

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

DATE: March 6, 2017

COAC #: 17-6009

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

**SUBJECT: Preliminary plat for  
PebbleCreek Phase II Unit 48**

**STAFF PRESENTER:** Alex Lestinsky,  
Planner II

**CASE NUMBER:** 16-500-00009

**APPLICANT:** Jeff Uhrick, B&R  
Engineering

**PROPOSED ACTION:**

Approve a preliminary plat for PebbleCreek Phase II Unit 48, subject to the following stipulations:

1. Compliance with the stipulations stated in Section II of Ordinance Nos. 98-620 and 98-621, the ordinances rezoning the land being developed as PebbleCreek Phase II.
2. The Developer 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: "Pebble Creek Golf Resort Phase II 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; and the Owner does further release and discharge the City of Goodyear and PebbleCreek Properties Limited Partnership and Robson Communities 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;"
3. The public sales report and final plat shall include a statement that Pebble Creek Phase II Unit 48 is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport;
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. This display shall include a twenty-four by thirty-six inch (24"x36") map at the sales facility, be clearly visible on the wall, and shall include the approximate locations of the homes or apartments being sold or leased clearly depicted. The required contents of the map shall be provided by the City of Goodyear;
5. The following information shall be disclosed in the public sales report and final plat: Pebble Creek Phase II Unit 48 is in proximity to the Loop 303 freeway and may be subject to potential noise intrusion, vibrations, dust and all other effects that may be caused by said freeways and the construction of thereof;

6. The Developer shall have a separate waiver agreement signed by the homeowner that recognizes that “Pebble Creek Phase II Unit 48 is subject to attendant noise and visible intrusion from Interstate 10 and the Loop 303;
7. For all Units within Pebble Creek Phase II, a note shall be provided on the final plat and the public sales report acknowledging that the development is in close proximity to the Arizona Motorsports Park, generally located at Camelback and Reems Roads, and may be subject to noise intrusion
8. The plat shall comply with the Subdivision Regulations and all other applicable codes and ordinances, except as otherwise approved with the PebbleCreek Development Agreement;
9. Streets within the subdivision shall be privately owned and maintained. The Developer and/or Homeowner’s Association shall bring the streets to current City standards in the event that a request is made to dedicate the streets to the City of Goodyear; and,
10. If the following stipulations are applicable to any lots within the subdivision, the final plat for PebbleCreek Phase II Unit 48 shall include the following as notes:
  - a. Corner lots are limited to one-story homes unless a minimum 10-foot wide landscape strip is provided, or the lot is at least 10 feet wider than the minimum lot width required.
  - b. 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.
  - c. Driveways upon key lots shall be located on the opposite side of the lot from the view obstruction.

### **BACKGROUND AND PREVIOUS ACTIONS:**

The property was rezoned on August 24, 1998, with the second phase of PebbleCreek Golf Resort (Ordinance Nos. 98-620 and 98-621), allowing for residential development on this parcel.

### **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:**

The request is subdividing 46.76 acres into 130 single-family lots and 11 tracts. The proposed gross density is 2.78 dwellings per acre. The site will be accessible from Clubhouse Drive onto

Merrell Street, and will connect to the existing Monterey Way from the north. Other future access points include 164<sup>th</sup> Avenue and Catalina Drive.

Surrounding properties include:

- North – Future PebbleCreek parcel, not yet subdivided
- East – Subdivided Parcel 44, currently being developed and used for model homes
- South – Future PebbleCreek parcel, not yet subdivided
- West – Future PebbleCreek parcel, not yet subdivided

**Luke Air Force Base and Phoenix-Goodyear Airport:**

The subject property is located in the vicinity of Luke Air Force Base and the Phoenix-Goodyear Airport Traffic Pattern Airspace. A stipulation has been included to require a general note on the final plat to inform the public and homeowners of base and airport operations and the potential for attendant noise and potential over-flights.

**Fire Department:**

The parcel will be served by Fire Station 185 which is located approximately 1.2 miles from the subject property. Emergency response times to Unit 48 are within 3-4 minutes.

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#185	3.36	1.18	3.37	1.19	#183	10.93	4.96	10.93	4.96

**RECOMMENDATION:**

Staff finds that the preliminary plat is compatible with the surrounding area and consistent with the land use, zoning standards and technical requirements of the city's Subdivision Regulations, Design Guidelines, and the exceptions as established by the PebbleCreek Development Agreement and Planned Area Development. The Planning and Zoning Commission will review this item at their February 22, 2017 meeting. An update on their recommendation will be provided at the City Council meeting.

**ATTACHMENTS:**

1. Aerial Photo
2. Preliminary Plat