

**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – FINAL SUBDIVISION**

Hearing Date: December 11, 2017

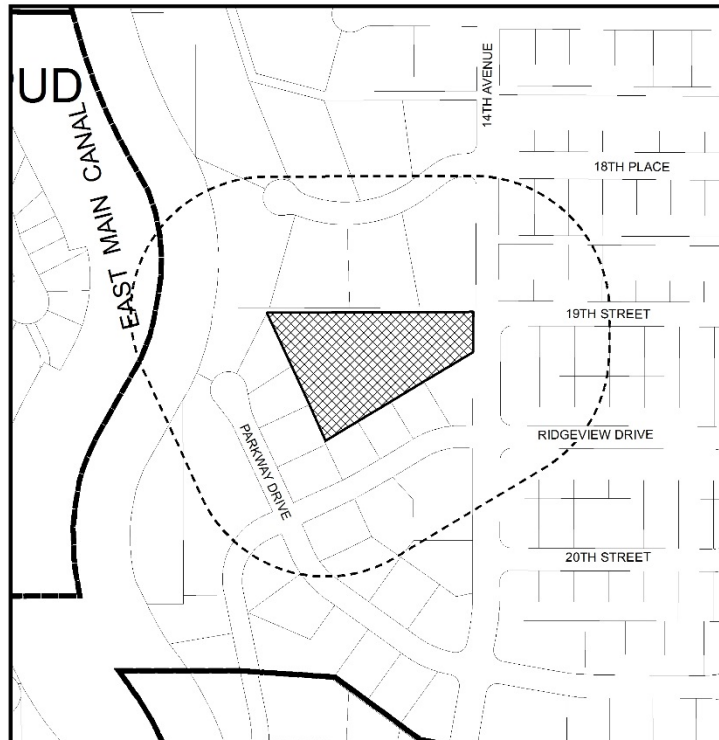
Case Number: SUBD-19970-2017

Project Description/Location:

This is a request by Vega & Vega Engineering, PLC, on behalf of Elisa & Doug Owens, for approval of the final plat for the Alta Vista Subdivision, proposed to be divided into 3 residential lots ranging in size from 18,631.29 square feet to 20,385.04 square feet and a tract of land to be utilized for access measuring 17,677.94 square feet. The property is located at 1900 S. 14th Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-6)	Vacant	Low Density Residential
North	Low Density Residential (R-1-6)	Single-Family Residence(s)	Low Density Residential
South	Low Density Residential (R-1-6)	Single-Family Residence(s)	Low Density Residential
East	Low Density Residential (R-1-6)	Single-Family Residence(s)	Low Density Residential
West	Low Density Residential (R-1-6)	Single-Family Residence(s)	Low Density Residential

Location Map



Prior site actions: Annexation: Ord. #787 (December 31, 1959); Subdivision: Alta Vista Estates Subdivision (SUBD-19874-2017; Preliminary Plat)

Staff recommendation: Staff recommends **APPROVAL** of the final plat for the Alta Vista Estates Subdivision, subject to the conditions shown in Attachment A, because the request is in conformance with the City of Yuma General Plan and is compatible with surrounding land uses.

Suggested Motion: Motion to **APPROVE** the final plat for the Alta Vista Estates Subdivision, subject to the conditions shown in attachment A.

Staff Analysis: Originally developed in 1964, the subject property featured a 4,700 square foot single-family residence on the nearly 1.8 acre parcel. The subject property was one of the first residential developments to occur in the area. Bordered by the Bel-Aire Heights and Vista Del Valle No. 2 subdivisions, the subject property has yet to be associated with a particular subdivision development. Following the acquisition of the subject property in April of 2017, the property owner made the decision to demolish the residence and redevelop the site as a three lot subdivision.

The proposed subdivision will feature three residential lots ranging in size from 18,631 square feet to 20,385 square feet; meeting the minimum lot size requirements for the Low Density Residential (R-1-6) District. Frontage for each lot will be along a private roadway, intended to be utilized and maintained by the property owners within the subdivision. Further specified in §154-05.04, the following are some of the development standards required of a development with the Low Density Residential (R-1-6) District:

1. The maximum lot coverage in the Low Density Residential (R-1-6) District shall not exceed 35% of the lot area;
2. A minimum front yard setback of 20 feet;
3. A minimum side yard setback of 7 feet;
4. A minimum rear yard setback of 10 feet;
5. A maximum building height of 40 feet; and
6. A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

A neighborhood meeting was held on October 19, 2017 to discuss the proposed project with neighbors in the surrounding area. A majority of the concerns discussed during the meeting were in regards to the following issues: loss of privacy for the surrounding development, structural concerns regarding the recently removed retaining wall, and concerns over the ability to construct three single-family dwellings.

Staff informed the concerned neighbors that any construction which occurs on-site will be evaluated by Building Safety and Engineering Staff accordingly. If deemed necessary during the plan review process, a retaining wall may be required with the construction of each new residence. Staff, however, was unable to ease the neighbors' concerns regarding privacy and the potential development of three single-family residences. The proposed final plat complies with the property development standards of the Low Density Residential (R-1-6) District, and is in compliance with the City of Yuma Code.

1. Does the subdivision comply with the conditions of the rezoning?

Yes. The final plat meets dimensional standards and the property development standards for the Low Density Residential (R-1-6) District.

2. Does the subdivision comply with the conditions of the preliminary plat approval?

Yes. All condition of the preliminary plat approval have been addressed within this review.

3. Is the final plat consistent with the preliminary plat that was approved?

Yes. The proposed final plat is reflective of the preliminary plat, which was approved on November 27, 2017.

Public Comments Received: None Received

External Agency Comments: None Received

Neighborhood Meeting Comments: October 19, 2017

Proposed conditions delivered to applicant on: November 14, 2017

Final staff report delivered to applicant on: November 22, 2017

Applicant agreed with all of the conditions of approval on: November 14, 2017

Attachments

A	B	C	D	E	F
Conditions of Approval	Final Plat Map	Preliminary Plat Conditions	Neighbor-hood Meeting Comments	Aerial Photo	Staff Research

Prepared By: 
Alyssa Linville, Principal Planner

Date: 11/29/17

Approved By: 
Laurie L. Lineberry, AICP,
Community Development Director

Date: 11-28-17

**ATTACHMENT A
FINAL PLAT
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

**Community Development Comments: Laurie Lineberry, Community Development Director
(928) 373-5175:**

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 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.

City Attorney Comments: (928) 373-5058:

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.

City Engineering Comments: Andrew McGarvie, Engineering Manager (928) 373-5000, ext. 3044:

7. The sewer system is to be private from the existing manhole on 19th Street.

Community Planning Comments: Alyssa Linville, Principal Planner, (928) 373-5000, ext. 3037:

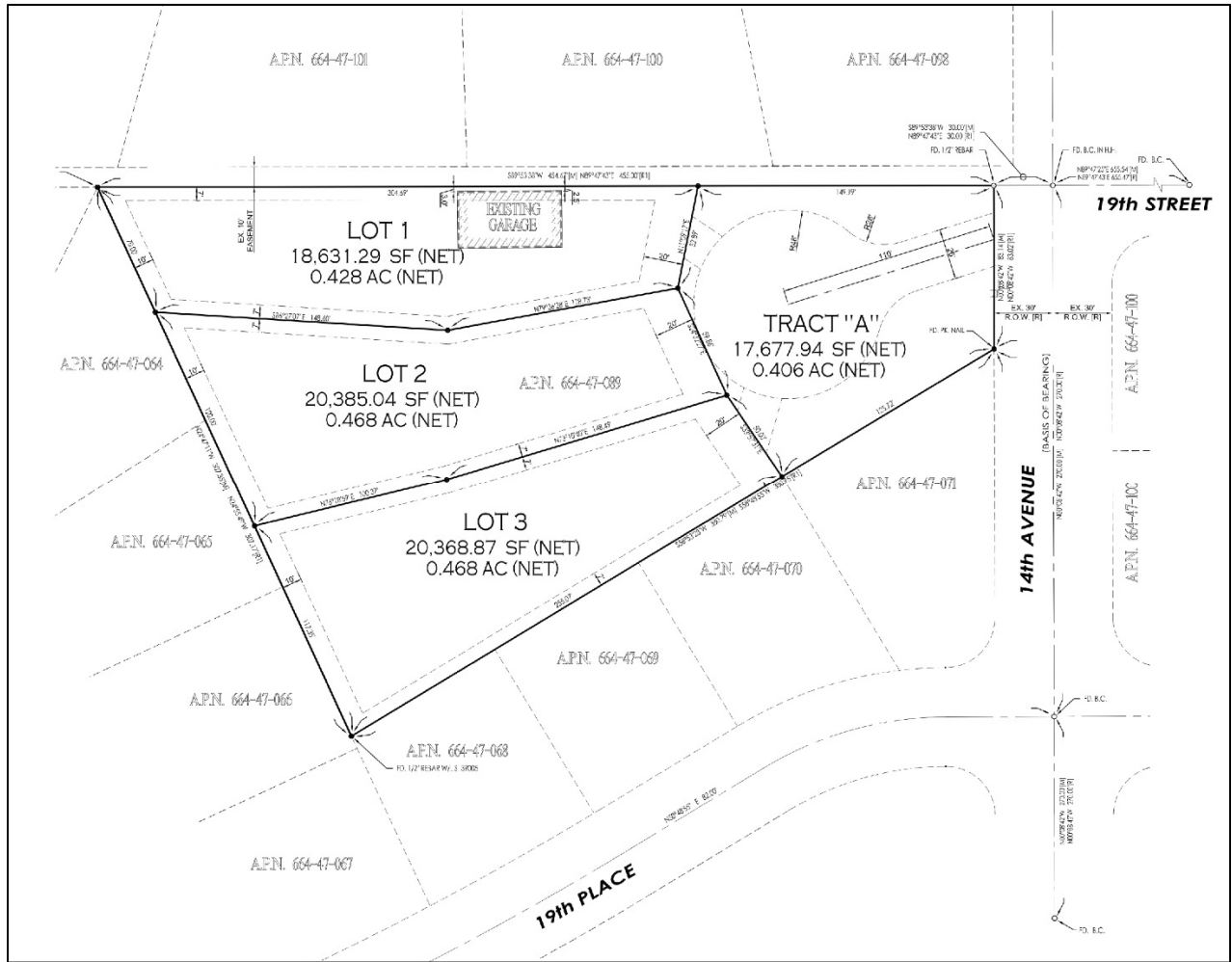
8. An 8 ½" X 11" paper copy of this subdivision plat, showing the location of the group mailboxes and signed as APPROVED by the local Yuma Postmaster, shall be submitted to the City within sixty (60) calendar days of the effective date of approval of the subdivision final plat and prior to

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.

9. 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.
10. The owner/developer shall submit, prior to the recording of the final plat, a landscaping and irrigation plan that meets City landscaping code requirements for any retention basin, and street parkways adjacent to each the subdivision.
11. 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.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B FINAL PLAT MAP



ATTACHMENT C
PRELIMINARY PLAT CONDITIONS

Community Development Comments: Laurie Lineberry, Community Development Director (928) 373-5175:

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 action shall take 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.

City Attorney Comments: (928) 373-5058:

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.

City Engineering Comments: Andrew McGarvie, Engineering Manager (928) 373-5000, ext. 3044:

8. The sewer system is to be private from the existing manhole on 19th Street.

Community Planning Conditions: Alyssa Linville, Principal Planner, (928) 373-5000, ext. 3037:

9. The Owner shall submit a final plat within one (1) year of Preliminary Plat approval. Should a Final Plat not be submitted within one (1) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS

Date Held: October 19, 2017

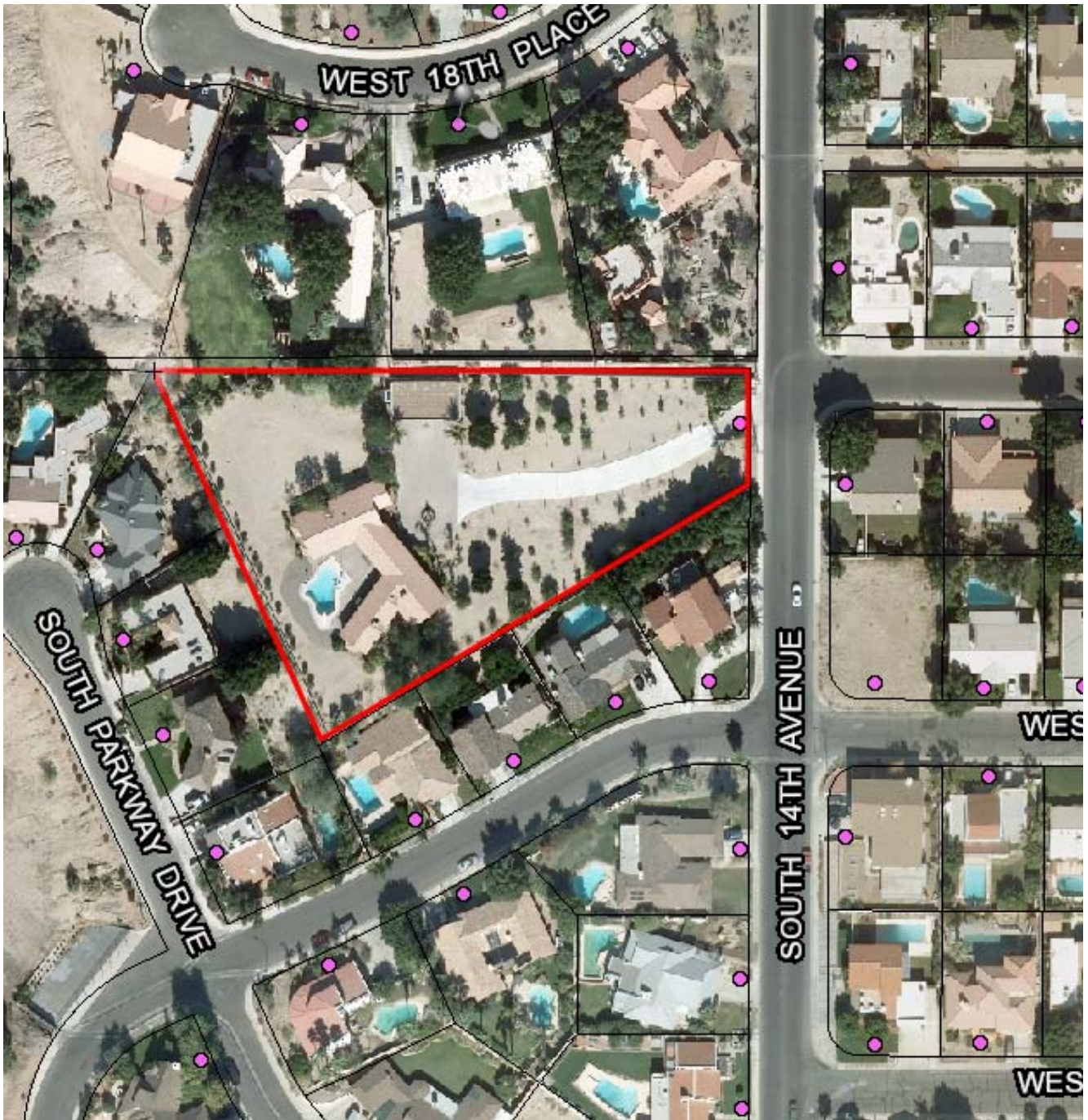
Location: On-Site

Attendees: Alyssa Linville, City of Yuma; Vianey Vega, Vega & Vega Engineering, PLC; 7 neighboring property owners

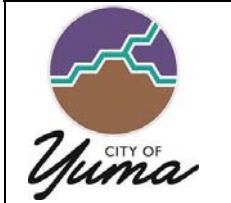
SUMMARY OF ATTENDEE(S)' COMMENTS RELATED TO THE PROJECT:

- **CONCERNED ABOUT THE ABILITY FOR THREE SINGLE-FAMILY RESIDENCES TO BE CONSTRUCTED ON THE PROPERTY. NEIGHBORS FEEL AS THOUGH THIS MAY BE AN INVASION OF PRIVACY.**
- **NEIGHBORS ARE CONCERNED THAT THE PROPERTY DOES NOT HAVE THE STRUCTURAL ABILITY TO WITHSTAND THE WEIGHT OF RESIDENTIAL DEVELOPMENT, DUE TO THE REMOVAL OF A RETAINING WALL. STAFF INFORMED THE NEIGHBORS THAT ANY NEW DEVELOPMENT WOULD NEED TO PROVIDE ADEQUATE STRUCTURAL SUPPORT, WHICH MAY INCLUDE THE RECONSTRUCTION OF THE RETAINING WALL.**

ATTACHMENT E
AERIAL PHOTO



**ATTACHMENT F
STAFF RESEARCH**



STAFF RESEARCH – FINAL PLAT

CASE #: SUBD-19970-2017
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:		Located near the northwest corner of 14 th Avenue and 19 th Street										
Parcel Number(s):		664-47-089										
Parcel Size(s):		78,200 square feet										
Total Acreage:		1.79 acres										
Proposed Dwelling Units:		3 proposed										
Address:		1900 S. 14 th Avenue										
Applicant:		Elisa and Doug Owens										
Applicant's Agent:		Vega and Vega Engineering, PLC										
Land Use Conformity Matrix:		Conforms:		Yes	X	No						
Zoning Overlay:	Public		AO	Auto		B&B	Historic		None		Airport	
Noise Contours	65-70		70-75		75+		APZ1		APZ2		Clear Zone	
	Existing Zoning			Use(s) on-site				General Plan Designation				
Site	Low Density Residential (R-1-6)			Vacant				Low Density Residential				
North	Low Density Residential (R-1-6)			Single-Family Residence(s)				Low Density Residential				
South	Low Density Residential (R-1-6)			Single-Family Residence(s)				Low Density Residential				
East	Low Density Residential (R-1-6)			Single-Family Residence(s)				Low Density Residential				
West	Low Density Residential (R-1-6)			Single-Family Residence(s)				Low Density Residential				
Prior Cases or Related Actions:												
<u>Type</u>		<u>Conforms</u>				<u>Cases, Actions or Agreements</u>						
Pre-Annexation Agreement		Yes		No		N/A						
Annexation		Yes	X	No		Ord. #787 (December 31, 1959)						
General Plan Amendment		Yes		No		N/A						
Development Agreement		Yes		No		N/A						
Rezone		Yes		No		N/A						
Subdivision		Yes	X	No		Alta Vista Subdivision (SUBD-19874-2017; Preliminary Plat)						
Conditional Use Permit		Yes		No		N/A						
Pre-Development Meeting		Yes	X	No		April 4, 2017						
Design Review Commission		Yes		No		N/A						
Enforcement Actions		Yes		No		N/A						
Avigation Easement Recorded		Yes		No	X	Fee #						
Land Division Status:				Legal lot of record								

Irrigation District:	None				
Adjacent Irrigation Canals & Drains:	East Main Canal				
Water Conversion Agreement Required	Yes		No	X	

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	Subdivision					Conforms			
	Lot Size	Minimum:	17,677.94 S.F.	Maximum:	20,385.04 S.F.	Yes	X	No	
Lot Depth	Minimum:	125.72 FT.	Maximum:	304.69 FT.	Yes	X	No		
Lot Width/Frontage	Minimum:	50.00 FT.	Maximum:	152.58 FT.	Yes	X	No		
Setbacks	Front:	20 FT.	Rear:	10 FT.	Side:	7 FT.	Yes	X	No
District Size	1.79	Acres			Yes	X	No		
Density	1.67	Dwelling units per acre			Yes	X	No		

III. SUBDIVISION CODE DEVELOPMENT STANDARDS

Requirements	Conforms					
General Principles	Yes	X	No		N/A	
Streets	Conforms					
Circulation	Yes	X	No		N/A	
Arterial Streets	Yes		No		N/A	X
Existing Streets	Yes		No		N/A	X
Cul-de-sacs	Yes	X	No		N/A	
Half Streets	Yes		No		N/A	X
Stub Streets	Yes		No		N/A	X
Intersections	Yes		No		N/A	X
Easements	Yes	X	No		N/A	
Dimensional Standards	Yes	X	No		N/A	
Issues: Tract A will contain a private roadway which will have to be maintained by the property owners.						
Blocks	Conforms					
Length	Yes		No		N/A	X
Irregular Shape	Yes		No		N/A	X
Orientation to Arterials	Yes		No		N/A	X
Business or Industrial	Yes		No		N/A	X
Issues: None						
Lots	Conforms					
Minimum Width	Yes	X	No		N/A	
Length and Width Ratio	Yes		No	X	N/A	
Fronting on Arterials	Yes		No		N/A	X
Double Frontage	Yes		No		N/A	X
Side Lot Lines	Yes	X	No		N/A	
Corner Lots	Yes		No		N/A	X
Building Sites	Yes	X	No		N/A	
Street Frontage	Yes	X	No		N/A	
Issues: None						

NOTIFICATION

- o Legal Ad Published: The Sun (11/17/17)
- o 300' Vicinity Mailing: (10/23/17)
- o Site Posted on: (12/04/17)
- o 34 Commenting/Reviewing Agencies noticed: (10/26/17)

- o Hearing Date: (12/11/17)
- o Comments due: (11/06/17)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	10/30/17	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	NR				
Yuma County Planning & Zoning	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	Yes	10/30/17	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	NR				
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	NR				
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	Yes	10/30/17	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	10/31/17	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
OCTOBER 19, 2017	See Staff Report Attachment
Prop. 207 Waiver Given to Applicant on:	Delivery Method:
December 11, 2017	In Person

PUBLIC COMMENTS RECEIVED: NONE RECEIVED