



# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

September 6, 2017

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

- ☒ Motion  
☐ Resolution  
☐ Ordinance - Introduction  
☐ Ordinance - Adoption  
☐ Public Hearing

**TITLE:**

Infrastructure and Services Report: ANEX-16663-2017 Avenue B

**SUMMARY RECOMMENDATION:**

Approve an Infrastructure and Services Report for Annexation Area No. ANEX-16663-2017, identified as the Avenue B Annexation, located at the northeast corner of 15<sup>th</sup> Street and Avenue B. (Community Development/Community Planning) (Laurie Lineberry)

**REPORT:**

At the request of a property owner, Ghiotto Family Properties L.L.C., the City has initiated the annexation of 5 properties (4 owners) within a County island on the east side of Avenue B in the 1400 block. The annexation area totals approximately 6.5 acres. The annexation area contains one vacant restaurant, three vacant parcels and one retail tire shop.

|   | Parcel ID         | Owner                         | Address          | Existing Land Use |
|---|-------------------|-------------------------------|------------------|-------------------|
| 1 | 664-29-095        | Ghiotto Family Properties     | 1451 S. Avenue B | Vacant            |
| 2 | 664-29-096        | Ghiotto Family Properties     | ---              | Vacant            |
| 3 | 664-29-091 (part) | South Avenue B                | 1421 S. Avenue B | Tire Shop         |
| 4 | 664-29-013        | Yuma Fourth Avenue Properties | 1411 S. Avenue B | Vacant            |
| 5 | 664-29-012        | Gorgonio and Ana Molina       | 1401 S. Avenue B | Vacant Restaurant |

Section 9-471 of the State's annexation law requires that, "On or before the date the governing body adopts the ordinance annexing territory, the governing body shall have approved a plan, policy or procedure to provide the annexed territory with appropriate levels of infrastructure and services to serve anticipated new development within ten years after the date when the annexation becomes final pursuant to Subsection D of this Section."

Approval of this Infrastructure and Services Report will fulfill the statutory requirement to have an approved plan, policy or procedure to provide the annexed territory with appropriate levels of infrastructure and services to serve anticipated new development within ten years of annexation.

The 2012 General Plan (adopted June 6, 2012, R2012-29) establishes the foundational blueprint and policies for providing infrastructure and services to all property within the City of Yuma. The following policy and plans will provide the lands within newly annexed areas with an appropriate level of

infrastructure and services within ten years of annexation.

### **Plan and Policy for Land Use**

The City of Yuma General Plan identifies the land use designation for the properties as Medium Density Residential. This urban land use designation allows for residential development.

The owners of the Ghiotto Family Properties have also submitted for a General Plan land use amendment for their 2 properties to change the designation from Medium Density Residential to High Density Residential, with the intent to develop an apartment complex at a future date. That case, GP-17082-2017, was approved by the City Council August 2, 2017 (R2017-019).

City staff has initiated a General Plan land use amendment for the Molina and Yuma Fourth Avenue properties from Medium Density Residential to Mixed Use. This will allow the property owners to pursue Limited Commercial (B-1) zoning on the properties following annexation. The current County zoning on the properties is Limited Commercial (C-1). The General Plan land use designation and zoning are not in conformance and without the General Plan amendment the properties would not be able to be rezoned to Limited Commercial. That case, GP-17253-2017, is scheduled to be heard by the City Council on September 6, 2017.

The City of Yuma Growth and Development Policy (R99-30) notes that it is in the best interest of the citizens and taxpayers of the City that urban land uses in the vicinity of City should be part of the City of Yuma. And further states that the first priority for the provision of water and sewer services will be to those properties that are within the City of Yuma. Second priority will be to those with Preannexation agreements.

### **Plan and Policy for Roads**

City Council policy is to require the dedication of needed rights-of-way and appropriate contributions toward the construction of arterials and collectors, linear parks or pathways, when warranted by proposed development projects. The dedications and contributions will be consistent with the City of Yuma's Transportation Master Plan (October, 2014) and 2009 Bicycle Facilities Master Plan (adopted April 1, 2009, R2009-23).

Arterial Roads: Deficiencies in rights-of-way can be corrected via dedications as adjacent land is rezoned or subdivided for development, as warranted. Fair-share contributions for the improvement of existing roadways can be collected from development projects as they are approved by the City of Yuma, as warranted. The annexation area is adjacent to Avenue B, which is identified as a Minor Arterial roadway.

### **Plan and Policy for Water and Sewer Systems**

Water Systems: The site is currently served by City water, but is within the service area of the Main Street Water Treatment Plant. All development projects must have approved water systems available to serve the project, consistent with the City of Yuma's Integrated Master Plan (developed August 2008). The extension of any water mains to serve a proposed development project will be paid for by the development project seeking the water service.

Sewer Systems: The property is located within the Figueroa Water Pollution Control Facility service area but there is no current sewer service to the four southern parcels. All development projects must have approved sewer treatment available to serve the project, consistent with the City of Yuma's 208 Wastewater Facilities Plan (adopted February 3, 1999, R99-08). The extension of any sewer mains to serve a proposed development project will be paid for by the development project seeking the sewer service.

### **Plan and Policy for Emergency Services**

Fire and Emergency Medical Services will be provided in a manner consistent with the City of Yuma

Fire Services and Facilities Plan (adopted February 20, 2008, R2008-33). The site will be served by Fire Station No. 4.

Public Safety services will be provided in a manner consistent with the City of Yuma 2012 General Plan (adopted June 6, 2012, R2012-29). The site is within the service area of the City of Yuma Police Department Headquarters located at 1500 S. 1<sup>st</sup> Avenue.

**Plan and Policy for Parks**

Park sites will be acquired consistent with the City of Yuma's adopted Parks and Recreation Facility Plan (adopted July 18, 2007, R2007-38), subject to the availability of funds. City Council policy is to require the dedication of needed rights-of-way and appropriate contributions toward the construction of linear parks or pathways when warranted by the development of the parcels of land.

**Plan and Policy for Stormwater Collection and Disposal**

All development projects must have approved stormwater collection and disposal systems available to serve the project, consistent with that master plan, as well as the City of Yuma Drainage Policy (Ordinance Nos. 1670 and 1836) and 2003 Stormwater Management Program, as amended. The creation of new facilities or extension of any pre-existing stormwater facilities to serve a proposed development project will be paid for by the development project seeking the stormwater collection and disposal service.

|                        |  |                            |  |        |
|------------------------|--|----------------------------|--|--------|
| 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<br>\$0.00<br>\$0.00 | FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING<br>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:<br>1.<br>2.<br>3.<br>4.<br>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?<br><br><input type="radio"/> Department<br><input type="radio"/> City Clerk's Office<br><input type="checkbox"/> Document to be recorded |                            |  |        |
| SIGNATURES             | CITY ADMINISTRATOR:  |                            | DATE:  |        |
|                        | Gregory K. Wilkinson   |                            | 8/30/2017  |        |
|                        | REVIEWED BY CITY ATTORNEY:   |                            | DATE:  |        |
|                        | Richard W. Files   |                            | 8/29/2017  |        |
|                        | RECOMMENDED BY (DEPT/DIV HEAD):  |                            | DATE:  |        |
| Laurie Lineberry       |  | 8/14/2017                  |  |        |
| WRITTEN/SUBMITTED BY:  |  | DATE:                      |  |        |
| Jennifer L. Albers     |  | 8/8/2017                   |  |        |