy of a field percolation test that verifies the north retention basin drains within a 36-hour time frame. The field percolation test shall not occur until the retention basin is final graded and lined with decomposed gravel;
10. The developer shall provide financial assurance in a form and amount acceptable to the City to cover the costs to correct any stormwater erosion and disposal problems (i.e. retention basins that do not drain within a 36-hour time frame) that may arise during the first 5 years following the completion of the initial project construction. A cost estimate detailing an alternative method to dispose of retained stormwater runoff, such as gravity bleed off system or a pumping system, shall be submitted to the City for review with the first construction document

submittal. The City will use the cost estimate in determining the appropriate final assurance amount. This financial assurance must be submitted with the warranty bond prior to issuance of the acceptance of construction letter and commencement of the warranty period;

11. Prior to final plat approval, the developer shall submit to the Engineering Department a current phase 1 environmental assessment designating the City of Goodyear as a named party to whom such assessment is delivered and to whom such certification is made;
12. Prior to final plat approval, the developer shall submit a copy of the Conditions, Covenants and Restrictions (CC&Rs) associated with the proposed development pertaining to the establishment of a Property Owners Association for review;
13. The owner and/or Property Owners Association shall be responsible for the maintenance of all landscape tracts or easements within the subdivision, and a corresponding note shall be provided on the final plat and in the CC&Rs;
14. A current soils report, prepared pursuant to EDS&PM Section 4.1.9.B.1, must be included with the first civil construction document submittal;
15. The final water report shall include the results of a fire flow test performed within 6 months of the first civil construction document submittal. The connection to the existing water system shall be represented as a reservoir and a theoretical pump with a 3-point characteristic curve based on static and residual pressure obtained during a two-hydrant flow test near the connection point;
16. Prior to the issuance of any site construction permit, a letter from the owner of the existing gas easement must be submitted to the Engineering Department stating that the proposed waterline construction and associated easement at the crossing of the existing gas main is acceptable;
17. At the time of development, the developer shall place all new or existing utilities underground, except power lines 69 kV or larger;
18. The developer shall control dust as required by the State, City, and the County Bureau of Air Pollution on temporary access ways with a dust proof road surface and throughout the site during construction; and
19. Common landscape improvements and landscape improvements along the roadways shall be assured prior to recording of the final plat and completed prior to issuance of any certificate of occupancy for any new building within such final plat.

PURPOSE:

The applicant, Newland Communities, Inc., is requesting approval of the preliminary plat for Estrella Mountain Ranch Parcel 9.8, subdividing 38.15 acres into 106 single family residential

lots and 13 open space, landscape, and drainage tracts. The preliminary plat is consistent with the requirements of the City's Subdivision Regulations and the development standards of the Estrella Mountain Ranch Villages VII and IX Planned Area Development (PAD). The proposed density is consistent with the City's General Plan, and the development will be compatible with the surrounding area.

BACKGROUND AND COMMUNITY BENEFIT:

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 and other public facilities necessary to serve the subdivision. An approved preliminary plat expires 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.

Historical Information:

On October 12, 2004, the City Council adopted Ordinance No. 04-917 amending the previously approved Estrella Phase II Final PAD and approving the Estrella Villages VII and IX Planned Area Development (PAD) within which Parcel 9.8 is located. That PAD Amendment allocated 97 units to Parcel 9.8.

On May 12, 2008, by adopting Ordinance No. 08-1114, the City Council approved an amendment to the Estrella Villages VII and IX PAD, identified as the Montecito Phase 3 PAD Amendment. Citing changes in market conditions, the amendment reallocated the number of planned dwelling units within many of the development parcels in Estrella Villages VII and IX. In particular, the amendment included reducing the number of dwelling units allocated to Parcel 9.8 from 97 to 79 units. At the same meeting, the City Council also approved a preliminary plat for the 79 single family residential lots. However, the preliminary plat has since expired since a final plat was not submitted within the 12-month approval period for preliminary plats.

On May 19, 2014, the City Council adopted Ordinance No. 14-1295 again amending the Estrella Villages VII and IX Planned Area Development (PAD). The amendment, proposed to once again address market conditions, increased the number of dwelling units allocated to Parcel 9.8 from 79 to 110 units. The amendment also modified the minimum aggregate side yard setbacks for Parcel 9.8 from 20 feet to 15 feet. The Parcel 9.8 preliminary plat currently under consideration for approval includes 106 single family residential lots and 13 open space, landscape, and drainage tracts.

Surrounding Properties:

Land uses and existing zoning surrounding Parcel 9.8, include the following:

- **North:** Undeveloped lands within Estrella Phase II, zoned PAD and planned for single family residential development
- **East:** Developed single family residential lots within Coronado Village at Estrella Mountain Ranch, zoned PAD
- **South:** Calistoga Drive and undeveloped land within Montecito Village at Estrella Mountain Ranch, zoned PAD and planned for single family residential development
- **West:** An electric transmission line corridor and undeveloped lands within Estrella Phase II, zoned PAD and planned for single family residential development

Details of the Request:

Newland Communities is requesting approval to subdivide the 38.15-acre Parcel 9.8 into 106 single family lots and 13 open space, landscape and drainage tracts for a resulting density of 2.78 dwelling units per acre. Newland is proposing a minimum 7,200-square foot lot, exceeding the City's R1-6 Zoning District minimum of 6,000 square feet, and a minimum 60-foot lot width and a minimum 120-foot lot depth, exceeding the R1-6 minimum of 60 x 100.

There will be two points of access to Parcel 9.8 constructed off the north side of the westward extension of Calistoga Drive. The developer will construct the Calistoga Drive extension, as well as all street infrastructure internal to Parcel 9.8, in accordance with City Engineering & Design Standards. The Calistoga extension and the internal streets will be dedicated to the City.

Development of Parcel 9.8 will include approximately 9.9 acres (26% of the parcel) of open space, landscape and drainage, as well as area for water and sewer easements. Amenities proposed within Parcel 9.8 include a pocket park with a ramada and a shaded tot lot. Pedestrian connections will also be provided to adjacent neighborhoods and to surrounding trails. A Homeowners Association (HOA) will maintain all community open space tracts, amenities, and right-of-way landscaping.

Staff Analysis and Findings:

The Parcel 9.8 preliminary plat is consistent with Estrella Villages VII and IX Planned Area Development (PAD) and the Single Family Detached Executive Residential land use designation within the PAD. The Parcel 9.8 preliminary plat is also consistent with the Neighborhood Residential land use designation as specified on the City General Plan Land Use Map, and with the City Subdivision Regulations. The provision of open space for both active recreation and for passive recreation, as well as pedestrian connections to adjacent neighborhoods and to surrounding trails, is consistent with the goals established within the Parks, Recreation, Trails, and Open Space Master Plan.

FUNCTIONAL/DEPARTMENTAL IMPACTS

Luke AFB:

Parcel 9.8 is not located in proximity to Luke AFB but it is located within a departure corridor. It is anticipated that the proposed development of the property will not adversely impact base operations, nor will Parcel 9.8 be adversely impacted. However, a general note will be included on the final plat to inform the public and homeowners of base operations and the potential for over-flights. The existing PAD also contains a stipulation that requires the developer to inform future residents of base operations and the potential for attendant noise.

Phoenix-Goodyear Airport:

Parcel 9.8 is outside the traffic pattern airspace of the Phoenix-Goodyear Airport and the proposed development 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. The existing PAD also contains a stipulation that requires the developer to inform future residents of airport operations and the potential for attendant noise.

Fire/Response Time:

Parcel 9.8 will initially be served by Fire Station No. 182 located at the intersection of Estrella Parkway and Spring Drive. The Fire Department will continue to monitor response times in Estrella as an additional fire station is planned to the south near the intersection of Willis Road and Rainbow Valley Road, when it is warranted.

Schools:

Parcel 9.8 is located within the Liberty Elementary School District and the Buckeye Union High School District. The preliminary plat will facilitate the development of previously approved single family residential dwelling units accounted for in 2008, with an amendment to the Estrella Villages VII and IX PAD. The 2008 amendment, identified as the Montecito Phase 3 PAD Amendment, established a maximum number of residential units that are being distributed throughout the various parcels in Villages VII and IX. The development of Parcel 9.8 will not alter or impact existing or planned school facilities.

Open Space:

Parcel 9.8, part of The Estrella Villages VII and IX PAD, borders the Coronado Village and Montecito Village sections of the PAD that identified locations for neighborhood parks to serve this area of Estrella. Provisions for the continuation of access from existing development to the east through Parcel 9.8 and the adjacent Parcel 9.9, to the mountainous open space areas within and north of Parcel 9.9, have been included on the preliminary plat. Additional open space and a pocket park within Parcel 9.8 itself have also been included on the preliminary plat.

Solid Waste:

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:

Parcel 9.8 is required to address stormwater management in accordance with City Engineering & Design Standards. Stormwater management improvements for Parcel 9.8 include retention basins and open space improvements for the management of stormwater within and through

Parcel 9.8. The preliminary drainage report submitted with the preliminary plat will be finalized for submittal with the final plat.

Streets/Transportation:

Two points of access to Parcel 9.8 will be constructed off the north side of the westward extension of Calistoga Drive. The developer will be required to construct all street infrastructure identified as being needed for the development of Parcel 9.8, in accordance with City Engineering & Design Standards.

Water/Wastewater/Reclaimed Water:

Parcel 9.8 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 Parcel 9.8 preliminary plat has been found to be in conformance with the terms of that agreement such that the agreement provides that preliminary plats may be approved provided that certain conditions are fulfilled, including payments being made to the City and improvements either being completed or financially guaranteed prior to recording of the final plat. The developer has fulfilled these conditions and has sufficient water available for Parcel 9.8. Common areas will be watered with non-potable water through a private non-potable water system.

PREVIOUS ACTIONS AND DISCUSSION:

Planning and Zoning Commission Meeting:

The Planning and Zoning Commission considered the Parcel 9.8 preliminary plat for recommendation at its regular meeting of August 19, 2015. The Commission voted unanimously (5 to 0) to recommend approval of the preliminary plat, subject to the stipulations contained in the staff report.

FISCAL IMPACT:

The development will be responsible for extending and constructing all infrastructure necessary to serve the site. Additional revenue initially will be generated through the payment of construction sales taxes and development impact fees, but residential development generally has a net negative impact on the City General Fund.

ATTACHMENTS:

1. Aerial Photo
2. Preliminary Plat