

**CITY OF GOODYEAR
PLANNING AND ZONING COMMISSION ACTION REPORT**

SUBJECT: Preliminary Plat for La Privada	STAFF PRESENTER: Alex Lestinsky, Planner II
	CASE NUMBER: 18-500-00004
	OTHER PRESENTER: Dawn Fortuna, Rick Engineering

PROPOSED ACTION:

Recommend approval of a request for a preliminary plat for La Privada, subject to the following stipulations:

1. The front yard setbacks for all lots in La Privada shall be 11.5' to side turn garages and livable space, and 21.5' to the face of the garage, in order to accommodate the P.U.E. which encroaches into the property by 1.5'. This is to be included as a note on the final plat;
2. With the first substantive construction document submittal of the backbone infrastructure, the Engineer shall include the finished floor elevation of APN 502-40-045B on the grading and drainage plans. The purpose of this is to show that the existing building is a minimum of 12 inches above the channel high water elevation (EDS&PM 3.2.1.B.3);
3. With the first substantive construction document submittal of the backbone infrastructure, the Engineer shall include the Letter from Coe & Van Loo (CVL), dated May 20, 2013 that quantifies off-site watershed discharge at 972-cfs, as an appendix in the Final Drainage Report;
4. With the first substantive construction document submittal of the backbone infrastructure, the Engineer shall show that Amber Meadows School has been accounted for in the Final Sewer Report sewer model;
5. The Owner shall dedicate in fee and at no cost to the City, the following rights-of-way prior to or concurrent with recordation of any Final Plat:
 - a. East half of Perryville Road right-of-way, 65 feet from centerline;
 - b. North half of Yuma Road right-of-way, 75 feet from centerline;
 - c. South half of Harrison Street right-of-way, 30 feet from centerline;
 - d. Full width of 183rd Avenue right-of-way from Harrison Street to approximately a quarter mile north of Yuma Road, 30 feet from centerline for a total of 60 foot right-of-way;
 - e. East half of 183rd Avenue right-of-way from approximately a quarter mile north of Yuma Road to Yuma Road, 30 feet from centerline;

6. Owner shall construct, at no cost to the City, the full half-street improvements for Perryville Road Yuma Road, Harrison Street, and 183rd Avenue, adjacent to the Property. Improvements shall include but are not limited to paving, curb, gutter, sidewalk, landscaping, landscape irrigation, street lights, traffic signals (as necessary), signing and striping. Unless the City Engineer or his/her designee approves a written phasing plan, the improvements referred to herein shall be completed prior to issuance of the first certificate of occupancy within the Property, including model homes;
7. Prior to the issuance of any civil construction permits for work within the Property, Owner shall submit to the City an in-lieu payment of fifty-percent (50%) of the costs of the median and median landscaping to be installed within the portions of Perryville Road and Yuma Roads Owner is required to construct;
8. The Owner shall ensure that all on-site and off-site water lines are part of a looped system that will be connected to at least two City of Goodyear water sources at all times;
9. Owner 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: "La Privada is 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 Owner does release and discharge the City of Goodyear from any and all 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 such aircraft near and over the area";
10. The Public Sales Report and final plat shall include a statement that La Privada is 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;
11. Owner 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 per the Goodyear General Plan 2003-2013 (Policy B-3e of Section 9.2). This display shall include a twenty-four by thirty-six inch (24"x36") map at the main entrance of such sales facility 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;
12. The following information shall be disclosed in the public sales report and final plat and shall be provided in a separate acknowledgment, which shall run with the land, for each initial homebuyer to sign: "La Privada is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses";
13. The Public Sales Report and final plat shall include a statement that La Privada is in the vicinity of an existing 230 kV overhead electric line located along the west side of Perryville Road;
14. No growing of crops shall be permitted within 50 feet of any occupied residential dwelling;

15. Owner shall establish a Homeowner's Association (HOA) for La Privada, with said HOA owning and maintaining all open space areas, trails, and other community amenities;
16. Decorative paving (i.e. pavers) shall be used for all horizontal paved surfaces between the house and sidewalk for all lots within Parcels 3 and 5;
17. The developer shall apply to the Department of Water Resources (DWR) for the extinguishment of the Type 1 Rights appurtenant to La Privada 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 property;
18. Prior to the recordation of any final plat that subdivides all or part of the property included within the Preliminary Plat, owner shall remit all cost recovery payments owed as provided in the Amended & Restated Development Agreement for La Privada, adopted by Resolution No. 16-1764 and recorded in the Official Records of Maricopa County as document 2016-0423793.

BACKGROUND AND PREVIOUS ACTIONS:

On October 22, 2018, the City Council adopted Ordinance No. 2018-1411 which rezoned the parcels 3 and 5 to the city's R1-4 district, parcels 1 and 2 to the city's R1-7 district, and parcels 4 and 6 to the R1-6 district.

A preliminary plat for this property was previously approved by City Council on August 19, 2013. This preliminary plat has expired since a final plat or an extension request was submitted within 12 months of the Council approval.

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 to subdivide 197.79 acres into 602 single-family lots. The subdivision is located north of Yuma Road and West of Perryville Road. Lot sizes are consistent with what each individual parcel is zoned and range from 45-70 feet wide as permitted by the Zoning Ordinance. Surrounding properties include:

- North – The approved Amber Meadows Planned Area Development with a density of 2.92 du/ac, and unincorporated County land developed with 1 acre lots and farming
- South – Unincorporated County land, and Paseo Place Parcels 1 and 2 zoned R1-6
- East – Unincorporated County land

- West – Unincorporated County land

The Ordinance approving the R1-4 zoning in La Privada included several stipulations regarding the amenities that would be provided to support the R1-4 zoning. The preliminary plat provides for these amenities as follows:

- The preliminary plat is consistent with the Overall Conceptual Landscape Plan referred to in the zoning ordinance for the property and reflects the additional amenities, trails, and alternative paving requirements as set forth in the zoning ordinance
- Detached Sidewalks: The local street details have been designed to include detached sidewalks
- Lot Diversity: At least 30% of the lots in the portions of the property zoned R1-4 are 50 feet wide
- Smaller blocks: The block design in the portions of the property zoned R1-4 reflected in the preliminary plat are consistent with the minimum requirements in the Zoning Ordinance for the use of smaller blocks as an amenity to support the R1-4 zoning:



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:

Response times are provided 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	5.87	2.93	7.13	3.57	#185	14.82	7.41	16.08	8.04

Police Department:

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

Water/Wastewater:

The city of Goodyear will provide utility service to this property.

Streets/Access:

All streets within the subdivision will be public and constructed to the city's standards, except for each parcel intersection which will include stamped concrete that is to be maintained by the HOA. The main access to each parcel will be provided by Harrison Street and 183rd Avenue.

FISCAL ANALYSIS:

Although a fiscal impact analysis has not been conducted on this specific development, 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.

RECOMMENDATION:

Staff finds that the preliminary plat is compatible with the surrounding area and consistent with the land use and zoning stipulations in Ordinance 2018-1411, the ordinance zoning the property, zoning standards and technical requirements of the city's Subdivision Regulations, and Design Guidelines.

ATTACHMENTS:

1. Aerial Photo
2. Preliminary Plat