

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

SUBJECT: Use Permit for Public Utility Facility (Well No. 25) in El Cidro	STAFF PRESENTER: Joe Schmitz, Long Range Planner CASE NUMBER: 18-300-00003 OTHER PRESENTER: Barbara Chappell, Public Works Department, Environmental Services Manager
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PROPOSED ACTION:

1. Conduct a public hearing to consider a request for a Use Permit for a Public Utility Facility submitted by the city of Goodyear Public Works Department to allow development of Well No. 25 (water extraction well and associated equipment) on 0.30 acres zoned LDR-2 Residential by the El Cidro Planned Area Development (PAD) located at the northwest corner of the future intersection of W. El Cidro Drive and S. 175th Drive:
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing

2. Approve a Use Permit for a Public Utility Facility requested by the city of Goodyear Public Works Department to allow development of Well No. 25 (water extraction well and associated equipment) on 0.30 acres zoned LDR-2 Residential by the El Cidro PAD located at the northwest corner of the future intersection of W. El Cidro Drive and S. 175th Drive, subject to the following stipulations:
 1. Approval of the use permit does not constitute approval of the site plan. All future development will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation;
 2. The proposed water extraction well site and associated equipment shown on the conceptual site plan shall be developed in substantial conformance with the conceptual site plan submitted with the Use Permit application; and,
 3. Landscaping of the site may be deferred and shall be completed within six months of the completion of landscaping improvements on the adjacent property within the El Cidro development.

BACKGROUND AND PREVIOUS ACTIONS:

The subject property consists of 0.30 acres and is located in an area designated as LDR-2 Residential by the El Cidro PAD. This portion of the El Cidro project has not yet been developed and the subject property will be at the northwest corner of the future intersection of W. El Cidro Drive and S. 175th Drive.

The LDR2 Land Use Category allows single family homes on lots with a minimum lot width of 55 feet and a minimum lot area of 6,535 square feet (55' x 115'). The El Cidro PAD was originally approved in 2007 by Ord. No. 07-1060 and has been amended several times to increase the boundaries of the planned area development, modify some development standards and adjust some of the boundaries between land use designations. Another amendment to the El Cidro PAD is currently being processed that proposes further modification of development standards, but the changes proposed will not affect the development of the well site.

On February 22, 2016, the City Council approved an extension of the Preliminary Plat for El Cidro to August 25, 2016. Three final plats and one Map of Dedication were submitted prior to that expiration date and were approved by the City Council on April 10, 2017. Phase 1 of Parcel 1D, Parcel 2 and Parcel 3 were recorded on June 29, 2017 and are currently under construction. The well site is located in Phase 2 of Parcel 1D. This application for a Use Permit has not previously been before the Planning and Zoning Commission or City Council.

STAFF ANALYSIS:

Current Policy:

A Public Utility Facility to serve the immediate area (excluding office facilities and maintenance yards) is allowed in all residential zoning districts with a Use Permit, pursuant to Zoning Ordinance Section 3-2-2, Table 3-2-2. Section 1-3-2 (Use Permits) of the Zoning Ordinance provides that the Planning and Zoning Commission and City Council must determine that the proposed use meets the following two findings prior to granting a Use Permit:

1. The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare; and,
2. The proposed use is reasonably compatible with uses permitted in the surrounding area. This section further states that should a Use Permit not be established within two years, then that Use Permit approval shall become null and void.

Details of the Request:

The City of Goodyear Public Works Department is requesting a Use Permit to allow development of a water extraction well on 0.30 acres within the El Cidro development. As noted in the Narrative submitted with the application, the City currently relies entirely on groundwater pumping to meet its physical water demands. A recent evaluation of the water distribution system determined that the system lacks sufficient redundancy in production, pumping, and storage capacity to meet current and future demands. The City has identified the need to increase the water supply in its portfolio not only accommodate future growth, but to fill an

immediate need to increase the firm supply (supply with the highest producing well offline) in order to at least meet the peak day demands. Development of Well No. 25 and another well on Lower Buckeye Road (Well No. 24) will help meet this demand.

The City of Goodyear purchased the proposed well site in November 2017 from the developer of El Cidro and it will be located at the edge of an open space tract. The site is 100' x 100' and will be enclosed by an eight-foot block wall. The wall will be setback from the front property lines by 8-10 feet and by as much as 28-30 from the back of curb. Landscaping will be installed in the open space area by the developer of El Cidro when this portion of the project is developed. Additional landscaping will be provided by the City along the street sides of the well site when the development of Phase 2 of Parcel 1D occurs.

Access to the site will be by way of a 20-foot wide vehicle gate and a man door that will face southeast and connect to W. El Cidro Drive. In addition to the well head, there will be submersible pump, an emergency generator, a 3,000 gallon surge tank, a 5,000 gallon water storage tank for well lubrication, and an electrical panel, as shown in the attached Conceptual Site Plan. Once a sanitary sewer service connection is made, the routing of overflow water from the water storage tank to the retention basin (equipped with one or more dry wells) will be removed. None of the equipment will extend above the height of the wall, except for a 20-foot tall whip antenna that will provide radio communications for remote control of the site. Water from this well will be conveyed through a 12-inch water line to Water Campus No. 12 near the intersection of Lower Buckeye Road and 173rd Avenue where it will be treated before being introduced into City's water system. Water Campus No. 12, which is the subject of a separate Rrezone and Special Use Permit application, is being expanded to handle the additional production water that will be provided from this well and Well No. 24.

Use Permit Review Criteria:

1. *The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare; and,*

Surrounding Properties:

The land uses and zoning of the surrounding properties include the following:

- Northeast: Vacant land that will be developed with single-family homes 50' x 115' lots (5,750 sq.ft.) in the LDR3 residential land use category of the El Cidro PAD.
- Southeast: Vacant land that will be developed with single-family homes 50' x 115' lots (5,750 sq.ft.) in the LDR3 residential land use category of the El Cidro PAD.
- Southwest: Vacant land that will be developed with an open space amenity in LDR2 residential land use category of the El Cidro PAD.
- Northwest: Vacant land that will be developed with single-family homes 55' x 115' lots (6,325 sq.ft.) in the LDR2 residential land use category of the El Cidro PAD.

Approval of the Use Permit will not be materially detrimental for the following reasons:

- a. The well will be a benefit to the surrounding area by supporting the increased demand for potable water that will be generated by the additional 1,200 dwelling units homes planned in El Cidro.

- b. The well site is located at the edge of a future open space tract and away from the future homes.
 - c. The wall and landscaping will be similar to what will be used in the surrounding development so that it will blend in with neighborhood.
 - d. Although a non-residential use, none of the equipment on site will extend above the height of the wall to minimize the visual impact of the equipment.
 - e. The well will have a submersible pump to minimize noise impacts.
 - f. The site will not negatively impact traffic in the area since the site is located on a planned collector street and will generate only about one trip per day - less than a typical single family home.
2. *The proposed use is reasonably compatible with uses permitted in the surrounding area. This section further states that should a Use Permit not be established within two years, then that Use Permit approval shall become null and void.*

Approval of the Use Permit will be reasonably compatible with uses permitted in the surrounding area for the following reasons:

- a. The site is located at least 50-60 feet from the closest planned home site and is separated from those lots by a public street.
- b. The wall and landscaping will be the same as what will be used in El Cidro so that the well will blend in with the surrounding development.
- c. None of the equipment on site will extend above the height of the wall so it will not be seen by residents of nearby homes.
- d. The well will have a submersible pump to minimize noise impacts.
- e. The site will be visited about once per day and will generate less traffic than a typical single family home.
- f. The well site will be constructed within the two years provided by the ordinance.

Public Participation:

No neighborhood meeting was held since there were no other property owners within 500 feet of the site other than the developer of El Cidro, who sold the property to the City and was well aware of the City's plans. An alternate notice procedure was utilized and notification that this Use Permit application had been filed was sent to the owners of the nearest properties that were about 1,300 feet away. No comments or questions were received regarding this notice.

Notices for the public hearings before the Planning and Zoning Commission and City Council were sent to the owners of property and the HOAs closest to the subject property on May 29, 2018; a legal notice was published in the Arizona Republic on May 25, 2018; and a notice of public hearings sign was posted on the property on May 29, 2018. Staff has not received any objections to this request. This item was postponed at the June 13, 2018 Commission meeting to the June 27 meeting. On June 8, new notices were sent to adjoining property owners by mail; a legal ad appeared in the Arizona Republic; and the hearing dates on the signs were changed. To date, staff has not received any objections or comments related to this request.

Planning and Zoning Commission Action:

A public hearing was held before the Planning and Zoning Commission on June 27, 2018. No one from the public attended or spoke on this the request. Commissioner Steiner made a motion,

seconded by Commissioner Keys, that the Commission recommend to the City Council approval of a request for a Use Permit for a Public Utility Facility requested by the City of Goodyear Public Works Department to allow development of Well No. 25, subject to stipulations recommended by staff.

Chairman Bray asked why Well No. 25 was being drilled in this location and not at Water Campus No. 12 to the north. Barbara Chappell, Environmental Services Manager in the City of Goodyear Public Works Department, stated that there already was a well at Water Campus No. 12 and this well was an additional well that will deliver water to the water campus where it will be treated and distributed. Ms. Chappell added that another well, Well No. 24, was being drilled on the south side of Lower Buckeye Road to the east Water Campus No. 12 that also will deliver water to the water campus where it will be treated and distributed. There was no further discussion on the motion. The motion passed by a vote of 5 to 0. Commissioner Walters and Vice-Chairman Barnes were absent.

FISCAL ANALYSIS:

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.

RECOMMENDATION:

As outlined above, staff finds that the subject request meets the conditions and required findings for a Use Permit. It is the recommendation of City staff that the City Council approve the Use Permit for a Public Utility Facility requested by the City of Goodyear Public Works Department to allow development of Well No. 25, subject to the stipulations specified in the Proposed Action section of this Council Action Report.

ATTACHMENTS:

1. Aerial Photo Exhibit
2. Narrative
3. Conceptual Site Plan
4. Conceptual Landscape Plan
5. El Cidro Site Plan
6. El Cidro Open Space Plan