

**CITY OF GOODYEAR  
COUNCIL ACTION REPORT**

<b>SUBJECT: Crestwood at Canyon Trails Preliminary Plat</b>	<b>STAFF PRESENTER:</b> Karen Craver, AICP Planner III
	<b>CASE NUMBER:</b> 17-500-00013
	<b>OTHER PRESENTER:</b> Daniel Hemken, P.E., Mattamy Homes

**PROPOSED ACTION:**

Approve the preliminary plat for Crestwood at Canyon Trails subdividing approximately 24 acres into 90 single family lots and 11 tracts, subject to the following stipulations:

1. Compliance with the stipulations contained in Ordinance No. 99-776 rezoning the subject property Preliminary Planned Area Development (PAD) Mixed Uses to Final Planned Area Development (PAD) Mixed Uses;
2. The development is responsible for completing the ultimate half-width street improvements for both S.173<sup>rd</sup> Avenue and W. Lilac Street along the entire development frontage. Said improvements shall include, but not be limited to, sidewalk, street frontage landscape and landscape irrigation, and street lights;
3. Per the city of Goodyear Zoning Ordinance, Article 9, sound attenuation improvements are to be constructed per an approved noise study when any part of a residential development is constructed within five hundred (500) feet of the future Loop 303 planned right-of-way boundary. If it is determined by the Arizona Department of Transportation (ADOT) that they are obligated to construct the noise walls as shown on Figure 1 of the approved noise study for Crestwood at Canyon Trails dated March 2018 (wall sections W2A and W2B), then Crestwood at Canyon Trails is only responsible for the single 8'6" boundary/noise wall as identified in the referenced noise study. If ADOT is not obligated to construct noise walls W2A and W2B then a revised noise study shall be reviewed and approved by the city. It should be noted that in the latter case, no certificates of occupancy for the subdivision shall be issued until the wall has been constructed.
4. Prior to a final plat being taken to Council for approval, a copy of a permit from Maricopa County Flood Control District or a copy of plans approved by the Maricopa County Flood Control District allowing for the discharge into the district's Loop 303 Outfall System shall be provided to the city. Prior to recordation of the final plat, a copy of a permit from Maricopa County Flood Control District allowing for the discharge into the district's Loop 303 Outfall System shall be provided to the city. If owner is unable to get a permit from the Maricopa County Flood Control District, then 100% of the storm water from a 100-year, 6 hour storm event plans shall be required to be retained onsite. If

the changes to the final plat needed to accommodate the on-site retention impact the number of lots or otherwise result in a substantive change to the preliminary plat, owner shall need to submit for a new preliminary plat; and

5. Tract B on the final plat shall:

- a) reflect the City's ownership of Tract B and the HOA's maintenance responsibility for Tract B in the Tract Table
- b) include the following language for the dedication of public streets:

\_\_\_\_\_*(INSERT DEVELOPER'S CORPORATE NAME)*\_\_\_\_\_, INCLUDING ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER, HEREBY DEDICATES, GRANTS, AND CONVEYS TO THE CITY OF GOODYEAR THE STREETS AND TRACT B, IN FEE, SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

- c) include the following language for the declaration of purpose and dedication of Tracts:

\_\_\_\_\_*(INSERT OWNER'S CORPORATE NAME)*\_\_\_\_\_, INCLUDING ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER, HEREBY DECLARES ALL TRACTS WITHIN THE FINAL PLAT, EXCEPT FOR TRACT B, AS COMMON AREAS FOR THE USE AND ENJOYMENT OF THE OWNERS WITHIN \_\_\_\_\_*(CORPORATE NAME OF HOA)*\_\_\_\_\_ AND SUBJECT TO THE COVENANTS AND EASEMENTS HEREIN, DEDICATES TO \_\_\_\_\_*(INSERT CORPORATE NAME OF HOA)* ALL TRACTS WITHIN THE SUBDIVISION, EXCEPT FOR TRACT B, FOR THE PURPOSES INDICATED HEREIN AND AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

- d) include the following language regarding the HOA's maintenance of the landscaping in the median:

IN CONSIDERATION OF THE CITY'S AGREEMENT TO ALLOW THE CONSTRUCTION OF A MEDIAN AND INSTALLATION OF LANDSCAPING WITHIN TRACT B, \_\_\_\_\_*(INSERT CORPORATE NAME OF HOA)*\_\_\_\_\_ HEREBY EXPRESSLY AGREES THAT IT SHALL, AT ITS SOLE COST, MAINTAIN AND REPLACE LANDSCAPING WITHIN THE TRACT B, INCLUDING PROVIDING ALL WATER NEEDED FOR THE MAINTENANCE OF SUCH LANDSCAPING. \_\_\_\_\_*(INSERT CORPORATE NAME OF HOA)*\_\_\_\_\_ SHALL OBTAIN ALL PERMITS AS MAY BE REQUIRED BY THE CITY FOR UNDERTAKING WORK WITHIN CITY RIGHT-OF-WAY. \_\_\_\_\_*(INSERT CORPORATE NAME OF HOA)*\_\_\_\_\_ EXPRESSLY AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICERS, ELECTED OFFICIALS, EMPLOYEES AND AGENTS FOR ALL CLAIMS ARISING FROM OR ALLEGED TO HAVE

ARISEN FROM THE LANDSCAPING, INCLUDING THE FAILURE TO MAINTAIN SUCH LANDSCAPING, WITHIN THE MEDIAN. EXCEPT AS PROVIDED HEREIN, \_\_\_\_\_ (*INSERT CORPORATE NAME OF HOA*) \_\_\_\_\_ SHALL BE RESPONSIBLE FOR TAKING ACTION TO REMEDY ANY UNSAFE CONDITION IDENTIFIED BY THE CITY WITHIN THREE (3) BUSINESS DAYS AFTER BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY. THE CITY SHALL BE ENTITLED TO REMEDY ANY UNSAFE CONDITION RESULTING FROM THE LANDSCAPING WITHIN THE MEDIAN IF THE CITY ENGINEER OR HIS/HER DESIGNEE IN HIS/HER REASONABLE DISCRETION DETERMINES THAT THE SAFETY OF THE PUBLIC REQUIRES THAT THE UNSAFE CONDITION BE REMEDIATED BEFORE THREE (3) BUSINESS DAYS OF ITS DISCOVERY; AND THE CITY SHALL BE ENTITLED TO REMEDY ANY UNSAFE CONDITION RESULTING FROM THE FAILURE OF \_\_\_\_\_ (*INSERT CORPORATE NAME OF HOA*) \_\_\_\_\_ TO REMEDY THE UNSAFE CONDITION WITHIN THREE (3) BUSINESS DAYS OF BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY. IN THE EVENT THE CITY EXERCISES ITS RIGHT TO REMEDY UNSAFE CONDITIONS AS PROVIDED HEREIN, \_\_\_\_\_ (*INSERT CORPORATE NAME OF HOA*) \_\_\_\_\_ SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN DOING SO. SHOULD THE HOA FAIL TO MAINTAIN THE LANDSCAPING WITHIN TRACT B AS PROVIDED HEREIN, THE CITY SHALL BE ENTITLED TO REMOVE THE LANDSCAPING AND OR REMOVE THE LANDSCAPING AND MEDIAN, AND \_\_\_\_\_ (*INSERT CORPORATE NAME OF HOA*) \_\_\_\_\_ SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN SUCH REMOVAL. IN ANY DISPUTE UNDER THIS AGREEMENT, THE SUCCESSFUL PARTY SHALL BE ENTITLED TO COLLECT ITS REASONABLE ATTORNEYS' FEES, AND OTHER COSTS AS DETERMINED BY A COURT OF COMPETENT JURISDICTION.

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

On December 13, 1999, the City Council adopted Ordinance No. 99-676 rezoning 782 acres known as Canyon Trails Phase II from Preliminary Planned Area Development (PAD) Mixed Uses to Final Planned Area Development (PAD) Mixed Uses. The 24-acre Crestwood at Canyon Trails site on the west side of Cotton Lane, north of Yuma Road, is within Canyon Trails Phase II.

This preliminary plat has not previously been presented to the City Council.

### **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 applicant is requesting preliminary plat approval to subdivide approximately 24 acres located on the west side of Cotton Lane, north of Yuma Road, into 90 single family lots. The subject property was zoned Final Planned Area Development (PAD) Mixed Uses in December 1999, and pursuant to the approved PAD zoning, the lots will be a minimum of 50 feet wide and 95 feet deep. 18.43 percent of the site will be open space, exceeding the 15 percent required by the PAD.

Mattamy Homes will be the homebuilder in Crestwood at Canyon Trails and will follow the city's design review approval process.

### **Surrounding Properties**

- North: Canyon Trails Unit 4 West, zoned SF-4 PAD, with 60' x 110' lots
- West: Canyon Trails Unit 4 West, zoned SF-5 PAD, with 70' x 110' lots
- South: Vacant property zoned PAD with underlying commercial zoning
- East: Canyon Trails Towne Center zoned PAD with underlying commercial

### **Phoenix-Goodyear Airport**

The subject property is located within the Phoenix-Goodyear Airport Traffic Pattern Airspace, but is located approximately three miles from the 65 LDN noise contour line and should not be impacted by airport noise.

### **Luke Air Force Base**

The subject property is located within the vicinity of a military airport, but is approximately 3.5 miles from the 65 Ldn high noise contour.

### **Impact on City Services**

#### **Fire Department:**

The subject property is served by Fire Station 184/181 located near Sarival Avenue and Yuma Road, approximately one mile east of Crestwood at Canyon Trails. Emergency response times to Crestwood are shown below.

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	3.75	1.88	4.24	2.12	Station #185	12.66	6.33	13.18	6.59

**Police Department:**

The subject property is located within an existing police patrol beat and the current level of service within the beat can accommodate future development.

**Streets/Access:**

The interior public streets of Crestwood at Canyon Trails will connect with W. Lilac Street, an existing public street that has direct access onto Cotton Lane and that is aligned with W. Canyon Trails Boulevard on the east side of Cotton. The interior public streets of Crestwood will also connect to S. 173<sup>rd</sup> Avenue, an existing public street that has direct access onto Yuma Road.

Pedestrian circulation and access will be enhanced through the required Crestwood half-street improvements that will add 8-foot sidewalks along both 173<sup>rd</sup> and Lilac. The interior public streets will be developed with 5-foot sidewalks on both sides that will connect with the new sidewalks along 173<sup>rd</sup> and Lilac.

**Water & Wastewater:**

The subject property is located within the city of Goodyear water and wastewater service areas. Infrastructure and capacity are available.

**Solid Waste/Recycling:**

Solid waste and recycling services for future development will be provided by the city of Goodyear.

**FISCAL ANALYSIS:**

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.

The following specific future fiscal impact is anticipated:

- This development includes the dedication of public streets that will be constructed by the developer and then maintained by the city of Goodyear.

**PLANNING AND ZONING COMMISSION MEETING:**

The preliminary plat was considered by the Commission at its regular meeting of April 11, 2018. Following a presentation of the application by staff, and a brief discussion of the potential responsibilities for the construction of a Loop 303 sound wall, the Commission voted 6 to 0 to recommend approval of the preliminary plat subject to the stipulations as recommended.

**RECOMMENDATION:**

Staff, and the Planning and Zoning Commission, find 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 and Design Guidelines, and recommend approval.

**ATTACHMENTS:**

1. Aerial Photo
2. Narrative
3. Preliminary Plat
4. Conceptual Landscape Plan