

AGENDA ITEM #: _____

DATE: June 8, 2020

CAR #: 2020-6962



CITY COUNCIL ACTION REPORT

SUBJECT: Abandonment and Final Plat of Estrella Parcels 9.22 & 9.24 A&B

STAFF PRESENTER(S): Katie Wilken, Planning Manager

APPLICANT: Pete Teiche, Newland Communities

Summary: Abandonment of right-of-way to relocate entrance and a final Plat subdividing approximately 53 acres into 114 lots and 17 tracts at the southwest corner of W. Mountain Vista Drive and W. Willis Road.

Recommendation:

1. ADOPT RESOLUTION NO. 2020-2062 CONDITIONALLY VACATING AND ABANDONING A PORTION OF A STREET KNOWN AS WEST MOUNTAIN VISTA DRIVE; DECLARING A PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENT; PROVIDING FOR RECORDATION OF THE RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND IMPOSING REQUIREMENTS AND CONDITIONS FOR THE ABANDONMENT TO BECOME EFFECTIVE; AND IMPOSING A DEADLINE FOR COMPLETION OF THE ABANDONMENT.
2. Approve the Final Plat of Estrella Parcels 9.22 & 9.24 A&B attached hereto, subject to the following stipulations:
 - 2.1. Any technical corrections to the final plat required by the City Engineer shall be made prior to the recordation of the final plat;
 - 2.2. Owner is responsible for a proportionate share of the cost for adjacent traffic signals. Owner shall either construct such signal(s) when warranted or pay to the city the proportionate share of the cost of such signal(s) ("in-lieu payment") when requested by the City Engineer, or his/her designee. If Owner makes an in-lieu payment, the payment shall be based on the actual cost of the traffic signal if it has been constructed or if the payment is required before the signal is constructed it shall be based on the estimated cost of the traffic signal as determined by the City Engineer or designee. Owner's traffic signal obligation is as follows:

25% of the cost of the full traffic signal at the intersection of W. Willis Road and W. Mountain Vista Drive.
 - 2.3. Prior to the recordation of this final plat, Resolution No. 2020-2062 shall be recorded.

- 2.4. Unless an approved amendment to the recorded document 2006-0299531 is approved and recorded reducing the scope of the odor easement setbacks, no construction permits for residential dwelling units shall be issued within the 1,000 foot setback from the Rainbow Valley Wastewater Treatment Plant identified in that certain document title Land Use Agreement and Perpetual Easement Restricting Land Uses Adjacent to the Rainbow Valley Water Reclamation Facility and Providing for Noise and Odor Setbacks recorded in the official records of Maricopa County at instrument number 2006-0299531.
- 2.5. No construction permits for residential dwelling units shall be issued within the 350-foot setback from the Rainbow Valley Wastewater Treatment Plant identified in that certain document title Land Use Agreement and Perpetual Easement Restricting Land Uses Adjacent to the Rainbow Valley Water Reclamation Facility and Providing for Noise and Odor Setbacks recorded in the official records of Maricopa County at instrument number 2006-0299531.
- 2.6. Neither the stipulations set forth above or the notes on the Final Plat of Estrella Parcels 9.22 & 9.24 A&B are intended to nor do they modify or relieve any entity from complying with any of the terms of the Land Use Agreement and Perpetual Easement Restricting Land Uses Adjacent to the Rainbow Valley Water Reclamation Facility and Providing for Noise and Odor Setbacks recorded in the official records of Maricopa County at instrument number 2006-0299531 as it may be amended in the future.
- 2.7. Prior to recordation of the final plat, Owner shall submit an updated title report for the property and shall modify this plat to reflect the current ownership and current lender including on the final plat a Lender Consent and Subordination in a form approved by the City Attorney or his/her designee for all lenders with a security interest in the property being platted herein. Owner shall provide documentation acceptable to the City Attorney or his/her designee demonstrating that the party executing this final plat is authorized to do so.

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 May 10, 2010 the Goodyear City Council approved the Map of Dedication for South 182nd Drive and a portion of West Mountain Vista Drive within Montecito Village at Estrella Mountain Ranch, which was recorded on July 6, 2010 in the records of the Maricopa County Recorder at

Book 1059 of Maps, Page 15 (“MOD”). The MOD included right of way for an entry into the adjacent property off of West Mountain Vista Drive. A preliminary plat of Estrella Parcels 9.22 & 9.24 A&B was approved by the City Council on May 20, 2019.

Staff Analysis

The preliminary plat and the Final Plat of Estrella Parcels 9.22 & 9.24 A&B. The entry location off of West Mountain Vista Drive is being relocated to the west, which requires the abandonment of a portion of West Mountain Vista Drive dedicated in the MOD original entry location. Right-of-way and a PUE needed for the relocated entry off of West Mountain Vista Drive is being dedicated to the City on the Final Plat of Estrella Parcels 9.22 & 9.24 A&B. Because there are existing utilities within the area being abandoned, the City is reserving a PUE within the area being abandoned. The abandonment will become effective upon the recordation of Resolution No. 2020-2062. The Final Plat of Estrella Parcels 9.22 & 9.24 A&B is to be recorded immediately following the recordation of Resolution No. 2020-2062. The right-of-way will not be abandoned without further council action if Resolution No. 2020-2062 is not recorded within one year of the date it is adopted.

As set forth in the attached preliminary 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.

Attachments

1. Resolution 2020-2062 with Exhibit
2. Final Plat
3. Aerial Photo
4. Preliminary Plat Council Action Report