

COUNCIL DATE:
CAR #: 202X-XXXX



CITY COUNCIL ACTION REPORT

SUBJECT: FINAL PLAT FOR EL CIDRO PHASE 2 – PARCEL 1A

STAFF PRESENTER(S): Katie Wilken, Planning Manager

OTHER PRESENTER(S): Douglas Chubin, P.E., CVL Consultants

SUMMARY:

A final plat subdividing approximately 39.94 acres into 163 single family lots and 23 tracts located east of South Citrus Road, north of West Broadway Road, west of South 175th Avenue.

RECOMMENDATION:

Approve the final plat for El Cidro Phase 2 – Parcel 1A (the “Final Plat for Phase 2 Parcel 1A”) subdividing approximately 39.94 acres into 163 lots and 23 tracts located east of South Citrus Road, north of West Broadway Road, west of South 175th Avenue (the “Property”) subject to stipulations.

STIPULATIONS:

1. Any technical corrections to the Final Plat for Phase 2 Parcel 1A required by the City Engineer shall be made prior to the recordation of the final plat.
2. Prior to recordation of the Final Plat for Phase 2 Parcel 1A, 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 the Final Plat for Phase 2 Parcel 1A is authorized to do so.
3. The Final Plat for Phase 2 Parcel 1A shall not be recorded until the existing electrical easement (Maricopa County Records Docket 275, Page 564, recording number 1948 0037737) has been terminated and the termination recorded in the official records of the Maricopa County Recorder. Prior to the recordation of the final plat, documentation shall be provided to the City Engineer or his/her designee showing

that such easement has been terminated and the termination recorded in the official records of the Maricopa County Recorder.

4. Owner, at Owner's sole cost, shall construct all on-site and off-site sewer/wastewater lines and appurtenances needed for the city to provide wastewater service to the Property, and prior to the recordation of this Final Plat, Owner, at no cost to the City, shall have dedicated by separate instrument, in a form approved by the City Attorney or his designee, sewer easement(s) for the areas outside the boundaries of the Final Plat for Phase 2 Parcel 1A within which such sewer/wastewater lines and appurtenances are to be constructed.
5. The Final Plat for Phase 2 Parcel 1A shall not be recorded unless either (i) the Final Plat for El Cidro Phase 2 – Parcel 1F being presented by separate council action concurrently with the Final Plat for Phase 2 Parcel 1A is recorded simultaneously with the Final Plat for Phase 2 Parcel 1A or until (i) the Final Plat for Parcel Phase 2 Parcel 1A has been revised to delete the dedication of drainage easements in Tracts S and V; (ii) separate drainage easement(s), in a form acceptable to the City Attorney or his designee, are provided to the City and the El Cidro Homeowners Association, within Tracts S and V and the areas outside the boundaries of Final Plat for Phase 2 Parcel 1A that will accept, contain, retain and dispose of storm waters from the Property and within which drainage facilities need for the retention, conveyance, and disposal of stormwater run-off from the Property pursuant to grading and drainage improvement plans approved for the development of the Property; and (ii) a reference is added to Tracts S and V that drainage easements are dedicated by separate instrument and the recording information for the easements are inserted into the Final Plat for Phase 2 Parcel 1A.
6. The Final Plat for Phase 2 Parcel 1A shall not be recorded unless either (i) the Final Plat for El Cidro Phase 2 – Parcel 1F being presented by separate council action concurrently with the Final Plat for Phase 2 Parcel 1A is recorded simultaneously with the Final Plat for Phase 2 Parcel 1A or until (i) easement(s), in a form acceptable to the City Attorney or his designee, located outside the boundaries of the Final Plat for Phase 2 Parcel 1A for the construction, operation, maintenance, repair, removal and replacement of sewer infrastructure needed for the city to provide sewer services to the Property has been provided to the city.
7. Owner shall in-lieu payment for a proportionate share of the cost of a full traffic signal (all four legs) (the "in-lieu payment") for the following intersections. The in-lieu 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:
 - a. 75% of the cost of a full traffic signal at the intersection of Elwood Road and Cotton Lane
 - b. 50% of the cost of a full traffic signal at the intersection of Lower Buckeye Road and Cotton Lane

The in-lieu 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.

The in-lieu payments required herein shall be paid at the earlier of the following (i) when the signal(s) are warranted or (ii) at the time of issuance of fifty percent (50%) of the building permits for the residential units for development within the property zoned by Ordinance 18-1408, which is 687 residential units (50% of maximum number of residential units of 1,344). Any funds collected by the city from other property owners towards the cost of the traffic signal at Elwood Road and Cotton Lane shall be credited towards the obligation for such signal referred to above.

8. In addition to the specific infrastructure identified herein, Owner shall construct all infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies. All infrastructure improvements Owner is required to construct shall be at constructed in conformance with the requirements in place at the time of construction and at no cost to the City.
9. No Certificate of Completion, Temporary Certificate of Completion or Certificate of Completion for any structure within the Property shall be issued until all off-site water and sewer infrastructure needed for the city to provide water and sewer service to the Property has been completed and accepted by the City Engineer or his/her designee subject to completion of the two-year warranty period and until all on-site and off-site drainage facilities needed for the acceptance, conveyance, retention and disposal of storm water as reflected in the approved grading and drainage plans for the Property have been completed.
10. Prior to the issuance of the first Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property, all open space, landscape, hardscape, entry monuments, walls and other subdivision amenity improvements as required in rezoning Ordinance 2018- 0736638 shall be completed.
11. The Public Sales Report shall include a statement that states El Cidro is subject to attendant noise, vibrations, dust, and all other effects that may 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.

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 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 El Cidro Final PAD was approved by the City Council on March 5, 2007, with the adoption of Ordinance No. 07-1060. Since its adoption, the El Cidro PAD was amended in 2008 (Ordinance No. 08-1111), 2010 (Ordinance No. 10-1215), 2013, (Ordinance No. 13-1285), 2015 (Ordinance No. 15-1327), 2017 (Ordinance No. 17-1352), 2018 (Ordinance No. 18-1387), and 2018 (Ordinance No. 18-1408). These amendments reconfigured existing land uses within the PAD, modified some land use categories, and added new commercial land.

A preliminary plat for El Cidro was approved by the City Council on March 5, 200, and on February 25, 2008, final plats were approved for the following Phase II Parcel 1A, Phase II Parcel 1B, Phase II Parcel 1C, Phase I Parcel 1D, Phase I Parcel 1E, and Phase III Parcel 1F (collectively the 2008 Final Plats). On August 25, 2014, Council rescinded the approvals of the 2008 Final Plats and approved a Preliminary Plat for El Cidro Parcels 1-5. On April 10, 2017, council approved the following final plats, Final Plat for El Cidro Phase I Parcel 3, Final Plat for El Cidro Phase I Parcel 2 and Final Plat for El Cidro Parcel D Phase 1, which subdivided property included within the Preliminary Plat for El Cidro Parcel 1-5. On October 26, 2020, Council approved the following final plats, Final Plat for El Cidro Phase 1 Parcel 1B, Final Plat for El Cidro Parcel 1D, Phase 2 and Final Plat for El Cidro Phase 1 Parcel 1E.

STAFF ANALYSIS:

The final plat substantially conforms to the approved preliminary plat, 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. Final Plat for El Cidro Phase 2 – Parcel 1A
2. Council Action Report for Preliminary Plat for El Cidro Parcels 1-5
3. Aerial Photo