



City of Maricopa

Legislation Text

File #: RES 12-58, **Version:** 1

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting a development agreement between the City of Maricopa and Sonoran Creek, L.L.C. in compliance with A.R.S. §9-500.05. Discussion and action. Related to IGA 12-008.

The project, Sonoran Creek, is a proposed commercial site and will consist of various retail buildings, drainage facilities, and open spaces. The site is irregular in shape, consisting of approximately 18 acres, and is surrounded by residential and commercial development.

The site is located within the limits of the City of Maricopa, Arizona, in Pinal County. The site is bounded by Edison Road on the north, Hathaway Avenue on the south, John Wayne Parkway on the east, and Wilson Avenue on the west. The proposed Sonoran Creek commercial development is located within the existing Flood Zone "AO," with a flood depth of 1 foot. In order for Sonoran Creek to develop, the site must be removed from the Floodplain.

There are many different types of floodplains and several have different requirements for development to occur in the Floodplain. Depending on the site topography and the depth of the Floodplain, different types of mitigation may have to be employed to guarantee "no adverse impacts." Sonoran Creek's design incorporates a channel to pass storm water flows from the south side of the development to the north at an elevation required to meet the FEMA, State of Arizona, and Pinal County regulations. Without this agreement, the site cannot develop as a retail/commercial development, due to the federal regulations.

Sonoran Creek has designed and engineered a flood control solution that has received a Conditional Letter of Map Revision (Sonoran Creek CLOMR) from the Federal Emergency Management Agency (FEMA) that removes the property from the floodplain. In order to remove the property from the floodplain, Sonoran Creek secured approval of flood mitigation plans by FEMA which resulted in the issuance of the Sonoran Creek CLOMR. The Sonoran Creek CLOMR requires the construction of certain flood mitigation structure(s) (the Flood Control Structures) within the boundaries of the property. Pursuant to 44 C.F.R. (Code of Federal Regulations) 65.10(d), in order to qualify for the issuance of a Letter of Map Revision (LOMR), Sonoran Creek must assure FEMA that ultimate responsibility for maintenance of the Flood Control Structures is under the jurisdiction of a Federal or State agency, an agency created by Federal or State law, or an agency of a community participating in the National Flood Insurance Program. The City of Maricopa qualifies as an Agency under the terms of 44 C.F.R. 65.10(d). The primary obligation and responsibility for inspecting, maintaining, repairing and insuring the Flood Control Structures has been delegated to Sonoran Creek under this Agreement.

Appendix D of the Development Agreement details the Operations and Maintenance plan. The City will be required to perform annual inspections to ensure the proper operation of the flood control solution. In the event of a major storm event, post-storm inspections should be performed as soon as possible after flood conditions have subsided.

The requested floodplain revision is based on the proposed structural improvements within the site. The proposed channel is designed to intercept water at the south boundary of the site, along Hathaway Avenue. The channel will route off-site flow along the western boundary of the site. The channel has been designed with little to no slope along Edison Road, which creates a spreader basin effect. The off-site flow will overtop the channel along the north bank into Edison Road, where it will return to its historical flow path. The channel

has an approximate length of 2,184 feet, with an average slope of 0.25%. There are two culverts located along the channel: one where the channel turns north, north of Hathaway Avenue, and the second is along Edison Road, at the site entrance.

Staff recommends approval of the Development Agreement between the City of Maricopa and Sonoran Creek, L.L.C.