

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

SUBJECT: Final Plat for Paseo Place Parcel 1	STAFF PRESENTER: Katie Wilken, Planning Manager
	CASE NUMBER: 16-520-00003
	APPLICANT: Dawn Fortuna, Rick Engineering Company

PROPOSED ACTION:

Approved the Final Plat for Paseo Place Parcel 1, subject to the following stipulations:

1. Prior to Final Plat recordation all construction plans for onsite and offsite infrastructure need to be approved. This includes all infrastructure necessary per minimum City standards for the associated Parcel and additionally those identified in the Cost Recovery Ordinance for West Goodyear Central Planning Area;
2. Prior to Final Plat recordation an acceptable method of assurance approved by the City Engineer will be required to be provided to the City in the amount of 100% of the cost for the offsite infrastructure improvements for this Parcel. For onsite improvements for this Parcel a building permit hold will need to be approved by the City Engineer;
3. This project is financially responsible for 25% of the cost to construct the traffic signals at the intersection of Yuma and 183rd. If warranted, this project will be responsible to construct this signal at the time of development. If not warranted, an in-lieu payment shall be collected for the Developer's financially responsible portion of the signal cost prior to receiving civil permits;
4. All private 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, a binding covenant specifying the parties responsible for the proper maintenance of all stormwater management facilities shall be secured prior to approval of final subdivision plat and issuance of any permits for land disturbance activities;
5. The property Owner and/or Developer shall apply to the Arizona Department of Water Resources (DWR) for the extinguishment for the Type 1 Rights appurtenant to Paseo Place 1 and request that any assured water supply credits issued by DWR as a result of any such extinguishment be credited to the City of Goodyear. Said extinguishment shall occur prior to recordation of any final plat for the development;
6. Prior to Final Plat recordation the Paseo Place Parcel 1 Community Association, an Arizona non-profit corporation, shall be legally established;

7. A reimbursement payment owed pursuant to Cost Recovery Resolution of Intention 06-1065 as amended by Resolution 14-1622 and Resolution 16-1748 (collectively “West Goodyear Wastewater Line Cost Recovery”) and/or the Second Amended & Restated Development Agreement for Paseo Place Parcel 1 recorded in the Official Records of Maricopa County Recorder at instrument 2016 0614483 shall be paid prior to the recordation of the final plat for all West Goodyear Wastewater Line Cost Recovery for the cost recovery lines that benefit the property and that have been completed at the time of recordation. The cost recovery lines in the West Goodyear Wastewater Line Cost Recovery that benefit the property and that have been completed as of the date of the approval of this final plat and the reimbursement obligation based on the portion of the costs attributable to the Property are as follows:

Line B	\$ 78,660
Line E	\$ 30,509
Line I	\$ 94,203
Line J	\$ 26,137
Line K	\$ 56,527
TOTAL	\$286,036

8. A reimbursement owed pursuant to Cost Recovery Resolution of Intention 06-1064 as amended by Resolution 14-1621 and Resolution 16-1747 (collectively “West Goodyear Water Line Cost Recovery”) and/or the Second Amended & Restated Development Agreement for Paseo Place Parcel 1 recorded in the Official Records of Maricopa County Recorder at instrument 2016 0614483 shall be paid prior to the recordation of the final plat for all cost recovery lines in the West Goodyear Water Line Cost Recovery that benefit the property and that have been completed at the time of recordation. None of the cost recovery lines in the West Goodyear Water Line Cost Recovery Lines that benefit the Property have been completed as of the date of this final plat;
9. Pursuant to the terms of the Second Amended & Restated Development Agreement for Paseo Place Parcel 1 recorded in the Official Records of Maricopa County Recorder at instrument 2016 0614483, as a condition of recordation of the first final plat subdividing all or part of the property, all or part of West Goodyear Cost Recovery Wastewater Line N shall be constructed as needed to serve the Property. If the entire Line N in the West Goodyear Wastewater Line Cost Recovery has not been fully constructed prior to the recordation of this final plat and is not being fully constructed in connection with the recordation of this final plat, a reimbursement payment of \$112,828 shall be paid prior to the recordation of this final plat.
10. Pursuant to the terms of the Second Amended & Restated Development Agreement for Paseo Place Parcel 1 recorded in the Official Records of Maricopa County Recorder at instrument 2016 0614483, as a condition of recordation of the first final plat subdividing all or part of the property, all or part of Lines C, D, E, and F in West Goodyear Water Line Cost Recovery shall be constructed as needed to serve the Property. West Goodyear Cost Recovery Water Line E is being fully constructed pursuant to that certain Development Agreement for West Goodyear Sewer and Water Infrastructure, recorded in

the official records of the Maricopa County Recorder at instrument number 2017 0220433. If the entire Line C in the West Goodyear Water Line Cost Recovery has not been fully constructed prior to the recordation of this final plat and is not being fully constructed in connection with the recordation of this final plat, a reimbursement payment of \$26,175 shall be paid prior to the recordation of this final plat. If the entire Line D in the West Goodyear Water Line Cost Recovery has not been fully constructed prior to the recordation of this final plat and is not being fully constructed in connection with the recordation of this final plat, a reimbursement payment of \$47,650 shall be paid prior to the recordation of this final plat. If the entire Line F in the West Goodyear Water Line Cost Recovery has not been fully constructed prior to the recordation of this final plat and is not being fully constructed in connection with the recordation of this final plat, a reimbursement payment of \$48,306 shall be paid prior to the recordation of this final plat;

11. Prior to recordation of the final plat, the final plat shall be amended to delete the word “public” from the second paragraph of the dedication language so it reads as follows, “Melcor Developments Arizona Inc., An Arizona Corporation, including its heirs, successors, and assigns, as owner, hereby dedicates, grants, and conveys to the City of Goodyear the streets, in fee, shown on said plat and included in the above described premises;
12. Prior to recordation of the final plat, the final plat shall be amended to replace the dedication of the tracts to the homeowner’s association with the following:

Melcor Developments Arizona, Inc., an Arizona Corporation, including its heirs, successors and assigns, as Owner hereby declares all tracts within the subdivision as common areas for the use and enjoyment of the owners within the Paseo Place Parcel 1 Community Association, an Arizona non-profit corporation and dedicates, subject to the easements and restrictive covenants herein, to the Paseo Place Parcel 1 Community Association, an Arizona non-profit corporation all tracts within the subdivision for the proposes indicated herein and as more fully set forth in the declaration of covenants, conditions and restriction.
13. No building permits for vertical construction shall be issued until Wastewater Cost Recovery Lines N and cost Recovery Water Line E are fully completed and accepted by the City Engineer, subject to completion of the two-year warranty period; and,
14. No Building permits for vertical construction shall be issued until either the cost recovery payments provided for herein for Cost Recovery Water Lines C, D, and F have been paid or these lines have been fully completed and accepted by the City Engineer, subject to completion of the two-year warranty period.

BACKGROUND AND PREVIOUS ACTIONS:

- The property is zoned Single Family Residential (R1-6)
- The preliminary plat for Paseo Place Parcel 1 was approved by City Council on April 27, 2015

STAFF ANALYSIS:

The applicant is requesting approval of the Final Plat for Paseo Place Parcel 1 subdividing 42.5 acres into 136 lots and 13 tracts, which is consistent with what was approved with the preliminary plat for this parcel.

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. Any areas that will be maintained by the City are constructed by the developer and then conveyed to the City 2 years after construction.

- This development is responsible for 25% of the traffic signal at Yuma Road and 183rd Avenue.
- This development is responsible for Cost Recovery payments per the West Goodyear Sewer Line Cost Recovery.
- This development is also responsible for a portion of the West Goodyear Water Line Cost Recovery,

RECOMMENDATION:

The final plat is consistent with the land use, development standards, and density approved by the R1-6 zoning district and with the approved preliminary plat for this parcel. 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 parcel by identifying the required infrastructure needed to serve the development. Staff recommends approval.

ATTACHMENTS:

1. Aerial Photo
2. Final Plat
3. Preliminary Plat Staff Report