



CITY COUNCIL ACTION REPORT

SUBJECT: PRELIMINARY PLAT FOR SILVA TRAILS AT WEST
GOODYEAR

STAFF PRESENTER(S): Christian M. Williams, Planner

SUMMARY

Preliminary Plat for Silva Trails at West Goodyear subdividing approximately 138.81 acres into 616 lots and 57 tracts.

Recommendation

Approve the preliminary plat for Silva Trails at West Goodyear, subdividing approximately 138.81 acres into 616 lots and 57 tracts (the "Property"), subject stipulations. (Christian M. Williams, Planner)

STIPULATIONS

1. Grades adjacent to and within 10 feet of the bridle trail along the east side of Citrus Road shall not exceed a slope of 6:1.
2. Proposed private irrigation facilities locations submitted with the preliminary plat are not approved. Modifications to irrigation facilities shall be coordinated with the appropriate Irrigation District/private owner.
3. Owner shall construct full half-street improvements required for a Minor Arterial as set forth in the Engineering Design Standards in effect when the improvements are constructed, except for ½ median and ½ median landscaping, for the south half of W. Van Buren Street along or adjacent to the frontage of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Van Buren Street Improvements"). No building permits for any structure within the Property except for Model Homes shall be issued until the Van Buren Street Improvements have been substantially completed as determined by the City Engineer or his designee; and
4. Owner shall remit to the City an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of W. Van Buren Street along or adjacent to the frontage of the Property. The in-lieu payment for the median shall be based on the estimated cost of the full median and full median landscaping as determined by the City Engineer or designee, and it shall be paid prior to the recordation of the first final plat subdividing all or part of the Property; and;
5. Owner shall construct full half-street improvements for Citrus Road required for a Minor Arterial as set forth in the Engineering Design Standards in effect when the improvements are constructed , except for ½ median and ½ median landscaping, for the east half of Citrus Road along or adjacent to the frontage of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Citrus Road Improvements"). The Citrus Road Improvements shall be completed in connection with recordation of any final plat subdividing all or part of the Property that is adjacent to Citrus Road and the Citrus Road Improvements shall be substantially completed, as determined by the City Engineer or his designee, prior to the issuance of any building permit for any structure, except for model homes, within the portion of the Property included within the final plat that triggered the obligation to construct the Citrus Road Improvements; and
6. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall provide a legal description, approved by the City Engineer or his designee and at no cost to the City, for the right-of-way for the eastern half-street of the section of Citrus Road along or adjacent to the Property; and
7. Owner shall remit to the City an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of Citrus Road along or adjacent to the frontage of the Property. The in-lieu payment for the median shall be based on the estimated cost of the full median and full median landscaping as determined by the City Engineer or designee, and it shall be paid prior to the recordation of the final plat subdividing all or part of the Property that triggers Owner's obligations to construct the Citrus Road Improvements; and
8. Owner shall construct full half-street improvements for a Minor Collector as set forth in the Engineering Design Standards in effect when the improvements are constructed for the north half of W. Harrison Street along or adjacent to the frontage of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Harrison Street Improvements"). No building permits for any structure within the Property except for Model Homes shall be issued until the Harrison Street Improvements have been substantially completed as determined by the City Engineer or his designee; and
9. Owner shall dedicate, at no cost to the City, all rights-of-way and/or easements within the boundaries of the Property that are: (i) needed for the construction of infrastructure improvements required for the City to provide water and wastewater services to the Property; (ii) required to be dedicated under 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; (iii) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (iv) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; (v) required for the construction of the infrastructure improvements to be constructed pursuant to the stipulations herein, and/or (vi) required public 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. The rights-of-way to be dedicated shall be dedicated in fee and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to by the City, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by any stipulation in this ordinance, the terms of a written development agreement approved by the Council or a written phasing plan approved by the City Engineer or his designee, all dedications shall be made prior to or concurrent with recordation of a final plat that includes the area in which the dedicated property is located as required by the City Engineer or his designee; and;
10. Owner is responsible for a proportionate share of the costs of traffic signals at the intersection identified below Owner shall make an in-lieu payment for the cost of traffic signal adjacent to the Property. The in-lieu payment shall be made prior to the recordation of the first final plat subdividing all or part of the Property. 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 Property Owner's traffic signal obligations include, but may not be limited to:
 1. 25% of the cost of the full traffic signal (all four legs) at W. Van Buren Street and N. Citrus Road;

11. Owner is responsible for a proportionate share of the costs of additional traffic signals identified in an approved Traffic Impact Analysis/Study as being needed to support the development of the Property. If an updated Traffic Impact Analysis/Study reflects the need for any additional traffic signals at any intersection adjacent to the Property, Owner shall, at no cost to the City, convey, in fee, lien free, and free of any easements or encumbrances unless specifically agreed to by the City, any additional right-of-way needed for the construction of the portion of the traffic signal that will be located on the Property. In addition, Owner shall make an in-lieu payment to the City towards the cost of the signal. The in-lieu payment will be 25% of the cost of a full traffic signal for each corner of the intersection adjacent to the Property and shall be remitted to the City prior to the recordation of a final plat that includes property adjacent to such intersection.
12. All existing above-ground 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;
13. In addition to the specific infrastructure identified herein, Owner shall construct all infrastructure improvements required by the City of Goodyear subdivision regulations and Engineering Design Standards and Policy Manual in effect at the time of construction;
14. In addition to compliance with the stipulations and conditions of approval set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the City of Goodyear subdivision regulations, the City of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, and all other federal, state and locals laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property; and
15. Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the Property and request that any assured water supply credits issued by ADWR as a result of any such extinguishment be credited to the City of Goodyear. Said extinguishment shall occur prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permits for work within the Property, whichever is earlier.
16. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall remit a cost recovery payment to the City in the amount of \$643,174.00 pursuant to the Cost Recovery Resolution of Intention No. 06-1065 as amended by Resolution No. 14-1622 and Resolution No. 16-1748 (the "Cost Recovery Resolution – Wastewater Trunk Lines") for regional wastewater lines I, J and K that have been fully constructed; and
17. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall remit a cost recovery payment pursuant to the Cost Recovery Resolution – Wastewater Trunk Lines for regional Wastewater Line L identified in the West Goodyear master wastewater study and the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property. The amount of the cost recovery payment owed shall be based on the percentage of the actual cost of Wastewater Line L if it has been completed when the cost recovery payment is owed, otherwise, the amount of the cost recovery payment shall be \$314,238, which is the amount reflected in the Cost Recovery Resolution – Wastewater Trunk Lines. No building permits for any structures within the Property shall be issued until the cost recover payment for regional Wastewater Line L has been paid to the City; and
18. If Wastewater Line L has been or is being constructed by others when the first final plat subdividing all or part of the Property is to be recorded, Owner shall make a cost recovery payment for its proportionate share of the costs of the lines being constructed by others pursuant to the Cost Recovery Resolution – Wastewater Trunk Lines prior to the recordation of the first final plat subdividing all or part of the Property. The amount of the cost recovery payment owed shall be based on the percentage of the actual cost of Wastewater Line L if it has been completed or if Line L is under construction but has not been completed, the amount of the cost recovery payment shall be \$314,238, which is the amount reflected in the Cost Recovery Resolution – Wastewater Trunk Lines; and
19. Unless the unconstructed portion of regional Water Line C identified in the West Goodyear master water study Resolution of Intention No. 06-1064 as amended by Resolution No 14-1621 and Resolution No. 16-1747 (the "Cost Recovery Resolution – Water Delivery Lines") as benefitting the Property has been fully constructed or is under construction by others when the first final plat subdividing all or part of the Property is to be recorded, Owner shall be responsible for completing the construction of regional Water Line C and, if owed, for making a cost recovery payment towards the cost of regional Water Line C based on the allocation methodology set forth in Resolution 2016-1747. If a cost recovery payment is owed, it shall be paid prior to the recordation of the first final plat subdividing all or part of the Property, and no building permits for any structures within the Property shall be issued until regional Water Line C has been substantially completed as determined by the City Engineer or his designee and any cost recovery payment owned herein has been paid to the city; and
20. If regional Water Line C discussed above has been fully constructed or is under construction by others when the first final plat subdividing all or part of the Property is to be recorded, Owner shall make a cost recovery payment for its proportionate share of the cost Water Line C pursuant to the Cost Recovery Resolution – Water Delivery Lines prior to the recordation of the first final plat subdividing all or part of the Property. The amount of the cost recovery payment owed shall be based on the percentage of the actual cost of Water Line C if it has been completed or if Line C is under construction but has not been completed, the amount of the cost recovery payment shall be \$83,883, which is the amount reflected in the Cost Recovery Resolution – Water Delivery Lines. No building permits for any structures within the Property shall be issued until the cost recover payment for regional Water Line C has been paid to the City. No building permits for any structures within the Property shall be issued until the cost recover payment for regional Water Line C discussed herein has been paid to the city; and
21. Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the Property and request that any assured water supply credits issued by ADWR as a result of any such extinguishment be credited to the City of Goodyear. Said extinguishment shall occur prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permits for work within the Property, whichever is earlier; and
22. The Public Sales Report(s) for the Property and all final plats subdividing all or part of the Property shall disclose that the Property is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses; and
23. Owner shall obtain from all initial homebuyers an executed acknowledgment that runs with the land in which the homebuyer(s) acknowledge that the lot they are purchasing is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses; and
24. The Public Sales Report(s) for the Property and all final plats subdividing all or part of the Property shall include a statement that the Property is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at, or taking off from, Luke Air Force Base; and
25. Owner shall obtain an executed waiver agreement from all initial homebuyers that complies with the following. The waiver agreement shall run with the land and shall include the following waiver language: "Buyer(s) acknowledge that the lot being purchased 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 hereby releases and discharges the City of Goodyear from any liability for any and all claims for future damages to persons or property and complaints of any kind that may arise at any time in the future from the operation of such aircraft near and over the area"; and
26. Signage shall be posted within all subdivision sales offices identifying the location of the Luke Air Force Base: Accident Potential Zones (APZs), 65 Ldn and higher noise contours, departure corridors, and vicinity boundary. This display shall include a 24-inch x 36-inch map at the main entrance of such sales facility and shall include the approximate locations of the homes being sold clearly depicted; and

27. Prior to approval of the first final plat subdividing all or part of the Property, Owner shall establish a homeowners association (HOA) for the Property, with said HOA owning and maintaining all private open space areas, private trails, and other private community amenities, and maintaining all arterial and collector road rights-of-way landscaping abutting or within the residential parcels except for arterial median landscaping. A note shall be placed on each final plat indicating HOA ownership and maintenance responsibilities of these private tracts and public rights-of-way landscaping; and
28. The 16.5' easement for telephone and telegraph reflected on the preliminary plat shall be terminated prior to recordation of any final plat that subdivides all or part of the property or prior to the issuance of any construction permit for work within the Property, whichever is earlier; and
29. Prior to approval of any final plat subdividing all or part of the Property, Owner shall have obtained approval of a legal description prepared by or on behalf of Owner for the right-of-way needed for the construction of street improvements. Owner is required to construct on city owned property to the west of the Property.

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

On February 22, 2021 the City Council adopted Ordinance No. 2021-1495 approving the R1-4 Reduced with Silva Trails PAD Overlay which designated the parcel for single-family residential.

The General Plan Land Use Plan designates the subject property as 'Neighborhoods'. The 'Neighborhoods' land use category provides for the growth and development of single-family residential as is proposed with this preliminary plat.

STAFF ANALYSIS

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. The required reports and studies submitted in connection with the application for the preliminary plat have been approved and demonstrate compliance with applicable subdivision regulations and design principals and the proposed preliminary plat demonstrates compliance with the property's zoning, public objectives, subdivision design principles and standards, and streets and thoroughfare planning, including open space requirements. An approved preliminary plat shall expire within 12 months from the date of City Council approval unless either a final plat has been submitted for all or part of the property included in the preliminary plat or an extension has been obtained.

Details of the Request:

This parcel consists of 138.81 acres and this preliminary plat will subdivide the parcel into 616 lots and 57 tracts on a recently rezoned property. The Silva Trails development has ingress and egress via private streets onto Van Buren Street, Citrus Road and Harrison Street.

Existing land uses and zoning surrounding the subject property include the following:
 North – Vacant property zoned General Commercial (C-2) and Cotton lane RV Park (zoned PAD);
 South – Vacant property owned by the city of Goodyear zoned Public Facilities District (PFD), Odyssey Preparatory Academy zoned (PAD) and Canyon Trails 4 West/Oasis at Canyon Trails (zoned PAD);
 East – Canyon Trails 4 West/Oasis at Canyon Trails (zoned PAD);
 West – County island, homes and vacant agricultural lands (largely zoned RU-43/city equivalent to AU (Agricultural Urban));

Silva Trails will adhere to the R1-4 Reduced city lot development standards with the exception of those modifications found within the PAD Overlay; the minimum lot depth has been reduced from 100-feet to 90-feet and the minimum lot size has increased from 4,500 square feet to 4,950 square feet. The typical lots within the subdivision will be 45-feet-wide by 120-feet-deep, 50-foot-wide by 120-feet-deep and 55-feet wide by 90-feet deep.

The Ordinance approving the R1-4 Reduced zoning in Silva Trails included stipulations regarding the amenities that would be provided to support the R1-4 Reduced zoning. The preliminary plat provides for these elements as follows:

Amenity Elements:

1. Additional Internal Park Amenities - A swimming pool, shaded children's water play area and bathroom facility.
2. Additional Amenities - an outdoor kitchen with two built in gas barbeque grills, a built-in countertop-sink all underneath a shaded trellis structure. The central amenity area will also include a clubhouse with both indoor and outdoor lounge areas, meeting rooms, bathrooms, and gathering spaces; a cornhole plaza with four cornhole boards (two independent games) and seating; a shaded playground lighted basketball court; shaded picnic tables with charcoal barbeque grills; a large turf area with space for fields or organic play

Connectivity Elements:

1. In-fill – Project will be located adjacent to Canyon Trails 4 West/Oasis at Canyon Trails (a large nearly developed master planned community) and will largely complete this square mile of development.
2. Trail System Connections – Create a decomposed bridle trail on the east side of Citrus Road that is 8-feet-wide immediately east of sidewalk and 9 -foot-wide landscape strip with 25 foot on center shade trees.
3. Provide Lot Diversity - In order to ensure lot diversity within the R1-4 Reduced Zoning district 35 percent of the lots within the Property will be 45' X 120' or deeper, 10 percent of the lots within the Property will be 50' X 120' or deeper and 35 percent of the lots within the Property will be 55 X 90' or deeper. By way of comparison a standard R1-4 Reduced lot may be as small as 40-feet-wide by 100-feet-deep or 4,000 square feet in overall size; the smallest lot in this development will be 4,950 square feet in overall size.
4. Additional Connectivity Elements – Feature mid-block trails to create smaller blocks; provide a view fence along the bridle path to provide views to the path and into the community; provide pedestrian access from the development to the bridle path; include 8-foot-wide sidewalks that lead from the Citrus Road, Van Buren Street, and Harrison Street entrances to the central and secondary open spaces

Streetscape Elements:

1. Detached Sidewalks - 5 and a half-foot wide planters adjacent to all roads in interior of the development with HOA maintained landscape strips
2. Paving Materials - Decorative pavers on all driveway of lots that are 45-feet-wide
3. Additional Streetscape Elements – Pavers and colored concrete will be used at the three main entrances into the development and maintained by the HOA.
4. West Goodyear Streetscape Designs – Utilize rail fencing at the primary and secondary entrances as well as hard-exterior corners, construct a "West Goodyear" trellis/ monument sign/entrance at the hard corner of Citrus Road and Van Buren Street; utilize rail fencing along the bridle path; utilize rail fencing at the central amenity area; utilize decorative trellises at the pedestrian entrances to the community and bridle trail; the three main entrances into the community will be lined with shade trees and feature detached sidewalks

Luke Air Force Base and Phoenix Goodyear Airport:
The property does not fall within the Luke Airforce Base Accident Potential Zone or the DNL. The property does not fall within the Phoenix-Goodyear Airport DNL.

Fire Department:
Fire station response times are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	6.17	3.09	7.29	3.64	#185	11.24	5.62	13.13	6.56

Police Department:
The subdivision is located within an existing Police patrol beat and the current level of service within the beat can accommodate the development of the property.

Water/Wastewater:
The subject property will be served by city of Goodyear water and wastewater utilities.

Streets/Access:
The property will be accessed from Van Buren Street, Citrus Road and Harrison Street. The Engineering Department has created stipulations to address traffic issues caused by the development of this property. Those stipulations address traffic signals, roadway construction and access to needed and adjacent streets.

School Districts:
The subject property is located within the Avondale Elementary School District and the Agua Fria Union High School District. Both school districts have been notified of the rezoning request.

Staff Findings:
The preliminary plat is consistent with the development standards established within the R1-4 Reduced and Silva Trails Planned Area Development Overlay. The preliminary plat is consistent with public objectives, subdivision design principles and standards, and streets and thoroughfare planning. The information that accompanied it demonstrated the adequacy of utilities, open space and other public facilities necessary to serve the site. The Planning and Zoning Commission recommended approval of the preliminary plat by a vote of (6-0) at their regular meeting on May 12, 2021.

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- Attachments
- Conceptual Landscape Plan
- Aerial Photo
- Preliminary Plat
- Presentation
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