

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

DATE: January 27, 2020

CAR #: 2020-6883



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Reapproval of the Final Plat of First Park PV303 Phase 2

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

**OTHER PRESENTER(S):** Nicholaus Fischer, Merit Partners

**Summary:** Reapproval of a Final Plat subdividing approximately 94 acres into three (3) lots at the intersection of North Cotton Lane and West Thomas Road.

### **Recommendation:**

Reapprove the Final Plat of First Park PV303 Phase 2, subject to the following stipulations included in the original August 26, 2019 final plat approval:

1. Prior to recordation of this final plat, the First Park PV303 Phase 1 Final Plat approved by the Mayor and Council of the City of Goodyear on August 19, 2019 shall be recorded. Phase 1 recordation information shall then be added to Sheets 2 & 4 of this final plat prior to plat recordation; (*The Phase 1 Final Plat has now been recorded.*)
2. Prior to final plat recordation, a 20-foot water easement granted to Epcor Water located outside the area being platted herein along the eastern and southern boundaries of the property to the west of Lots 1 & 2 on this final plat as reflected on the final plat shall be recorded by separate instrument and its recordation information added to this final plat; (*The 20-foot water easement has now been recorded by separate instrument.*)
3. Prior to recordation, Owner shall (i) provide the City temporary turn around easement(s) in a form acceptable to the City Attorney or his designee for the area identified as TTE located outside the plat boundaries (ii) revise the plat to delete the dedication of the temporary turn around easement(s); (iii) revise the plat to include the MCR number for the TTE(s) being dedicated by separate instrument; (*The temporary turnaround easement(s) has now been dedicated by separate instrument.*)
4. Prior to recordation of the final plat, Owner shall provide the City with an updated title report and if there have been any changes in ownership and/or lenders on the property, the final plat shall be revised to reflect the current ownership and lenders on the property;
5. Any technical corrections to the final plat required by the City Engineer shall be made prior to the recordation of the final plat; and,

6. All financial assurances for offsite infrastructure and in-lieu payments shall be in provided to the City prior to final plat recordation:
  - a. \$735,808.37 performance bonding for N. Cotton Lane Phase 4 Improvements.
  - b. \$995,202.12 performance bonding for W. Thomas Road Improvements.
  - c. \$225,447.00 in-lieu payment for 50% cost of the future traffic signal at the intersection of W. Thomas Road and N. Cotton Lane.
  - d. \$107,591.50 in-lieu payment for 25% cost of the future traffic signal at the intersection of W. Osborn Road and N. Cotton Lane. (*All bonds have now been posted and all in-lieu payments have now been made.*)

**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 August 26, 2019, the City Council approved the Final Plat of First Park PV303 Phase 2 subject to the six (6) stipulations above. The City Subdivision Regulations require that approved final plats be recorded within 90 days of Council approval. However, the First Park PV303 Phase 1 Final Plat was required to be recorded before the Phase 2 final plat due to the necessary sequencing of the plats, and recording of the Phase 1 final plat was delayed because of the timing of outside jurisdiction approval, as well as off-plat easements and reciprocal access that had to be established before the Phase 1 final plat could be recorded.

As a result, this Phase 2 final plat was not recorded within the 90 days, and the deadline for requesting a 90-day approval extension was missed. However, no changes have been made to the Subdivision Regulations or the Engineering Design Standards since the August 26<sup>th</sup> approval, the Fairlife facility is currently under construction on Lot 1 of the Phase 2 final plat, and recordation of this final plat is necessary for the dedication of an additional 22-feet of Cotton Lane right-of-way to complete access to the facility.

## Staff Analysis

Based upon the above background regarding no changes to regulations or standards, and delays related to the Phase 1 final plat, staff supports the reapproval of the Phase 2 final plat without requiring the submittal of a new final plat application or the payment of an application fee.

In addition, as set forth in the attached August 26, 2019 final plat Council Action Report, the proposed subdivision is consistent with the General Plan and will not adversely impact the surrounding area. Further, the proposed subdivision is consistent with the technical requirements of the city's subdivision regulations and engineering standards, and provides for the orderly

development of the property by identifying the required infrastructure needed to serve the development. In addition, the First Park PV303 Phase 2 Final Plat substantially conforms to the approved First Park PV303 preliminary plat.

### **Attachments**

1. Aerial Photo
2. August 26, 2019 Final Plat CAR
3. Final Plat