

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Preliminary plat for El Cidro
Parcels 1 – 5.

STAFF PRESENTER: Steve Careccia,
Planner III

CASE NUMBER: 13-500-00009

APPLICANT: Dave Coble, CVL
Consultants, on behalf of BET
Investments

RECOMMENDATION:

Rescind the February 25, 2008 approvals for the El Cidro Parcels 1A, 1B, 1C, 1D, 1E and 1F final plats, in their entirety, and approve a request for a preliminary plat subdividing approximately 328.4 acres into 1,260 single-family residential lots for a development known as El Cidro generally located south of Lower Buckeye Road, along Cotton Lane and along the proposed Loop 303 freeway corridor, subject to the following stipulations:

1. Compliance with the stipulations stated in Ordinance Nos. 07-1060, 08-1111, and 10-1215, the ordinances establishing the El Cidro PAD. If the property owner or developer fails to comply with any of the stipulations contained in said Ordinances, or fails to comply with any other City codes and regulations in the development of the El Cidro PAD, then the City Engineer, or designee, with respect to such property owner or developer, may suspend the issuance of building or construction permits within the subdivision parcel in violation until the developer or homebuilder cures the item in default;
2. The property owner and/or developer shall enter into a development agreement with the City of Goodyear prior to City Council approval of any final plat for El Cidro. Said development agreement shall address, among other items, the provision of adequate infrastructure and services required to serve the property, including traffic signal participation, West Goodyear utility line cost recovery reimbursements and improvements, and participation in West Goodyear Utility Study costs;
3. All final plats for El Cidro shall demonstrate adequate access, fire flow, water and wastewater to accommodate the subdivision prior to approval of any building permit for the subdivision;
4. The property owner and/or developer shall apply to the Department of Water Resources (DWR) for the extinguishment of the Type 1 Rights appurtenant to El Cidro and request that any assured water supply credits issued by DWR as a result of any such extinguishment be credited to the City of Goodyear. Said extinguishment shall occur prior to recordation of any final plat for El Cidro;

5. The property owner and/or developer shall provide for a waiver agreement, which shall run with the land, for each initial homebuyer to sign, and shall include the following statement in the waiver agreement: “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. The Owner does release and discharge the City of Goodyear and the developer 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;”
6. The Public Sales Report and final plat shall include a statement that 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;
7. The property owner and/or 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 2003-2013 (Policy B-3e of Section 9.2). This display shall include a 24-inch by 36-inch map at the main entrance of such sales facility and shall include the approximate locations of the homes or apartments being sold or leased clearly depicted;
8. The following information shall be disclosed in the Public Sales Report, noted on the final plat and provided in a separate acknowledgment, which shall run with the land, for each initial homebuyer to sign: “El Cidro is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses;”
9. The following information shall be disclosed in the Public Sales Report, noted on the final plat and provided in a separate acknowledgement, which shall run with the land, for each initial homebuyer to sign: “El Cidro is in proximity to the proposed Loop 303 and I-10 Reliever freeways and may be subject to potential noise intrusion, vibrations, dust and all other effects that may be caused by said freeways;”
10. The final plat notes shall indicate those lots where dwelling units will be subject to headlight intrusion into living areas, and a corresponding symbol shall be added on each lot throughout the final plat;
11. All development on the subject property shall comply with the prevailing City of Goodyear Design Guidelines;
12. The property owner and/or developer shall de-emphasize the garage element of all dwelling units by using techniques such as front porches and livable areas of the home that project forward of the garage, side entry or recessed garages, or other design elements acceptable to the Development Services Director, or designee;

13. Four-sided architecture is required for all dwelling units within the El Cidro development. Architectural details provided on the front elevation shall also be provided on the side and rear elevations of the building;
14. Dwelling units with the same elevation or color scheme within El Cidro shall not be placed side-by-side or across the street from each other, unless the elevation is fundamentally different as determined by the Development Services Director, or designee;
15. The property owner and/or developer shall provide and install a front yard landscape package for each lot within 60 days of issuance of the Certificate of Occupancy for the dwelling on that lot, and the CC&R's shall contain language reflecting this requirement;
16. No more than three two-story homes shall be permitted side-by-side, and three consecutive two-story homes must be followed by a minimum of two single-story homes;
17. No two-story homes shall be permitted on corner lots or on lots abutting or adjacent to an arterial street unless there is a 35-foot wide landscape tract between the street right-of-way and the lot line;
18. The final plat notes shall specify the lot numbers subject to two-story restrictions, and a corresponding symbol shall be added on each lot throughout the plat;
19. Driveways upon key lots shall be located on the opposite side of the lot from the view obstruction;
20. The property owner and/or developer shall establish a Homeowners Association (HOA) for El Cidro, with said HOA owning and maintaining all open space areas, trails, and other community amenities and maintaining all arterial and collector road rights-of-way landscaping except for arterial median landscaping. A note shall be placed on each final plat indicating HOA ownership and maintenance responsibilities of these tracts;
21. Trees shall be placed in the area between the curb and sidewalk along all local streets. One street tree per 25 feet of street frontage is required to be planted within this area. Landscape plans for the local streets shall be included in the landscape construction plans provided to the Engineering Department;
22. The HOA shall maintain the right-of-way landscaping between the curb and sidewalk along the local streets. Any street tree or other planting that is removed shall be promptly replaced by the HOA within 30 days of removal. The final plat general notes shall indicate HOA maintenance responsibility for this area;
23. All lots adjacent to internal open space areas shall have rear yard view fences. Those lots that have view fences shall be required to complete their rear yard landscaping within 90 days of the issuance of a Certificate of Occupancy for the dwelling;
24. The property owner and/or developer shall improve all tot lots within the project with approved shade canopies over the play equipment;

25. The property owner and/or developer shall provide pedestrian-scale security lighting for all trails and active recreational areas within the project;
26. The location of mail boxes is to be integrated within the development and the design shall utilize the same types of building materials used throughout the development. The location and design of the mail boxes shall be included within the landscape construction plans for the subdivision;
27. The property owner and/or developer shall ensure that all perimeter walls viewable from public roadways have an exposed face not to exceed eight feet in height; and,
28. The abandonment of 175th Avenue and a portion of Elwood Street shall be completed concurrently with the first final plat in Phases I or II.

PURPOSE:

The request is for approval of a preliminary plat for El Cidro Parcels 1 – 5. The preliminary plat consists of 328.4 acres that will be subdivided into 1,260 single family residential lots. The proposed El Cidro preliminary plat is consistent with the requirements of the City's Subdivision Regulations, Design Guidelines and the development standards contained within the proposed El Cidro Final Planned Area Development. The proposed project density is consistent with the City's General Plan, and the proposed development will be compatible with the surrounding area. The Planning and Zoning Commission unanimously voted (4-0) 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:

The General Plan Land Use Map designates the subject property as Low Density Residential (2-4 du/ac) and Low-Medium Density Residential (4-6 du/ac).

The El Cidro Final PAD was approved by the City Council on March 5, 2007, with the adoption of Ordinance No. 07-1060. The El Cidro PAD has since been amended in 2008, 2010 and 2013. 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, 2007. This preliminary plat consisted of 333.75 acres that was subdivided into 1,323 single family lots. The basic design and configuration of the currently requested preliminary plat are similar to those of the previously approved preliminary plat.

Final plats for Parcels 1A – 1F were approved by the City Council on February 25, 2008. These final plats were never recorded. Given the time that had passed since the approval of the original preliminary plat, and the changes to the area as a result of the regional drainage channel being constructed by the Flood Control District, the property owner has submitted a new preliminary plat application.

Surrounding Properties:

Land uses surrounding the subject property include the following:

- North – Lower Buckeye Road, the approved La Jolla Vista single-family residential development with a density of 3.58 du/ac, the proposed Cotton Commons single-family residential development with a proposed density of 3.55 du/ac and a proposed high school site.
- South – Broadway Road and properties within Maricopa County zoned Rural Residential (R-43).
- West – Citrus Road and the approved Las Brisas Phase II single-family residential development with an approved density of 3.57 du/ac.
- East – Flood Control District drainage channel, proposed Loop 303 Freeway corridor, commercial and industrial properties within the El Cidro PAD, Cotton Lane and properties within Maricopa County zoned Rural Residential (R-43).

Details of the Request:

The request is for approval of a preliminary plat for El Cidro Parcels 1 – 5. Parcel 1 is proposed to be further separated into Parcels 1A – 1F. The overall preliminary plat consists of 328.4 acres that will be subdivided into 1,260 single family residential lots. The Preliminary Data Table from the preliminary plat is provided below:

PRELIMINARY DATA TABLE							
PARCEL	LAND USE DESIGNATION	MINIMUM LOT SIZE	DWELLING UNITS (DU)	GROSS AREA (AC)	GROSS DENSITY (DU/AC)	NET AREA (AC)	NET DENSITY (DU/AC)
1A	SINGLE-FAMILY RESIDENTIAL	55' X 115'	164	41.14	3.99	39.94	4.11
1B	SINGLE-FAMILY RESIDENTIAL	60' X 120'	164	49.65	3.30	48.66	3.37
1C	SINGLE-FAMILY RESIDENTIAL	50' X 115'	162	36.57	4.43	36.57	4.43
1D	SINGLE-FAMILY RESIDENTIAL	55' X 115'	159	44.07	3.61	44.07	3.61
1E	SINGLE-FAMILY RESIDENTIAL	50' X 115'	102	24.02	4.25	24.02	4.25
1F	SINGLE-FAMILY RESIDENTIAL	50' X 115'	157	37.71	4.16	35.66	4.40
2	SINGLE-FAMILY RESIDENTIAL	45' x 110'	35	11.79	2.97	11.79	2.97
3	SINGLE-FAMILY RESIDENTIAL	45' X 110'	70	17.30	4.05	17.30	4.05
4	SINGLE-FAMILY RESIDENTIAL	60' X 120'	153	42.42	3.61	42.42	3.61
5	SINGLE-FAMILY RESIDENTIAL	45' x 110'	94	23.73	3.96	22.79	4.12
TOTALS			1260	328.40	3.84	323.22	3.90

The preliminary plat provides for the following development standards as established in the El Cidro PAD:

- Front setback – 10 feet to living area, porch or side entry garage, 20 feet to front facing garage.
- Side setbacks – 5 feet and 10 feet, with 15 feet between adjacent homes, for the 50 – 60-foot wide lots. Five and 5 feet, with 10 feet between adjacent homes, for the 45-foot wide lots.
- Rear setback – 20 feet for the 50 – 60-foot wide lots, 10 feet for the 45-foot wide lots.
- Maximum building height – 30 feet.

The El Cidro development will have access to Lower Buckeye Road, Citrus Road, Elwood Street and Cotton Lane. These roads serve as the arterial connections to the development as well as provide points of access. All roadways within the development will be built to City standards and dedicated to the City of Goodyear.

Approximately 58.25 acres of open space (18%) are proposed in the El Cidro development. Amenities proposed within the El Cidro development include a central community park, several mini-parks with tot lots, and a trail systems. The mini-parks will be improved with ramadas, playground areas, picnic and barbeque areas, and open turf areas. The HOA will maintain all community open space tracts, amenities, and right-of-way landscaping.

Staff Analysis and Findings:

The proposed El Cidro preliminary plat is consistent with the requirements of the City's Subdivision Regulations, Design Guidelines and the development standards contained within the proposed El Cidro Final Planned Area Development. The proposed project density is consistent with the City's General Plan, and the proposed development will be compatible with the surrounding area.

The proposed preliminary plat design layout provides for the orderly development of the area and contains adequate provisions for the extension and construction of necessary facilities to serve the development.

DEPARTMENTAL/FUNCTIONAL IMPACTS:

Phoenix-Goodyear Airport Impact:

The subject property is located within the Phoenix-Goodyear Airport Traffic Pattern Airspace. However, the property is located over three and one half miles from the 65 LDN noise contour line and should not be significantly impacted by airport noise.

Luke AFB Impact:

The subject property is located within the vicinity of a military airport and is approximately five miles from the high noise zone and accident potential zones. Luke AFB has commented that the proposed El Cidro development complies with the recommended densities as stated in the Graduated Density Concept (GDC), and recommends that the developer pursue an aggressive notification procedure to inform potential homebuyers of base operations.

Fire/Response Times Impact:

The nearest fire station to the subject property is Fire Station No. 4 located at the intersection of Yuma Road and Wildflower Drive/Village Boulevard at a distance of approximately 2.5 miles.

Schools Impact:

The planned El Cidro development lies within the jurisdiction of the Avondale Elementary School District and the Agua Fria Union High School District. The property owner has entered into an agreement with the respective school districts allocating \$1,300.00 per residential lot to the districts – \$845 to the Avondale Elementary School District and \$445 to the Agua Fria Union High School District.

Solid Waste Impact:

Residential solid waste collection will be provided at curbside by the City of Goodyear in accordance with standard solid waste collection policy.

Stormwater Impact:

The developer will be required to retain all stormwater drainage generated by this development on the site. Off-site flows that currently pass through the site will need to be accommodated.

A regional flood control channel constructed by the Flood Control District of Maricopa County is generally located along the east boundary of the residential portion of El Cidro. Construction of the channel improvements in this area is ongoing.

Streets/Transportation/Access Impact:

Access to the El Cidro PAD will be provided by Cotton Lane, Lower Buckeye Road, Citrus Road, Elwood Road, and MC 85. Internal circulation will be provided by a system of collector and local roadways. Right-of-way for the future Loop 303 has been preserved and is under the ownership of the City of Goodyear. This freeway corridor is generally located along the east boundary of the residential portion of El Cidro, east of the flood control channel. The final location and configuration of the Loop 303 freeway through this area has yet to be determined. As such, specific noise abatement measures, such as sound walls, have not been addressed with this application. Once the freeway design has been finalized, the effectiveness and use of noise abatement measures can be addressed. In the interim, Stipulation No. 49 of Ordinance No. 07-1060, which established the El Cidro PAD, requires the developer to construct an eight-foot high theme wall along the east boundary of those residential parcels adjacent to the freeway corridor concurrent with the construction of the subdivision improvements for those parcels.

Stipulation No. 17 of Ordinance No. 07-1060, which established the El Cidro PAD, sets forth the developer's financial responsibility for specific traffic signals. The costs and financial responsibility for traffic signals will be further addressed in a development agreement that will be required before any final plat for the property can be approved by the City Council.

Water/Wastewater Impact:

The City of Goodyear will provide water and wastewater service to the development. Water and wastewater service will be provided through lines installed through the West Goodyear Cost Recovery. As such, the property owner may be responsible for installing certain lines or paying their proportionate share. The provision of these services will be further addressed in a development agreement that will be required before any final plat for the property can be approved by the City Council.

PREVIOUS ACTION AND DISCUSSION:

A preliminary plat for El Cidro was approved by the City Council on March 5, 2007.

Planning and Zoning Commission:

The Planning and Zoning Commission considered this item at its regular meeting of July 16, 2014. The Commission unanimously voted (4-0) to forward a recommendation of approval to the City Council. No one from the public spoke on this item.

FISCAL ANALYSIS:

A fiscal analysis was not conducted for this item.

ATTACHMENTS:

1. Aerial Photo
2. Preliminary Plat
3. Site Plan
4. Open Space & Amenity Plan