



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

April 17, 2019

DEPARTMENT:

Community Development

DIVISION:

Community Planning

Motion

Resolution

Ordinance - Introduction

Ordinance - Adoption

Public Hearing

TITLE:

Final Plat: Villa Serena Subdivision, Unit 1

SUMMARY RECOMMENDATION:

Approve the final plat for Villa Serena Subdivision, Unit 1. The property is located at the northwest corner of S. Avenue 6E and E. 48th Street, Yuma, AZ. The applicant is Dahl, Robins and Associates, on behalf of Jakolin, LLC (SUBD-24804-2019) (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

On March 25, 2019 the Planning and Zoning Commission voted to recommend **APPROVAL** of the final plat for Villa Serena Subdivision, Unit 1, subject to the following conditions:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted prior to the recordation of the Final Plat and prior to the issuance of any building permit (including model home permits) for this property.
3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
4. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.

5. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.
6. The Owner/Developer shall retain the secondary access easement across Lot 47 in Villa Serena Unit No. 1 until such time as a permanent, fully constructed and approved public secondary access point is provided to S. Avenue 6E via E. 48th Street.
7. Adequate secondary Fire Department access must be shown on the final plat. This access must remain in place until a permanent secondary fire department access is approved and installed.
8. A time frame of build-out for the subdivision shall be submitted to the Yuma School District 1, enable the district to adequately plan for future school facilities.
9. An 8 ½" X 11" paper copy of this phase of the subdivision plat, showing the location of the group mailboxes and signed as APPROVED by the local Yuma Postmaster, shall be submitted to the City within sixty (60) calendar days of the effective date of approval of the subdivision final plat and prior to the issuance of any building permit. In the event this condition is not completed within this time frame, the approval of the plat is null and void.
10. After the final plat has been approved by City Council, the applicant/developer shall have two years to record the approved plat, or the final plat approval shall be null and void.

PUBLIC COMMENTS - EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

Robert Blevins, Principal Planner, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

“Gregory Counts – Planning and Zoning Commissioner asked if Lot 47 would be the temporary secondary access. **Blevins** said yes.

“Counts asked if Lot 47 would be developed. **Blevins** explained that 48th Street and Avenue 6E were not paved. He added once the streets were paved, Lot 47 would be a saleable lot.

“Chris Hamel – Chairman, Planning and Zoning Commission asked if there would be an entrance on the west end of 46th Road. **Blevins** said no.

APPLICANT / APPLICANT’S REPRESENTATIVE

“Dave Bickel, 1560 S. 5th Avenue, Yuma, AZ said there would be a block wall at the west end of 46th Road.

PUBLIC COMMENT

None

MOTION

“Motion by Vinod Mohindra – Planning and Zoning Commissioner, second by “Fred Dammeyer – Planning and Zoning Commissioner to APPROVE Case Number ZONE-24804-2019. Motion carried unanimously (4-0, with 2 absent and 1 vacancy).”

Planning Commission Staff Report – Attached

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			

ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK:			
	<ol style="list-style-type: none"> 1. 2. 3. 4. 5. 			
IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?				
<input type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified				

SIGNATURES	CITY ADMINISTRATOR:	DATE:
	Gregory K. Wilkinson	4/8/2019
	REVIEWED BY CITY ATTORNEY:	DATE:
	Richard W. Files	4/8/2019
RECOMMENDED BY (DEPT/DIV HEAD):	DATE:	
Laurie Lineberry	3/27/2019	
WRITTEN/SUBMITTED BY:	DATE:	
Robert M. Blevins	3/27/2019	