

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

DATE: August 31, 2020

CAR #: 2020-7051



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Approve Development Agreement for Estrella Parcel 9.43

**STAFF PRESENTER(S):** Stephen Scinto, Deputy Director of Engineering

**OTHER PRESENTER(S):** None

**Summary:** Staff is recommending the approval of a Development Agreement for Estrella Parcel 9.43, which will serve as the financial assurance for the completion of the Internal Public Infrastructure within Parcel 9.43.

**Recommendation:**

ADOPT RESOLUTION NO. 2020-2095 APPROVING DEVELOPMENT AGREEMENT FOR ESTRELLA PARCEL 9.43; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THE RESOLUTION AND DEVELOPMENT AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE.

**Fiscal Impact:** The proposed development agreement allows for an alternative form of financial assurance to ensure the completion of public infrastructure within the boundaries of the final plat. As such, it does not have any fiscal impact on the City of Goodyear.

### Background and Previous Actions

This request is related to the development of approximately 26.96 acres of land commonly known as Parcel 9.43. The Property is generally located on the southwest side of the intersection of W. Calistoga Drive and S. 185<sup>th</sup> Avenue. A final plat for Parcel 9.43 is being presented to Council by separate action.

### Staff Analysis

Property owners developing within the city are required to construct public infrastructure improvements within and along or adjacent to the boundaries of their properties, and when required, to provide service to their properties outside the boundaries of their properties. To ensure the completion of these improvements, the city's current development regulations require that a subdivision bond be provided equal to 100% of the estimated cost to construct the public infrastructure improvements that are to be constructed. Staff has identified an alternative to the traditional subdivision bond that affords the city the protection needed to insure the completion of public infrastructure.

With respect to Internal Infrastructure, which includes all public infrastructure improvements that are to be constructed within the boundaries of the property, the city will use building permit holds to secure the completion of the Internal Infrastructure. If the developer or owner want to begin pulling building permits before the completion of the required Internal Infrastructure, a subdivision bond in an amount sufficient to cover the estimated costs of completing the Internal Infrastructure can be provided and building permits will be issued. With respect to External Infrastructure, which includes the infrastructure improvements that are to be constructed along, or adjacent to the external boundaries of the property and the public infrastructure that is to be constructed off the property, the more traditional forms of financial assurances will still be required.

Staff supports the proposed Development Agreement for EMR Parcel 9.43. The terms related to financial assurance will encourage development while providing adequate assurances that required public infrastructure will be completed.

## **Attachments**

Resolution 2020-2095

- Exhibit A – Development Agreement for Estrella Parcel 9.43 (w/exhibits)