

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

DATE: November 16, 2020

CAR #: 2020-7101



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Approve 90-day Extension of the approval of the Final Plat of Hudson Commons Parcel 2 Phase 2 subject to stipulations in Council Action Report 2020-7101

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

**OTHER PRESENTER(S):** Joseph Cable, Bowman Consulting

**Summary:** 90-day extension of the conditional approval of the Final Plat of Hudson Commons Parcel 2 Phase 2 subdividing approximately 27.6 acres into 120 lots and 12 tracts at the southeast corner of N. 158<sup>th</sup> Avenue and W. Van Buren Street.

**Recommendation:** Approve a 90-day extension of the approval of the Final Plat of Hudson Commons Parcel 2 Phase 2 Final Plat attached hereto and which approval is subject to the following stipulations:

1. All offsite infrastructure improvements required by the approved Hudson Commons Parcel 2 preliminary plat, which shall include all improvements required by the Engineering Standards, including but not limited to, full street improvements to Hudson Street from Estrella Parkway to the entry into the Hudson Commons Parcel 2 Phase 1, half street improvements to 158<sup>th</sup> Avenue along the entire Hudson Commons frontage, all connecting streets through Hudson Commons Parcel 2 Phase 1 necessary for the secondary connection for this final plat, and water and sewer infrastructure, shall be completed prior to the issuance of a certificate of occupancy in conformance with approved construction drawings unless otherwise approved by the City Engineer or his designee;
2. Prior to the issuance of the first building permit within the platted property, owner shall, at its sole cost, construct or cause to be constructed a decorative screening wall around the RID well site, which shall replicate the theme wall approved with the landscape plans for this final plat;
3. Owner shall comply with all federal, state and local laws, codes, ordinances, rules, regulations and standards, policies, guidelines, and conditions/stipulations of approval applicable to the development of the property, including but not limited to requirements in the City of Goodyear Design Standards and Policies Manual and City of Goodyear Subdivision Regulations regarding the dedication for and construction of off-site and on-site infrastructure and all stipulations of approval for the Preliminary Plat for Hudson

Commons Parcel 2 approved by the city on November 26, 2018. In addition, Owner shall comply with the terms of the Hudson Commons Development Agreement recorded in the official records of Maricopa County at instrument 2017-0742078 as it may be amended from time to time;

4. 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; and,
5. Any technical corrections to the final plat required by the City Engineer shall be made prior to the recordation of the final plat.

**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. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

## Background and Previous Actions

The preliminary plat of Hudson Commons Parcel 2 was approved by the City Council on November 26, 2018. A Final plat of Hudson Commons Parcel 2 Phase 1, connected to and located immediately south of this Parcel 2 Phase 2 final plat, was approved by the City Council on December 16, 2019, and this Parcel 2 Phase 2 final plat was approved by the City Council on July 13, 2020. Pursuant to section 15-2-5 of the Goodyear City Code, final plat approval expires unless the final plat is recorded within 90 calendar days from the date council approved the final plat, or a request for an extension has been submitted prior to the expiration of the final plat approval. This approval extension request was received prior to the 90-day deadline to record the Final Plat for Hudson Commons Parcel 2 Phase 2.

## Staff Analysis

As described in the attached approval extension request narrative, the transition of property ownership from the current owner, Estrella Van Buren Properties, Inc., to the future owner and developer, Richmond American Homes of Arizona, Inc., has not yet been completed. As a result, this Parcel 2 Phase 2 final plat was not recorded within 90 days of the July 13, 2020 Council approval. However, the deadline for requesting a 90-day approval extension prior to final plat

approval expiration was met. In addition, because no changes have been made to the Subdivision Regulations or the Engineering Design Standards since the July 13<sup>th</sup> approval, staff supports approval of the requested 90-day approval extension. The conditional approval of the Final Plat for Hudson Commons Parcel 2 Phase 2 shall expire unless it is recorded by February 16, 2021.

## **Attachments**

1. Approved Final Plat of Hudson Commons Parcel 2 Phase 2
2. Extension Request Narrative
3. Final Plat Council Action Report Conditionally Approving Final Plat of Hudson Commons Parcel 2 Phase 2
4. Aerial Photo