



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

August 4, 2021

DEPARTMENT:Planning and
Neighborhood Services**DIVISION**

Community Planning

STRATEGIC OUTCOMES

- ☒ Safe & Prosperous
- ☐ Active & Appealing
- ☒ Respected & Responsible
- ☐ Connected & Engaged
- ☐ Unique & Creative

ACTION

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

TITLE:

Final Plat: Desert Sands Subdivision Unit 3

SUMMARY RECOMMENDATION:

Approve the final plat of the Desert Sands Subdivision Unit 3. The property is located at the southeast corner of E. 45th Street and S. Avenue 8E, Yuma, AZ. (Planning and Neighborhood Services/Community Planning) (Randall Crist)

STRATEGIC OUTCOME:

The approval of the final plat will facilitate the new development of single-family homes, a project that will be responsibly constructed, meeting all codes and requirements for the City. This subdivision assists in furthering the City Council's strategic outcomes of Safe and Prosperous and Respected and Responsible.

REPORT:

The subject property was annexed into the City of Yuma on January 2, 1998 and rezoned to the Low Density Single-Family Residential (R-1-5) District in 2019. The subject property is currently undeveloped and is intended to be the third phase of the Desert Sands Subdivision.

The subject property consists of approximately 24.2599 acres. This subdivision will be developed with frontage along Avenue 8E, and 44th Street. The applicant is proposing to develop the area with 122 single-family homes. The applicant is proposing lot sizes to range from 5,078 square feet to 13,338 square feet. As discussed in further detail in Yuma City Code §154-05.05, the following are some of the main development standards required of development within the Low Density Single-Family Residential (R-1-5) District:

1. The maximum density in the Low Density Single-Family Residential (R-1-5) District shall be one unit per 5,000 square feet of land (meeting the density as identified in the General Plan);
2. The maximum lot coverage in the Low Density Single-Family Residential (R-1-5) District shall be 35% of the lot area;
3. A minimum front yard setback of 20 feet;
4. The minimum side yard setbacks shall be five feet on one side; and nine feet on the other side;

5. A minimum rear yard setback of 10 feet;
6. A minimum street side yard setback of 10 feet;
7. The side and rear yards shall have six foot solid block walls on the property lines; and
8. Each lot in the Low Density Single-Family Residential (R-1-5) District shall have a minimum of one 15-gallon street tree and accompanying underground irrigation system.

With this development staff will be require a Municipal Improvement District (MID) be established for the maintenance of required subdivision landscaping. The MID will need to be established prior to the issuance of any residential building permits.

On June 28, 2021, the Planning and Zoning Commission voted to recommend APPROVAL (6-0), of the final plat for the Desert Sands Subdivision Unit 3, subject to the following conditions:

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
4. 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.
5. 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.
6. 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.
7. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along Avenue 8E. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.
8. A time frame of build-out for the subdivision shall be submitted to the Yuma High School District to enable the districts to adequately plan for future school facilities.
9. An 8 ½" X 11" paper copy of this 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. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recording of a final plat.

11. 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 – EXCERPTS FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Branden Freeman – Planning and Zoning Commissioner, second by Lorraine Arney – Planning and Zoning Commissioner, to APPROVE SUBD-34769-2021 as presented, subject to the Conditions of Approval in Attachment A. Motion carried unanimously (6-0), with one absent.

The City Council's approval of this motion accepts the Planning and Zoning Commission's recommendation and approves the final plat of the Desert Sands Subdivision Unit 3 as submitted, including the conditions of approval set forth in the rezone, final plat, and preliminary plat.

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:			
	1. 2. 3. 4. 5.			
ADDITIONAL INFORMATION	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="checkbox"/> Department <input type="checkbox"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip A. Rodriguez		07/28/2021	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		07/27/2021	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
	Alyssa Linville		07/13/2021	
SIGNATURES	WRITTEN/SUBMITTED BY:		DATE:	
	Richard Munguia		07/13/2021	