

AGENDA ITEM # _____

DATE: December 15, 2014

COAC NUMBER: 14-5418

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: PRELIMINARY PLAT
FOR CANTAMIA PHASE 2 AND 3,
CONSISTING OF 1,073 SINGLE
FAMILY RESIDENTIAL LOTS AND
168 TRACTS ON 326.79 ACRES.

STAFF PRESENTER: Hector Tapia,
AICP, Project Planner

CASE NUMBER: 14-500-00004

APPLICANT: Zach Hilgart, Hilgart /
Wilson

RECOMMENDATION:

Approve the preliminary plat for CantaMia Phase 2 and 3 subdividing 326.49 acres into 1,073 single family lots and 168 tracts, generally located southwest of Estrella Parkway and southeast of Willis Road within the Estrella Mountain Ranch (EMR) Villages X Planned Area Development (PAD), subject to the following stipulations:

1. Compliance with the stipulations stated in Ordinance No. 05-947, the second Amendment for EMR Villages X PAD;
2. The preliminary landscape plan is conditionally approved, with the provision that construction level detail shown on the preliminary plan will be subject to further review when construction plans are submitted and may require revisions;
3. Easements for off-site improvements will need to be dedicated through separate instrument and duly noted on any final plat prior to recording;
4. Prior to the approval of a final plat for any part of CantaMia Phase 2 and 3 subdivision, developer shall demonstrate to the City that adequate potable water resources exist to serve the proposed final plat in the form of EDUs pursuant to the Northern Solution Water Facilities Agreement dated as of March 2, 2012 recorded, in the official records of Maricopa County as instrument 2012 0179581. Additionally no building permits for vertical construction (i.e. ground up construction) shall be issued until the NNP Common Facilities (except for the NNP Well 2 Facilities) as those terms are defined in the Northern Solution Water Facilities Agreement have been completed, except that the Director of Engineering or designee shall, in his/her sole discretion, be allowed to waive this prohibition to allow for the construction of model homes if the Director of Engineering or designee is satisfied with the progress towards the completion of the NNP Common Facilities;
5. All utilities within and abutting the subject property, including cable television, shall be placed underground, with the exception of 69 kV or larger electric lines. This shall be shown on the construction plans submitted with the final plat, noted on the final plat, and completed as each phase is developed, prior to the issuance of the first Certificate of Occupancy in such phase;

6. Common landscape and open space improvements within the platted parcel shall be completed upon issuance of the first certificate of occupancy for a dwelling unit within the plat for such parcel;
7. All open space areas, trails, and other community amenities shall be privately owned and maintained by the homeowners association (HOA), and a note shall be placed on the final plat indicating HOA ownership and maintenance responsibilities of these tracts;
8. 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 per the Goodyear General Plan 2025 (Objective GD-2-4, Policy a). This display shall include a 24-inch by 36-inch map at the main entrance of such sales facilities and shall include the approximate locations of the homes being sold clearly depicted;
9. The Public Sales Report and final plats shall include a statement that CantaMia may be subject to attendant noise, vibrations, dust and all other effects that be caused by overflights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport. The developer or successor shall provide for a waiver agreement, which shall run with the land, for each initial homebuyer to sign and shall include the following statement: "This development 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. The owner does release and discharge the City of Goodyear, developer, and homebuilder 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";
10. Building elevations for all dwellings to be constructed in this subdivision shall be submitted to City staff for review and approval prior to submittal of any single family building permit application. Elevations shall conform to the city's prevailing design guidelines;
11. The type of housing product proposed shall be specified on the final plat and the development standards table and final plat shall show the standards appropriate to that type of housing product;
12. The same elevation for dwelling units shall not be placed side by side or across the street from one another unless the elevation is fundamentally different as determined by City staff during the residential design review process;
13. Two-story homes shall not be permitted on corner lots or lots within 35 feet of Estrella Parkway or Willis Road. The final plat for this subdivision shall contain a note listing all lots subject to this stipulation and a corresponding symbol shall be placed on each lot identified on the final plat;
14. No more than three (3) two-story homes will be allowed side by side. Three (3) consecutive two-story homes must be followed by a minimum of two (2) single-story homes. Such language shall be placed as a note on the final plat;

15. The location of mail boxes is to be integrated within the development and their architectural design shall match the specification and type of mailbox used throughout Phase 1 of CantaMia. The location and design of the mail boxes shall be included within the landscape construction plans for this subdivision;
16. All lots with view fencing adjacent to common open space areas shall be required to have completed rear yard landscaping within 120 days of issuance of a certificate of occupancy for the dwelling;
17. The developer shall provide and install a front yard landscape package for each dwelling within 90 days of issuance of the certificate of occupancy for that dwelling;
18. Where lots abut internal landscape/open space, rear yard view fences to meet community design guidelines may be installed by the homeowner at the homeowner's expense;
19. The final plat shall include a note stating driveways upon key lots shall be located on the opposite side from the lot line that the key lot shares with the corner lot and a corresponding symbol shall be placed on each key lot identified on the final plat;
20. Streets within the subdivision shall be privately owned and maintained. In the event a request is made to dedicate the streets to the City of Goodyear and the City chooses to accept the dedication, the developer and/or homeowners association shall bring the streets to current City standards in effect when the request is made;
21. The following information shall be disclosed in the Public Sales Report and a note on the final plat: "CantaMia is in proximity to the proposed Loop 303 Freeway, Willis Road and Rainbow Valley Road and may be subject to potential noise intrusion, vibrations, dust, and all other effects that may be associated with such roadways." The developer or successor shall provide for a waiver agreement, which shall run with the land, for each initial homebuyer to sign and shall include the following statement: "CantaMia is in close proximity to the proposed Loop 303, Willis Road, and Rainbow Valley Road and may be subject to potential noise intrusion, vibrations, dust and all other effects that may be caused by said roadways. The Owner does release and discharge the City of Goodyear the developer and the homebuilder from any liability from any 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 said roadways;"
22. For all lot purchasers within Parcels 20 and 21, the Public Sales Report and final plat shall include a statement that "Parcels 20 and 21 of CantaMia may be subject to attendant noise, odor and all other effects that may be caused by the operations at the Rainbow Valley Water Reclamation Facility and the owner does further release and discharge the City of Goodyear, Newland Communities and AV Homes 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;"
23. The Public Sales Report and Final Plats for CantaMia residential development shall include an statement that CantaMia is adjacent to land designated for development as commercial or industrial uses and may be subject to potential noise intrusion, vibrations, dust, and all other effects that may be associated with such uses;

24. Prior to the issuance of the first building permit for any home in CantaMia Phase 2 and 3, the developer shall cause the installation of temporary signs announcing the occurrence of future commercial or industrial according to the approved PAD. Such signs shall be a minimum of 32 square feet but not greater than 48 square feet, with a maximum height of eight (8) feet. A City building permit is required for any signs over six (6) feet in height. Such signs shall be maintained by the developer, or its successor in interest, until such time as the commercial or industrial properties are developed.
25. The portion of Willis Road adjacent to CantaMia Phase 2 shall be improved concurrent with platting of adjacent parcels as a full half-street with all amenities as part of Phase 2 of CantaMia, including necessary tapers and transitions to existing pavement sections;
26. The portion of Willis Road adjacent to CantaMia Phase 3 shall be improved concurrent with platting of adjacent parcels as a full half-street with all amenities as part of Phase 3 of CantaMia, including necessary tapers and transitions to existing pavement sections;
27. Prior to or concurrent with the submittal of any final plats for Phase 2 and 3 and any tracts depicted on the final plat for which permission to phase construction is sought, a construction phasing plan shall be submitted to Engineering for review and approval. The phasing plan shall identify all infrastructure improvements needed to support the final plat. The construction drawings for the improvements needed in accordance with the approved phasing plan shall be approved prior to the approval of the final plat. Construction drawings for each construction phase shall be submitted on separate plan sets. A development agreement may be required to formally approve the phasing plan. The decision to allow the phasing of the construction of infrastructure improvements and the determination as to whether a development agreement is required shall be determined by the City of Goodyear's Director of Engineering or designee;
28. A maintenance plan shall be submitted with mass grading plans for review and approval for any part of the preliminary plat for which mass grading is proposed. The maintenance plan shall address the maintenance of storm drain pipes, retaining walls, and any other elements that are above and beyond earthwork and shall be approved prior to the issuance of a grading permit. The City may require the developer to submit bonding to guarantee the on-going performance of maintenance by the developer ;
29. Grading, storm drain pipes, and retaining walls in an existing FEMA floodplain will be considered at-risk until a CLOMR has been approved by FEMA. Permits for subdivision improvements other than grading, storm drain pipes, and retaining walls in an existing FEMA floodplain will not be issued until a CLOMR has been submitted to FEMA for review and approval. These improvements will be considered at-risk until a CLOMR is approved by FEMA. Building permits in the existing floodplain will not be issued until the CLOMR is approved by FEMA;
30. A right turn lane shall be provided on Willis Road for the entry collector;

31. Developer or its Successor shall be responsible for the following payments:
- a) Fifty (50) percent of the cost of the traffic signal on Willis Road at the main entrance;
 - b) Fifty (50) percent of the cost of the traffic signal at Estrella Parkway and the entry collector;
 - c) Twenty-five (25) percent of the cost of the traffic signal at Willis Road and Estrella Parkway;

Traffic signals shall be installed or an in lieu payment provided to the City as directed by the City Engineer, or his designee, prior to issuance of the first building permit in Phase 2;

32. Bus bays shall be required for northbound Willis Road just north of Rainbow Valley Road and just north of the main entrance;
33. The Developer shall provide for an emergency entry system at the front gate and submit an automatic gate access device plan to the Fire and Police Departments for review and approval prior to the construction of such element. The device shall be installed per the prevailing Engineering Design Standards with a key pad coded backup;
34. The Developer shall provide a detail of the gated entrance, queuing area, and turn radius at the time that the gated entry is being proposed for construction for City Staff review and approval. The gate shall include pedestrian control. A minimum of 20-feet clear width between the open gates at the entrance into the subdivision shall be provided for emergency access;
35. Any Final Plat and the Conditions, Covenants, and Restrictions (CC&Rs) shall include a statement that private streets, sidewalks, signage and street lighting shall be constructed and maintained by the Developer until transferred to a duly incorporated property owners association and thereafter maintained by such association;
36. If the Developer or homebuilder fails to comply with any of the stipulations contained in this ordinance or fails to comply with any other City codes and regulations in the development of CantaMia Phase 2 and 3, then the Development Services Director, or his designee, with respect to such Developer or Homebuilder may suspend issuance of building or construction permits within the parcel in violation until the Developer or Homebuilder cures the item in default;
37. The Developer shall submit a certified study with the construction plans for this development for review by the City Engineer, or his designee, that documents that the size and design of the gates at all entrances are adequate to serve a community of this size.
38. Final plats shall not be approved for Parcels 20 and 21 until appropriate odor control facilities have been installed at the Rainbow Valley Water Reclamation Facility which will result in the reduction of the required buffer from 1000 feet to 350 feet;

PURPOSE:

The applicant is requesting a preliminary plat for Phases 2 and 3 within CantaMia (previously known as Village X-Province). The preliminary plat consists of 326.79 acres that will be subdivided into 1,073 single family residential lots and 168 tracts. The proposal replaces the previously approved preliminary plat for Phases 2 and 3 of CantaMia and modifies some lot sizes and some of the lakes and includes 66 fewer lots than the original PAD approval. The preliminary plat is consistent with the land use, development standards, and with the residential density approved as part of the EMR Village X PAD. The preliminary plat is consistent with the requirements of the City's Subdivision Regulations. The Planning Commission voted (6-0) to forward a recommendation of approval to the City Council.

BACKGROUND AND COMMUNITY BENEFIT:**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.

Historical Information:

On July 25, 1988, the City Council adopted Ordinance No. 88-257 approving the original Estrella Phase II Planned Area Development (PAD) consisting of 5,493 acres. On April 20, 2005, the City Council approved an amendment for Village X of Estrella Mountain Ranch with the adoption of Ordinance No. 2005-947. This amendment facilitated the development of Province, an active adult community, now known as CantaMia. The subject property is designated as Single Family Detached Primary Residential (SFD-PR) and Single Family Attached Creative Lot Residential (SFA-CLR) in the Village X PAD. The City Council approved the preliminary plat for Village X on April 10, 2006. The City Council approved final plat for Province (CantaMia) Parcels 1 through 14 in early 2007. These parcels are currently under construction with single family homes. A community center and model home complex has also been completed.

On July 30, 2013, the City's Development Services Department approved a minor amendment to the Village X PAD. The amendment allowed the SFA-CL land use designation within the PAD to be developed with detached single family homes in addition to attached single family homes. On October 16, 2014, the City's Development Services Department approved a minor amendment to Estrella Mountain Ranch Village X PAD. This minor amendment reduced the total number of single family residential lots from 1,139 to 1,073, increased some lot sizes, replaced some areas of the lakes with open space tracts, and expanded the open space adjacent to the community to allow the development of additional amenities.

Surrounding Properties:

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

- East/Northeast - the property is vacant with a General Plan designation of Low-Medium Density Residential (L-MDR), Medium-High Density Residential (M-HDR) and Community Commercial (CC) and Zoning District of Final PAD.
- South - The boundary of the Project is located on the Pecos Road alignment. The roadway is not planned to be constructed along this alignment. The property at the southeastern boundary is vacant, the General Plan designation is Light Industrial (LI), and zoned PAD. The majority of the property is vacant, the General Plan designation is Low-Density Residential (LDR), and zoned Agricultural/Urban (AU). This property is State Trust Land.
- West/Northwest - The property is generally vacant with a General Plan designation of L-MDR (with some existing single family detached lots) and LI (existing Wastewater Treatment Facility) and Zoning District of Final PAD.

Details of the Request:

The preliminary plat for CantaMia Phases 2 and 3 consists of 326.79 acres that will be subdivided into 1,073 single family residential lots and 168 tracts. The number of lots proposed is 66 less than the 1,139 approved previously and the new total for the project of 1,716 is well below the maximum of 1,975. The gross density is 3.3 dwellings per acre for Phase 2 and 3.2 for Phase 3. The amount of proposed open space is 69.03 acres (21.1%) which is approximately the same as in the previously approved preliminary plat.

Lot Size Table				
	Phase 2		Phase 3	
Lot Size	# of Lots	% of Lot Mix	# of Lots	% of Lot Mix
45' x 110'	132	21%	135	30%
60' x 117'	312	50%	249	55%
70' x 117'	177	29%	68	15%
Total:	621		452	
Total Lots, Phase 2 and 3	1,073			

As designated in the PAD, minimum building setbacks are 20 feet for the front yard, 5 feet for the side yard, and 15 feet for the rear yard. The building lot coverage is 60%. The maximum building height is 30 feet or two stories. Standard single family detached residential housing and single family attached (duplex) residential housing are intended for this subdivision.

Site Data			
	Phase 2	Phase 3	Total
Min Lot Area	4,950	4,950	4,950
Max Lot Area	15,625	16,389	16,389
Min Front Yard Building Setback	20'	20'	20'
Min Side Yard Building Setback	5'	5'	5'
Min Rear Yard Building Setback	15'	15'	15'
% Open Space (net)	19.1	23.9	21.1
Gross/Net Project Density	3.3	3.2	3.3

Staff Analysis and Findings:

The preliminary plat is consistent with the land use, development standards, and density approved by the EMR Village X PAD. The preliminary plat is consistent with the technical requirements of the City's Subdivision Regulations. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development. The reconfigured lots conform to the zoning designations and are providing a similar lot mix except that the 60' x 86' lot has been enlarged to a depth of 110 feet. The elimination of the lakes, in favor of open space parcels with trails and amenities, should make the project more sustainable as it is relying on groundwater to fill the lakes until there is a connection to the Rainbow Valley WRF and a sufficient supply of reclaimed water.

The proposed development will provide additional housing opportunities within the City of Goodyear. The development of the property will also provide an increase in the City's construction sales tax revenues.

DEPARTMENTAL/FUNCTIONAL IMPACTS:**Luke Air Force Base:**

The subject property is not within the vicinity of Luke Air Force Base and the subdivision should have no impact on base operations. A general note will be included on the final plat to inform the public and homeowners of the military base and potential for over-flights.

Phoenix-Goodyear Airport:

The subject property is outside the traffic pattern airspace of the Phoenix-Goodyear Airport and the subdivision should have no impact on airport operations. A general note will be included on the final plat to inform the public and homeowners of the airport and potential for over-flights.

School Districts:

The subject property is located within the Liberty Elementary School District and the Buckeye Union High School District. The school districts have indicated that they have adequate capacity to accommodate more students for the EMR Village X PAD – CantaMia Phase 2 and 3. Since CantaMia is being developed as an active adult community, no new students are expected from this residential development.

Fire Department:

The development is served by Fire Station No.182 located near Estrella Parkway and Santa Maria Drive, approximately three miles to the nearest point of Village X - CantaMia. A Fire Station is planned on Willis Road, east of the Rainbow Valley Water Reclamation Facility and will be developed when the recently adopted level of service criteria are met.

Solid Waste/Recycling:

Solid waste collection will be provided at curbside by City of Goodyear in accordance with standard policy and procedures for residential solid waste and recyclables collections.

Stormwater:

The conveyance of stormwater shall be in accordance with City of Goodyear Engineering Design Standards and Policies Manual. There are some washes that flow through the site that currently have flood plains that will need to be adjusted before those portions of Phases 2 and 3 can be final platted.

Streets/Access:

All streets within the subdivision will be private and constructed to city standards. The development is currently accessed from Estrella Parkway at Tanglewood Drive with a secondary temporary emergency access at the south end of Estrella Parkway to 174th Drive. The subdivision will have a second gated access point onto Willis Road. As Phases 2 and 3 develop, secondary emergency access will be provided to Willis Road until CantaMia Parkway is extended.

Water/Wastewater/Reclaimed Water:

This subdivision will be served by City of Goodyear water and wastewater utilities. The City and Newland Communities have entered into an agreement that will provide additional water supplies necessary to serve the Estrella area. The availability of water resources to serve each parcel will need to be demonstrated with each final plat. The lakes are part of a reclaimed water system which is used to irrigate common areas.

PREVIOUS ACTION AND DISCUSSION:

A preliminary plat for Village X (CantaMia) was approved by the City Council on April 10, 2006.

Planning and Zoning Commission:

The Planning and Zoning Commission considered this item at its regular meeting of November 19, 2014. The Commission unanimously voted (6-0) to forward a recommendation of approval to the City Council. No one from the public spoke on this item.

FISCAL ANALYSIS:

To the extent that this subdivision will provide for residential land use and development, there may be a net negative impact to the General Fund, not including construction sales tax, but no fiscal impact analysis has been conducted.

ATTACHMENTS:

1. Vicinity Map -Aerial Photo Exhibit
2. Project Narrative
3. Preliminary Plat – CantaMia Phase 2 and 3
4. Preliminary Landscape Plan