

AGENDA ITEM #: _____

DATE: February 22, 2016

COAC #: 16-5760

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

**SUBJECT: ESTRELLA COMMONS
PRELIMINARY PLAT**

STAFF PRESENTER: Katie Wilken,
Planning Manager

CASE NO: 14-500-00001

COMPANY

CONTACT: Laura Ortiz, Evergreen
Development

RECOMMENDATION:

Approve a Preliminary Plat for Estrella Commons, subdividing 105.6 acres into 365 single family lots, generally located southeast of Interstate 10 and Estrella Parkway (the “Property” or “Project”), subject to the following stipulations:

1. Compliance with those conditions stated in Section II of Ordinance No. 15-1321, rezoning the land being developed as Estrella Commons;
2. The applicable zoning and preliminary plat stipulations regarding residential design and development shall be included as notes on the final plat;
3. A raised median is required along the frontage of the QuikTrip Parcel. There shall be no median break at the westernmost driveway (right in, right out movements only) in the final construction documents.
4. Design and construct street improvements for Estrella Parkway along the project frontage, defined as the length between Roosevelt Street and Fillmore Street, in accordance with the recommendations for the Single Family Residential scenario described in the Traffic Impact Analysis (TIA). Show the existing median in Estrella Parkway on all applicable construction drawings.
5. If the Developer proposes to have one final plat for the entire preliminary platted area and multiple construction phases, a separate phasing plan shall be submitted to Engineering for review and approval prior to the first submission of the construction drawings. The phasing plan shall identify all proposed infrastructure improvements needed to support each phase.
6. The developer is responsible for the cost of the adjacent Van Buren Street improvements in the amount of \$64,404.99 as established by the City Cost Recovery Ordinance 06-1090. The developer shall remit payment prior to recordation of the first final plat subdividing all or part of the Property.

7. This development is responsible for 50% of the cost to install the traffic signal at the intersection of Estrella Parkway & Roosevelt Street as further clarified by the letter from the City of Goodyear dated March 4, 2008, included as Exhibit C of Ordinance 15-1321. If the traffic signal is warranted when the first building permit for development within the Property is pulled, the traffic signal shall be constructed in connection with the commencement for vertical construction, otherwise, an in-lieu payment shall be paid for the cost of the traffic signal as estimated by the Director of Engineering or his/her designee as a condition of issuing the first building permit within the Property.
8. The developer is responsible for 50% of the Estrella Parkway median landscaping in the amount of \$31,020.00 as established by the City Special Public Improvements Resolution 04-934. The developer shall remit payment prior to recordation of the first final plat subdividing all or part of the Property.
9. All subdivisions improvements shall be designed to avoid conflict with RID facilities in accordance with City and RID requirements. RID approval for said improvements shall be obtained as necessary.
10. Drainage easements shall be acquired to convey storm water drainage from the project into Bullard Wash from the City of Goodyear and the property owner of the Snyder's of Hanover location. The developer shall acquire these easements to support the proposed drainage solution prior to the approval of the grading plans and recordation of the first final plat subdividing all or part of the Property.
11. A drainage easement shall be acquired to convey storm water drainage from the future commercial properties through the Phase 1 single family development along the W. Pierce Street alignment. This drainage easement shall be reflected in the grading plans and final plat prior to approval of the grading plans and final plat that includes single family development along the W. Pierce Street alignment.
12. The final drainage report shall address how the drainage from the project frontage along Estrella Parkway between Roosevelt Street and Fillmore Street is currently being retained. If it is not already retained off the project site, developer shall design on-site retention basins, which shall be included in the construction drawings and constructed with the Estrella Parkway improvements.
13. All landscaping tracts and common areas for this Project shall be maintained by a Homeowners Association and/or Property Owners Association, which is to be formed prior to the recordation of the first final plat subdividing all or part of the Property.
14. An access and maintenance easement and/or agreement shall be coordinated with the owner of the land adjacent to the rear property lines of Lots 236, 237, 238, and 239. The developer shall acquire this easement and/or agreement and provide it to the City with the final plat that includes Lots 236, 237, 238, and 239.

15. Prior to the issuance of any civil construction permits, a performance bond or letter of credit shall be provided by the subdivider to cover 100% of the cost of all the off-site and on-site improvements that have been identified as being the responsibility of the subdivider;
16. The developer, property owner, successors and/or assigns shall provide for a waiver agreement which shall run with the land for each initial homebuyer to sign and shall include the following statement in the waiver agreement: “Estrella Commons may be 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 Luke Air Force Base and/or the Phoenix-Goodyear Airport. The Buyer does release and discharge the City of Goodyear, the Owner, 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;”
17. The Public Sales Report and final plat shall include a statement that “Estrella Commons may be 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 Luke Air Force Base and/or the Phoenix-Goodyear Airport;”
18. The Public Sales Report and final plat shall include a statement that Estrella Commons is adjacent to land designated for development as commercial and /or multi-family uses and may be subject to potential noise intrusion, vibrations, dust, and all other effects that may be associated with such uses. The developer or successor shall provide for a waiver agreement, which shall run with the land, for each initial homebuyer to sign, and shall include the following statement in the waiver agreement, “Estrella Commons is adjacent to land designated for development as commercial and /or multi-family uses and may be subject to potential noise intrusion, vibrations, dust, and all other effects that may be associated with such uses. The Buyer does release and discharge the City of Goodyear, the Owner, Developer, and the Homebuilder from any liability from any claims for future damages to persons or property, or complaints of any kind, that may arise at any time in the future from the development of such property with commercial and /or multi-family uses.”
19. The Public Sales Report and final plat shall include a statement that “Estrella Commons is in close proximity to agricultural uses and may be subject to attendant noise, dust, and odors associated with such uses;”
20. The Public Sales Report and final plat shall include a statement that Estrella Commons is in proximity to Interstate 10 and may be subject to potential noise intrusion, vibrations, dust, and all other effects that may be caused by said roadway. The developer, property owner, successors and/or assigns shall provide for a waiver agreement which shall run with the land, for each initial homebuyer to sign, and shall include the following statement in the waiver agreement: “Estrella Commons is in close proximity to the Interstate 10 (I-10) and may be subject to potential noise intrusion, vibrations, dust, and all other effects that may be caused by said roadway. Buyer does release and discharge

the city of Goodyear, the Owner, Developer and Homebuilder from any liability from any claims for future damages to persons or property or complaints of any kind that may arise at any time in the future from the operation of Interstate 10 (I-10).

21. For any single-family residential land uses within the PAD, the developer shall submit a copy of the legal documents establishing the responsibility of a Homeowners Association and/or Property Owners Association for the landscaping and maintenance of tracts and common areas within the Property, and imposing any restrictive covenants associated with the development for City Staff review and comment prior to approval of any final plat subdividing all or part of the Property that includes residential development;
22. Single-family detached dwelling units with the same elevation or color scheme within the Estrella Commons PAD shall not be placed side-by-side or across the street from each other, unless the elevation is fundamentally different as determined by the Development Services Director, or his designee;
23. The Developer shall de-emphasize the garage element of all dwelling units by using techniques such as front porches and livable areas of the home that project forward the garage, side entry or recessed garages, or other design elements acceptable to the Development Services Director, or his designee;
24. The developer shall have a separate waiver agreement signed by the homeowner that recognizes that "Estrella Commons is subject to attendant noise and visible intrusion from Interstate 10";
25. Dwelling units located on lots that front a T-intersection shall be configured so that the non-livable portions of the dwelling face oncoming traffic. The final plat for Estrella Commons shall contain a note listing all lots subject to this stipulation;
26. Open space improvements and associated amenities located within a phase of development shall be substantially completed upon issuance of the first Certificate of Occupancy for any single-family dwelling unit within that phase; and,
27. Enhanced landscaping shall be provided north of the residences located adjacent to Interstate 10 to reduce impacts of noise, dust, and odors associated with the use.

PURPOSE:

This is a request to subdivide 105.6 acres into 365 single family lots and 39 tracts at the southeast corner of Interstate 10 and Estrella Parkway to facilitate the development of Estrella Commons.

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, open space and other public facilities necessary to serve the site.~~

Historical Information:

~~On October 23, 2006, City Council adopted Ordinance 06-1033 approving the 150-acre Estrella Commons PAD. On April 13, 2015, City Council adopted Ordinance 15-1321 by a 5-2 vote which replaced Ordinance 06-1033 and approved the Preliminary and Final PAD for Estrella Commons. The Estrella Commons PAD is a planned mixed-use development to include a range of residential densities, commercial, and office uses.~~

Surrounding Properties:

~~Land uses surrounding the subject property include the following:~~

- ~~• North — Interstate 10.~~
- ~~• South — Estrella Crossroads commercial center and the Rancho Mirage single-family residential neighborhood.~~
- ~~• East — Bullard Wash.~~
- ~~• West — Estrella Parkway and then the Canyon Trails Plaza Phase II and the Parkway Village commercial center.~~

Details of the Request:

~~This is a request to subdivide 105.6 acres into 365 single-family lots and 39 tracts at the southeast corner of Interstate 10 and Estrella Parkway to facilitate the development of Estrella Commons. The property is located along Interstate 10. A sound wall and 80-foot buffer with enhanced landscape that includes a minimum of 24-inch box trees approximately every 20 feet have been provided between Interstate 10 and the future residential development.~~

DEPARTMENTAL/FUNCTIONAL IMPACTS:

Phoenix-Goodyear Airport:

~~The commercial use of the property will not negatively impact the operations at the Phoenix-Goodyear Airport. The property is outside the traffic pattern airspace of the Phoenix-Goodyear Airport. The development should have no impact on airport operations.~~

Luke Air Force Base:

~~The commercial use of the property will not negatively impact the operations at Luke Air Force Base.~~

Fire Response:

The subject property will be served by Fire Station No. 184 located at 16161 West Yuma Road, which is approximately 2 miles southwest of the property, or Fire Station No. 185 at PebbleCreek Parkway and Clubhouse Drive which is also approximately 2 miles north of the property. Estrella Commons is located within the 4-6 minute response time. A Fire Response Map is attached to this staff report.

Police Response:

Estrella Commons is surrounded by existing development and is located in an existing patrol beat.

Electric Impact:

Electric service will be provided by APS.

Schools Impact:

Estrella Commons is located within the Avondale Elementary School District and the Agua Fria Union High School District.

Solid Waste Impact:

Residential solid waste collection will be provided at curbside by the city of Goodyear in accordance with standard solid waste collection policy. Non-residential solid waste collection will be provided by a private contractor.

Stormwater Impact:

The developer will be required to retain all stormwater drainage generated by this development on the site. Off-site flows that currently pass through the site will need to be accommodated.

Streets/Transportation/Access Impact:

Access to Estrella Commons will be provided by the adjacent roadways of Estrella Parkway and Van Buren Street. Internal circulation will be provided by a system of collector and local roadways that are proposed as public streets.

Water/Wastewater Impact:

The city of Goodyear will provide water and wastewater service to Estrella Commons.

PREVIOUS ACTIONS AND DISCUSSION:

On April 13, 2015, City Council adopted Ordinance 15-1321 by a 5-2 vote which replaced Ordinance 06-1033 and approved the Preliminary and Final PAD for Estrella Commons.

Planning and Zoning Commission Meeting:

The Planning and Zoning Commission is set to consider this preliminary plat at its regular meeting on February 17, 2016. An update of the meeting and recommendation will be provided to City Council at the City Council meeting.

FISCAL ANALYSIS:

~~No fiscal impact analysis was performed on this item. The future development of the subject property will result in the city receiving construction sales tax revenues.~~

ATTACHMENTS:

- ~~1. Aerial Photo Exhibit~~
- ~~2. Preliminary Plat~~
- ~~3. Fire Response Analysis~~