

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

DATE: May 13, 2019

CAR #: 2019-6635



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Final plat of Estrella Parcel 9.31 and Resolution of Abandonment

**STAFF PRESENTER(S):** Katie Wilken, Planning Manager

**OTHER PRESENTER(S):** Pete Teiche, Newland Communities

**Summary:** Approval of a final plat for Estrella Parcel 9.31 and a Resolution of Abandonment

### **Recommendation:**

1. Approve a final plat for Estrella Parcel 9.31 (18-520-00025), subject to the following stipulations:
  - a. Any technical corrections to the final plat required by the City Engineer shall be made prior to the recordation of the final plat;
  - b. 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 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. (EDS&PM 9.3.1.C.b) This agreement must be received by the Engineering Department prior to Final Plat recordation
2. ADOPT RESOLUTION NO. 2019-1958 CONDITIONALLY VACATING AND ABANDONING A PORTION OF A STREET KNOWN AS WEST MOUNTAIN VISTA DRIVE; PROVIDING FOR AN EFFECTIVE DATE OF THE ABANDONMENT AND IMPOSING REQUIREMENTS AND CONDITIONS FOR THE ABANDONMENT TO BECOME EFFECTIVE; AND IMPOSING A DEADLINE FOR COMPLETION OF THE ABANDONMENT.

**Fiscal Impact:** 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 two years after construction.

## **Background and Previous Actions**

- Map of Dedication for South 182<sup>nd</sup> Drive and a portion of West Mountain Vista Drive within Montecito Village at Estrella Mountain Ranch was approved by City Council on May 10, 2010 and recorded in the official records of the Maricopa County Recorder at Book 1059 of Maps, Page 15 (the “MOD”)
- The Montecito PAD Zoning was approved by City Council on January 22, 2018 by Ordinance No. 2018-1380
- The preliminary plat for Estrella Parcel 9.31 was approved by City Council on September 24, 2018

## **Staff Analysis**

The applicant is requesting approval of the Final Plat for Estrella Parcel 9.31 subdividing 16.5 acres into 42 lots and 5 tracts, which is consistent with what was approved with the preliminary plat for this parcel. The Final Plat for Estrella Parcel 9.31 establishes entry way into Parcel 9.31 that includes property that had been dedicated to the City in the MOD. The City has the authority to dispose of rights-of-way and easements that are no longer needed for public use, and staff has determined, for the reasons set forth in Resolution 2019-1958 that the right-of-way described in Exhibit A to the Resolution is no longer needed for public use.

The proposed final plat is consistent with the land use, development standards, and density applicable to the subdivision 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. Resolution 2019-1958
  - Exhibit A – Legal Description for Partial Right of Way Abandonment of West Mountain Vista Drive
2. Aerial Photo
3. Final Plat
4. Preliminary Plat Staff Report