

AGENDA ITEM #: _____

DATE: August 20, 2018

CAR #: 2018-6420

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

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| SUBJECT: PebbleCreek Phase II Unit 49 Preliminary Plat | STAFF PRESENTER: Steve Careccia, Planner III CASE NUMBER: 18-500-00007 APPLICANT: Jeffrey Uhrick, B&R Engineering |
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PROPOSED ACTION:

Approve a request for a preliminary plat for PebbleCreek Phase II Unit 49 subdividing 42.39 acres into 212 single family lots and 11 tracts generally located east of the Loop 303 and north of the Thomas Road alignment, subject to the following stipulations:

1. Compliance with the stipulations stated in Section II of Ordinance Nos. 98-620 and 98-621, the ordinances rezoning the land being developed as PebbleCreek Phase II;
2. The developer 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: "Pebble Creek Golf Resort Phase II is subject to attendant noise, vibrations, dust, and all other effects that may be caused by over flights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix Goodyear Airport; and the owner does further release and discharge the city of Goodyear and PebbleCreek Properties Limited Partnership and Robson Communities 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";
3. The public sales report and final plat shall include a statement that PebbleCreek Phase II Unit 49 is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix Goodyear Airport;
4. The developer 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. This display shall include a twenty-four by thirty-six inch (24"x36") map at the sales facility, be clearly visible on the wall, 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;
5. The following information shall be disclosed in the public sales report and final plat: PebbleCreek Phase II Unit 49 is in proximity to the I-10 and Loop 303 freeways and

may be subject to potential noise intrusion, vibrations, dust, and all other effects that may be caused by said freeways;

6. The developer shall have a separate waiver agreement signed by the homeowner that recognizes that “Pebble Creek Phase II Unit 49 is subject to attendant noise and visible intrusion from Interstate 10 and the Loop 303”;
7. For all units within PebbleCreek Phase II, a note shall be provided on the final plat and the public sales report acknowledging that the development is in close proximity to the Arizona Motorsports Park, generally located at Camelback Road and Reems Road, and may be subject to noise intrusion;
8. Streets within the subdivision shall be privately owned and maintained. The developer and/or HOA shall bring the streets to current city standards in the event that a request is made to dedicate the streets to the city of Goodyear;
9. The final plat for PebbleCreek Phase II Unit 49 shall include the following as notes:
 - a. Corner lots are limited to one-story homes unless a minimum 10-foot wide landscape strip is provided, or the lot is at least 10 feet wider than the minimum lot width required.
 - b. Dwelling units located on lots that front a T-intersection shall be configured so that the non-livable portions of the dwelling face oncoming traffic.
 - c. The property owner shall be responsible for the proper maintenance and repair of all facilities associated with stormwater management on the property.
10. Prior to obtaining a Certificate of Occupancy, all offsite, connecting roadways included in the PebbleCreek Phase II Units 48, 57, and 60 final plats shall be constructed; and,
11. With the first submittal of construction drawings to the Engineering Department, the intersection of Pinchot Avenue and 168th Avenue shall be updated to provide adequate left-turn sight and stopping sight distances in accordance with engineering design standards.

BACKGROUND AND PREVIOUS ACTIONS:

The property was rezoned on August 24, 1998, with the second phase of the PebbleCreek Golf Resort (Ordinance Nos. 98-620 and 98-621). The PebbleCreek PAD zoning allows for residential development on this parcel.

This preliminary plat has not been previously presented to the Planning and Zoning Commission nor City Council.

The Planning and Zoning Commission considered this item at their regular meeting of August 8, 2018. The Commission unanimously voted (7-0) to forward a recommendation of approval 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 request is to subdivide 42.39 acres into 212 single-family lots and 11 tracts, with a proposed density of 5.0 dwelling units per acre. The subdivision will be accessed from North 167th Drive, North 168th Avenue, and West Earll Drive.

Surrounding development includes:

- North – Proposed PebbleCreek Phase II development
- South – PebbleCreek Phase II Unit 60 (recorded)
- East – PebbleCreek Phase II Unit 48 (recorded)
- West – Loop 303 Freeway

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 | |
|-------------------------------------|---------------|-------|--------------|-------|
| | Mins | Miles | Mins | Miles |
| #185 | 3.07 | 1.54 | 3.45 | 1.73 |

| 2nd Nearest Goodyear Fire Station | Shortest path | | Longest path | |
|---|---------------|-------|--------------|-------|
| | Mins | Miles | Mins | Miles |
| #183 | 10.38 | 5.19 | 11.04 | 5.52 |

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.

The following specific future fiscal impacts are anticipated:

- This development includes private streets that will be maintained by the HOA.
- This development is located within the water/wastewater service area of Liberty Utilities.
- This development will result in the creation of approximately 212 new homes that will require public services such as sanitation and police and fire emergency response.

RECOMMENDATION:

The preliminary plat is consistent with the technical requirements of the city's subdivision regulations and engineering standards. The preliminary plat is consistent with the land use, development standards, and density approved by the PebbleCreek PAD for the parcel. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development. The Planning and Zoning Commission recommended approval of the item (7-0) on August 8, 2018.

ATTACHMENTS:

1. Aerial Photo
2. Preliminary Plat