

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

DATE: August 19, 2019

CAR #: 2019-6737



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Preliminary Plat for Estrella Parcel 12.23

**CASE NUMBER:** 18-500-00016

**STAFF PRESENTER(S):** Alex Lestinsky, Planner III

**APPLICANT:** Pete Teiche, Newland Communities

<b>Summary:</b> Preliminary Plat for Estrella Parcel 12.23
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<p><b>Recommendation:</b></p>
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<p>Approve the preliminary plat for Estrella Parcel 12.23, subdividing approximately 24.69 acres into 98 lots and 14 tracts, subject to the following stipulations:</p>
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| <ol style="list-style-type: none"><li>1. Prior to obtaining a Certificate of Occupancy for Phase 1 of Parcel 12.23, water lines through the property to the north of the platted property (Parcel 12.24) shall be constructed within the easement areas as reflected in the preliminary plat. Owner shall dedicate off-site water line easements, in a form approved by the City Attorney or his designee, necessary for the water lines that are to be constructed through Parcel 12.24, and such easements shall be recorded prior to final plat approval and recordation;</li><li>2. Prior to obtaining a Certificate of Occupancy for Phase 1 of Parcel 12.23, the sewer lines through the property to the north of the platted property (Parcel 12.24) shall be constructed within the easement areas as reflected in the preliminary plat. Owner shall dedicate off-site sewer easements, in a form approved by the City Attorney or his designee, necessary for the sewer lines that are to be constructed through Parcel 12.24, and such easements shall be recorded prior to final plat approval and recordation.</li><li>3. Prior to obtaining a Certificate of Occupancy for Phase 2 of Parcel 12.23, emergency vehicle access improvements shall be constructed through the property to the north of the platted property (Parcel 12.24) within the easement area as reflected in the preliminary plat. Owner shall dedicate an Emergency Vehicle Access easement, in a form approved by the City Attorney or his designee, necessary for the emergency vehicle access improvements that is to be constructed through Parcel 12.24. All easements pertaining to the Emergency Vehicle Access outside of Parcel 12.23, and such easements shall be recorded prior to final plat approval and recordation;</li></ol> |
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4. A portion of the site is located within a floodplain per FEMA Map 04013C2625M. A CLOMR will be required to be approved by the City prior to submitting any Final Plat that includes any portion of the property within Phase 2 and prior to submitting any civil drawings for any development within Phase 2;
5. Phasing can be shown on the Preliminary Plat, however, it should be clearly defined where each Phase starts and stops. One Final Plat can be submitted for all Phases, however, all infrastructure is required to be financially assured prior to recordation. If the Finals Plats are separated than only what is shown on the Final Plat will be required to financially assured;
6. The developer shall provide a waiver agreement for each initial homebuyer to sign, and shall include the following statement in the waiver agreement as well as a similar statement in the Public Sales Report and on the final plat: "Parcel 12.23 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 the Phoenix-Goodyear Airport and Luke Air Force Base. The Owner does release and discharge the City of Goodyear 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 from the operation of such aircraft near and over the area." Developer shall note on the final plat and disclose in the Public Sales Report the proximity of the proposed Loop 303, which may subject the property to noise;
7. Prior to approval of all final plats platting any portion of the property included in the preliminary plat for this parcel, the owner shall demonstrate to the city that adequate potable water resources exist to serve the proposed final plat in the form of Equivalent Dwelling Units (EDU) pursuant to any development agreement with the City. The EDU calculation demonstrating compliance with such agreement shall be placed on the final plat.

**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.

## Background and Previous Actions

On June 22, 1987, the City Council adopted Ordinance No. 87-217 approving the Estrella Phase One PAD which designated the subject parcel as High Density Single Family (Patio Home).

This preliminary plat has not been previously presented to the City Council. The Planning and Zoning Commission recommended approval of the preliminary plat on August 7, 2019

## 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. The required reports and studies submitted in connection with the application for the preliminary plat have been approved and demonstrate compliance with applicable subdivision regulations and design principals and the proposed preliminary plat demonstrates compliance with the property's zoning, public objectives, subdivision design principles and standards, and streets and thoroughfare planning, including open space requirements. 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:**

This parcel consists of 24.69 acres subdivided into 98 single family detached residential lots and 14 tracts. The subdivision will have its main entry off Estrella Parkway off W. Rock Wren Road. An emergency access easement will be provided from 173<sup>rd</sup> Lane, which will develop as a full street and access point when the parcel to the north (Parcel 12.24) is developed.

Existing land uses and zoning surrounding the subject property include the following:

- North – Vacant land zoned for single family within the Estrella Phase One PAD
- East – Corgett Wash
- South – Foothills Community Park; Estrella Foothills High School
- West – Estrella Parkway

The typical lot within the subdivision will be 47-feet wide and 115-feet deep. As designated in the PAD, minimum setbacks are 18-feet to the front, 5-feet for the sides (10-feet aggregate), and 15-feet for the rear. Lot coverage is 75%. The maximum building height is 30 feet. A specific housing product or homebuilder has yet to be determined.

### **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:**

Fire station 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
#182	2.16	1.08	2.94	1.47	#184/181	16.86	8.43	17.63	8.81

**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 subdivision will be served by city of Goodyear water and wastewater utilities. Subdivision plats in Estrella include documentation regarding the amount of water being used in terms of Equivalent Dwelling Units (EDUs).

**Streets/Access:**

The subdivision will ultimately have two fully developed points of entry off of Estrella Parkway. Phase one, which consists of 29 lots, will have one fully developed point of entry off of Estrella onto Rock Wren Road. A secondary connection off of Estrella Parkway will be required for emergency access when Phase 2 develops. A temporary emergency access connection within the 173<sup>rd</sup> Lane alignment north of the platted property (Parcel 12.24) will be constructed when Phase 2 develops. When Parcel 12.24 develops and 173<sup>rd</sup> Lane is constructed this property will have a second fully developed point of entry off of Estrella through Parcel 12.24. All streets within the subdivision will be public and constructed to city standards.

**School Districts:**

The subject property is located within the Liberty Elementary School District and the Buckeye Union High School District. Westar Elementary School and Estrella Foothills High School are located less than a mile from Parcel 12.23.

**Attachments**

1. Aerial Photo
2. Preliminary Plat