

AGENDA ITEM #: _____

DATE: October 26, 2020

CAR #: 2020-7085



CITY COUNCIL ACTION REPORT

SUBJECT: Final Plat for El Cidro – Parcel 1D Phase 2

STAFF PRESENTER(S): Katie Wilken, Planning Manager

APPLICANT: Krista Zinser, CVL Consultants

Summary: A Final Plat subdividing approximately 29 acres into 101 lots and 15 tracts within the El Cidro community.

Recommendation: Approve the Final Plat of El Cidro – Parcel 1D Phase 2 attached hereto, subject to the following stipulations:

1. Prior to recordation of this final plat, a map of dedication conveying all of the right-of-way reflected in the Map of Dedication for El Cidro Infrastructure Phase 1-B, South Citrus Road and West El Cidro Drive approved by separate action during the Goodyear City Council Meeting on October 26, 2020 with the approval of this Final Plat shall be recorded. The recording information for the conveyances of the right-of-way shall be included on the final plat prior to recordation. All right-of-way shall be conveyed in fee, lien free and, unless otherwise approved by the City Engineer or his designee, free of all other encumbrances that create prior rights the right-of-way being conveyed.
2. This final plat shall be recorded concurrently with the recordation of the Final Plat of El Cidro – Phase 1 Parcel 1B and the recordation of the Final Plat of El Cidro – Phase 1 Parcel 1E both of which are being approved by separate actions during the Goodyear City Council Meeting on October 26, 2020.
3. Prior to or concurrently with the recordation of this Final Plat, the owner of the Property (“Owner”) shall convey to the City, at no cost to the City, all easements and/or right-of-way located outside the boundaries of the Property needed for the construction of infrastructure improvements needed for the City to provide services to the Property, including the right-of-way and/or easements needed for secondary access and for the construction of a looped water system. The right-of-way shall be conveyed in fee, lien free, and free of all other encumbrances that create prior rights in the right-of-way unless otherwise approved by the City Engineer or his designee. The easements shall be conveyed in a form acceptable to the City Attorney or his designee and, unless otherwise approved by the City Engineer or his designee, free of all other

encumbrances and liens that create prior rights in the easement area unless otherwise approved by the City Engineer or his designee.

4. Owner shall construct all water infrastructure improvements, within or outside the boundaries of the Property, including water infrastructure improvements needed to provide a looped water system consistent with applicable development regulations. No building permits for any structure within the Property except for model homes shall be issued until all water infrastructure improvements needed for a looped water system that are located outside the boundaries of the Property (the “External Looped Water System Improvements”) have either (i) been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period or (ii) have been substantially completed as determined by the City Engineer or his designee and financial assurances sufficient to ensure the completion of the External Looped Water System Improvement has been provided. No certificate of occupancies for structures within the Property shall be issued until the External Looped Water System Improvements have been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period and until all water infrastructure improvements within the boundaries of the Property needed for a looped water system to serve a structure for which a certificate of occupancy have been completed and accepted by the City Engineer or his designee subject to completion of a two-year warranty period.
5. Owner shall construct all infrastructure improvements outside the boundaries of the Property needed to provide secondary access into the Property consistent with applicable development regulations (the “Secondary Access Improvements”). No building permits for any structure within the Property except for model homes shall be issued until all Secondary Access Improvements have either (i) been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period or (ii) have been substantially completed as determined by the City Engineer or his designee and financial assurances sufficient to ensure the completion of the Secondary Access Improvements. No certificate of occupancies for structures within the Property shall be issued until the Secondary Access Improvements have been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period.
6. Owner shall construct the all water and sewer infrastructure within and outside the boundaries of the Property as needed for the City to provide water and sewer service to the Property. This includes, the following off-site infrastructure improvements: (i) sewer infrastructure within: the section of Citrus Road between the Broadway Road and W. El Cidro Drive; the section of Broadway Road between Citrus Road and the Las Brisas lift station; and the section of W. El Cidro Drive between Citrus Road and 173rd Avenue; and (ii) water infrastructure within the section of W. El Cidro Drive that is to be constructed (collectively the “External Utility Infrastructure”). No building permits for any structure within the Property except for model homes, shall be issued until the External Utility Infrastructure has either (i) been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period or (ii) has been substantially completed as determined by the City Engineer or his designee and financial assurances sufficient to ensure the completion of the

External Utility Infrastructure has been provided. No certificate of occupancies for structures within the Property shall be issued until the External Utility Infrastructure has been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period and until all water and sewer infrastructure improvements within the boundaries of the Property needed to serve a structure for which a certificate of occupancy have been completed and accepted by the City Engineer or his designee subject to completion of a two-year warranty period.

7. Owner shall construct full street improvements for W. El Cidro Drive between Citrus Road and 173rd Avenue required in the City of Goodyear Engineering Standards and Policies Manual for a minor collector (“W. El Cidro Drive Improvements”). No building permits for any structure within the Property except for model homes shall be issued until the W. El Cidro Drive Improvements have either (i) been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period or (ii) been substantially completed as determined by the City Engineer or his designee and financial assurances sufficient to ensure the completion of the W. El Cidro Drive Improvements has been provided. No certificate of occupancy for any structure within the Property shall be issued until the W. El Cidro Drive Improvements have been accepted by the City Engineer subject to completion of a two-year warranty period.
8. Owner shall construct half-street improvements and a full median and full median landscaping to the east side of Citrus Road between Broadway Road and the alignment of Dunlap Road/Elwood required in the City of Goodyear Engineering Standards and Policies Manual for a minor arterial (“Citrus Road Improvements”). No building permits for any structure within the Property except for model homes shall be issued until the Citrus Road Improvements have either (i) been completed and accepted by the City Engineer or his designee subject to the completion of the two-year warranty period or (ii) been substantially completed as determined by the City Engineer or his designee and financial assurances sufficient to ensure the completion of the W. El Cidro Drive Improvements has been provided. No certificate of occupancy for any structure within the Property shall be issued until the W. El Cidro Drive Improvements have been accepted by the City Engineer subject to completion of a two-year warranty period.
9. Owner shall construct all drainage improvements needed to accept storm water flows from the Property and adjacent roadways. This includes, but is not limited to drainage improvements outside the boundaries of the Property in this final plat. The grading and drainage plans for the Property require flows from the Property to be channeled into Tract A of the Final Plat for El Cidro – Phase 1 Parcel 1E and then through Tract M of the Final Plat for El Cidro – Phase 1 Parcel 1B. No building permits for any structure within the Property, except for model homes, shall be issued until all of the drainage improvements within: (i) the Property; (ii) Tract A of the Final Plat for El Cidro – Phase 1 Parcel 1E; and (iii) Tract M of the Final Plat for El Cidro – Phase 1 Parcel 1B have been completed pursuant to grading and drainage plans approved by the City Engineer or his designee and approved by the City Engineer or his designee. No certificate of occupancy shall be issued for any structure within the Property until all of the drainage improvements within: (i) the Property; (ii) Tract A of the Final Plat

for El Cidro – Phase 1 Parcel 1E; and (iii) Tract M of the Final Plat for El Cidro – Phase 1 Parcel 1B have been completed pursuant to approved grading and drainage for the Property and the construction of the drainage improvements has been approved by the City Engineer or his designee.

10. Owner(s) of the portion of the Property where the drainage improvements are located, shall execute a completed Storm Water Maintenance Agreement (SWMA) in a form provided by the City Engineer or his designee prior to the issuance of the final grading & drainage construction permits agreeing to maintain all drainage improvements constructed on the Property pursuant to grading and drainage plans approved by the City Engineer or his designee. No building permits for any structure within the Property except for model homes shall be issued until a SWMA as described herein has been fully executed and recorded. No certificates of occupancy for any structure within the Property shall be issued until a SWMA as described herein has been fully executed and recorded.
11. Owner shall comply with all applicable Development Regulations in the development of the Property, including by way of example, the subdivision regulations in the Goodyear City Code, the requirements in the Engineering Design Standards and Policies Manual, terms of development agreements applicable to the property, zoning requirements, and all applicable master plans adopted by the City such as the integrated water and wastewater master plan and the WGCPA Master Wastewater Study
12. Owner shall apply to the Department of Water Resources (DWR) for the extinguishment of the Type 1 Rights appurtenant to the Property 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 this plat.
13. Prior to recordation of the final plat, 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 this final plat is authorized to do so.
14. Any technical corrections to the final plat required by the City Engineer shall be made prior to the recordation of the final plat.

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

The preliminary plat of El Cidro was approved by the City Council on August 25, 2014. A one year extension was approved by City Council by COAC No. 16-5759. The first final plats subdividing portions of the property included in the preliminary plat were recorded on June 28, 2017 for El Cidro Parcels 2, 3, and 1D phase 1.

Staff Analysis

As set forth in the attached preliminary plat Council Action Report, the proposed subdivision is consistent with the Preliminary Plat, Zoning requirements, and General Plan and will not adversely impact the surrounding area. Further, the proposed subdivision 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. Aerial Photo
2. Preliminary Plat Council Action Report
3. Final Plat of El Cidro – Parcel 1D Phase 2