



# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

October 16, 2019

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

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

**TITLE:**

Final Plat: Premier Storage Condominiums Unit 2 Subdivision - Phase IV (Building 6) and Phase V (Building 7)

**SUMMARY RECOMMENDATION:**

Approve the final plat for Premier Storage Condominiums of Yuma Unit 2 Subdivision - Phase IV (Building 6) and Phase V (Building 7). The property is located at the southeast corner of Avenue 3<sup>3</sup>/<sub>4</sub>E and E. 32nd Street, Yuma. The applicant is Premier Storage Condominiums of Yuma Unit 2, LLC. (SUBD-22521-2018)(Community Development/Community Planning)(Laurie Lineberry)

**REPORT:**

On September 23, 2019 the Planning and Zoning Commission voted to recommend **APPROVAL** of the final plat for Premier Storage Condominiums of Yuma Unit 2 Subdivision, Phase IV (Building 6) and Phase V (Building 7), 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. After the final plat has been approved by City Council, the applicant/developer shall have one year 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**

**QUESTIONS FOR APPLICANT:**

**NONE**

**MOTION:**

**“Motion by Gregory Counts – Planning and Zoning Commissioner, second by Fred Dammeyer – Planning and Zoning Commissioner, to APPROVE Case Number SUBD-22521-2018.**

**“Motion carried unanimously (5-0), with Vinod Mohindra – Planning and Zoning Commissioner and Tiffany Ott – Planning and Zoning Commissioner absent.”**

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"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> </ol>			
IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <ul style="list-style-type: none"> <li><input type="radio"/> Department</li> <li><input type="radio"/> City Clerk's Office</li> <li><input type="checkbox"/> Document to be recorded</li> <li><input type="checkbox"/> Document to be codified</li> </ul>				
SIGNATURES	CITY ADMINISTRATOR:			DATE:
	Jay Simonton			10/9/2019
	REVIEWED BY CITY ATTORNEY:			DATE:
	Richard W. Files			10/9/2019
	RECOMMENDED BY (DEPT/DIV HEAD):			DATE:
Laurie Lineberry			9/26/2019	
WRITTEN/SUBMITTED BY:			DATE:	
Robert M. Blevins/AL			9/25/2019	