

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

DATE: April 10, 2017

COAC #: 16-5952

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

**SUBJECT: Map of Dedication for El Cidro  
Phase 1 - 173rd Avenue**

**STAFF PRESENTER:** Katie Wilken,  
Planning Manager

**CASE NUMBER:** 16-550-00004

**APPLICANT:** Scott Moore, BET  
Investments

**PROPOSED ACTION:**

Approve the Map of Dedication (MOD) for El Cidro Phase 1 - 173rd Avenue, subject to the following stipulations:

1. Any technical correction to the Map of Dedication required by the City Engineer shall be made prior to the recordation of the final plat;
2. Prior to recordation, an updated Title Report completely clearing the Lender from the Title or documentation from the Title Company specifying that the Lender has been officially cleared from the Title will be required to be submitted. The Title Report dated May 25, 2016 was written in a manner that makes it appear they are not clear if the Deed of Release (2016-0341846) fully released the loan;
3. Prior to recordation, the Sewerline Easement per recorded document 2013-1070476 on Page 3 shall be included on the Map of Dedication;
4. Compliance with the obligations stated in the Amended & Restated Development Agreement for El Cidro Ordinance 16-1769 dated June 13, 2016, or the most recent version as approved by City Council; and,
5. The Map of Dedication for El Cidro Phase 1 – 173<sup>rd</sup> Avenue shall not be recorded until the Development Agreement Regarding Temporary Retention Basin referred to in the staff report for the Final Plat for El Cidro Phase 1 Parcel 3 is recorded and in effect.

**BACKGROUND AND PREVIOUS ACTIONS:**

- The 16-5952 - Staff Report PAD Zoning was approved by City Council on October 15, 2002 by Ordinance 02-778 and amended March 5, 2007 by Ordinance No. 07-1060, April 14, 2008 by Ordinance No. 08-1111, and on May 24, 2010 by Ordinance No. 10-1215.
- The preliminary plat for El Cidro was approved by City Council on August 25, 2014. A one year extension was approved by City Council by COAC No. 16-5759.

**STAFF ANALYSIS:**

The applicant is requesting approval of the Map of Dedication for El Cidro Phase 1 - 173rd Avenue which will dedicate right-of-way, public utility easements and landscape easements required to construct a portion of South 173<sup>rd</sup> Avenue.

The roadway is a collector with 80 feet of right-of-way. In addition, a 10-foot wide public utility easement on the west side and an 8-foot wide public utility easement on the east side are included along the subject roadway.

**Fiscal Analysis:**

This dedication of right-of-way and easements will be performed at no cost to the city of Goodyear. Roadway improvements will be constructed by the developer. The City will be responsible for the maintenance of the roadway upon acceptance of the constructed improvements.

**RECOMMENDATION:**

The proposed road alignment established with this MOD is consistent with the El Cidro PAD. The public roadway and associated utilities will be constructed by the applicant. The public road and city utilities will be accepted by the city of Goodyear after satisfactory completion of the improvements and warranty period. The Engineering Department has reviewed this MOD and recommends that it be approved.

The approval of this MOD will facilitate development within this phase of El Cidro, and will provide the city with the necessary right-of-way and easements for the development of the public roadway system within the area. Staff recommends approval.

**ATTACHMENTS:**

1. Aerial Photo
2. Map of Dedication