



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

Hearing Date: April 11, 2016

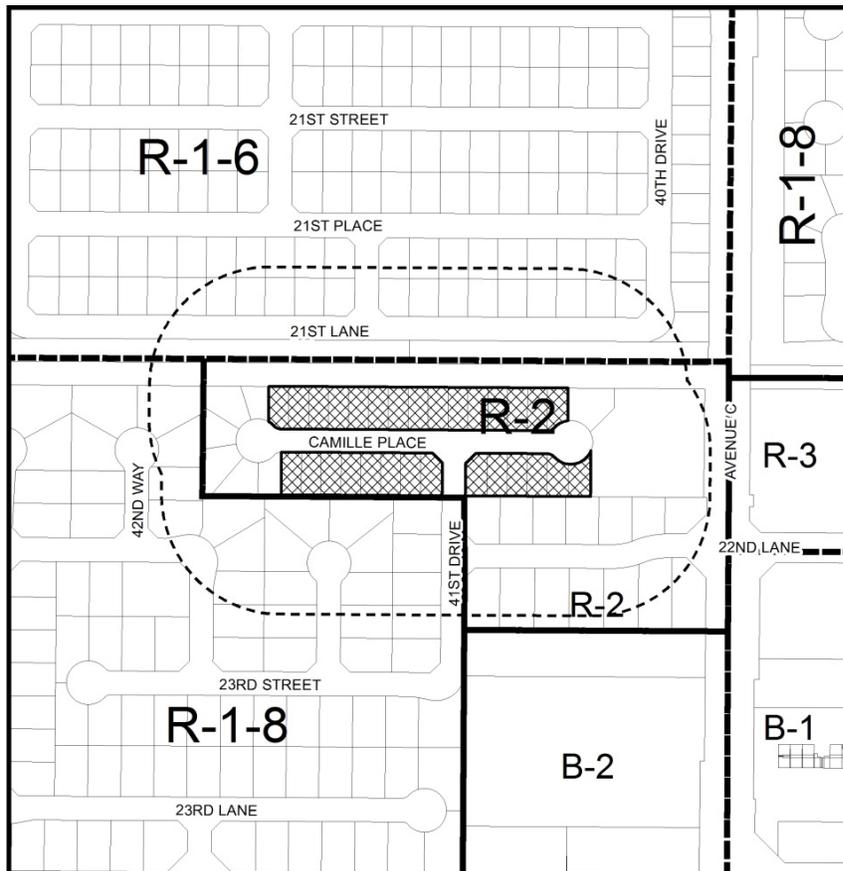
Case Number: SUBD-13498-2016

Project Description/Location:

A request by Core Engineering Group, PLLC, on behalf of Diez Familia, LLC, for approval of an amended final plat for the La Tierra Subdivision. The subdivision is located at the southwest corner of Avenue C and the Central Drain, Yuma, AZ.

	Existing Zoning	Existing Land Use	Land Use Designation
Site	Medium Density (R-2)	La Tierra Subdivision-Undeveloped	Medium Density Residential
North	Low Density (R-1-6)	Cibola Heights Unit #2 & #3	Low Density Residential
South	Low Density (R-1-8) & Medium Density (R-2)	Falls Ranch Unit #6	Low Density Residential & Medium Density Residential
East	High Density (R-3)	La Mirada Apartments	High Density Residential
West	Low Density (R-1-8)	Falls Ranch Unit #6	Low Density Residential

Location Map:



Prior site actions: Annexation: #02476 (2/3/1990); General Plan Amendment: GP2005004; Rezone: Z2007-014 (AG to R-2), APC-3177-2013 (Zoning Compliance to finalize R-2 Zoning); Subdivision: Preliminary and Final Plat S2008-001-01R (Expired), SUBD-3244-2013 Prelim and Final Plat.

Staff recommendation: Staff recommends **APPROVAL** of the amended final plat for the La Tierra Subdivision, subject to the conditions shown in Attachment A.

Suggested Motion: Motion to **APPROVE** the amended final plat for the La Tierra 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.

Staff Analysis: This subdivision contains 7.92 acres and is divided into 36 lots, ranging in size from approximately 4,934 square feet to 73,181 square feet. The proposed amendment changes the noted 7' side yard setbacks to 5' side yard setbacks on the following lots:

- Lot 1: west side yard setback only;
- Lots 2 through 8 & lots 15 through 34: both side yard setbacks;
- Lot 35: the east side yard setback only.

Proposed townhomes will have a 5' side yard setback for better placement of residential dwelling units on some lots. This will equate to a minimum 10' separation between dwelling units. Staff notes that the La Tierra Declaration of Restrictions will need to be reviewed by the developer to ensure that the new setbacks are not in conflict with those Restrictions, recorded with Fee# 2014-15469.

1. **Does the subdivision comply with the conditions of the rezoning?**
Yes There are no prior outstanding rezoning conditions.
2. **Does the subdivision comply with the conditions of the preliminary plat approval?**
Yes There are no prior outstanding preliminary plat conditions.
3. **Is the final plat consistent with the preliminary plat that was approved?**
Yes This is a replat to revise the previously-recorded final plat.

Public Comments Received: None

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: March 30, 2016

Final staff report delivered to applicant on: April 1, 2016

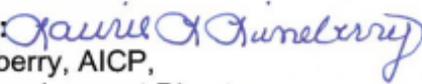
- Applicant agreed with all of the conditions of approval on: March 30, 2016
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D
Conditions of Approval	Amended Final Plat Map	Aerial Photo	Staff Research

Prepared By: 
Bob Blevins, Principal Planner

Date: 3/30/16

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

Date: 3.30.16

**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 within thirty (30) 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.

City Attorney Comments: (928) 373-5058:

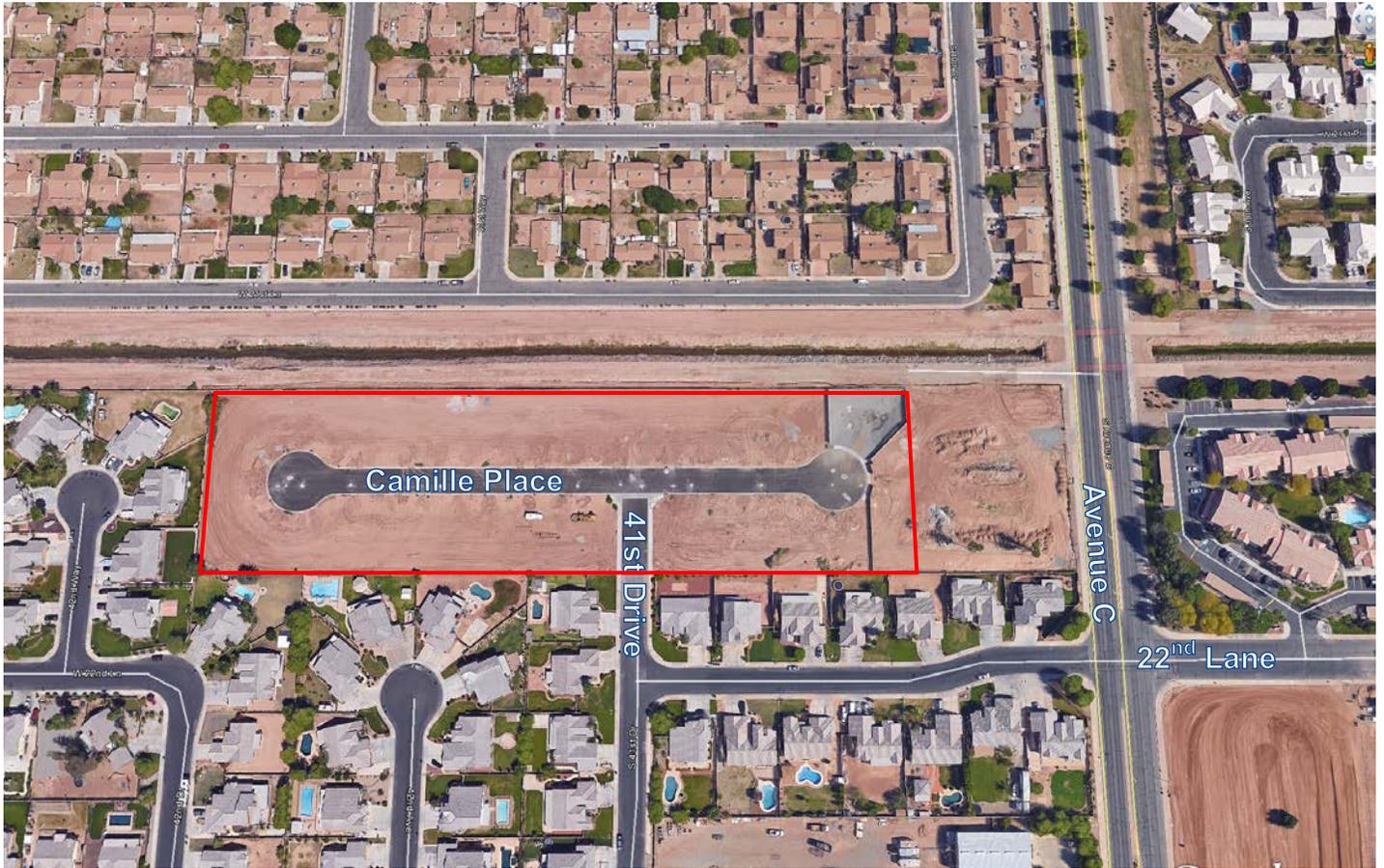
3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
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.

Community Planning Comments: Bob Blevins, Principal Planner, (928) 373-5189:

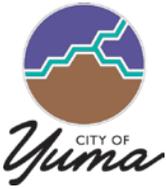
6. After the final plat has been approved by City Council, the applicant/developer shall have one year to record the approved plat, or the final plat approval shall be null and void.

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 C
AERIAL PHOTO



**ATTACHMENT D
STAFF RESEARCH**



STAFF RESEARCH – FINAL PLAT AMENDED

CASE #: SUBD-13498-2016
CASE PLANNER: BOB BLEVINS

I. PROJECT DATA

Project Location:		Southwest Corner of Avenue C and the Central Drain									
Parcel Number(s):		663-64-051 thru 058, 663-64-065 thru 085.									
Parcel Size(s):		4,934.93 sq. ft. to 5,618.03 sq. ft.									
Total Acreage:		7.9242		Acres							
Proposed Dwelling Units:		55		35 Single Family & 20 Multi-family							
Address:		N/A									
Applicant:		Diez Familia, LLC									
Applicant's Agent:		Core Engineering Group, PLLC									
Land Use Conformity Matrix:		Conforms:		Yes	X	No					
Zoning Overlay:		Public	AO	Auto	B&B	Historic	None	X			
	Airport	Noise Contours	65-70	70-75	75+	APZ1	APZ2	CLEAR ZONE			
	Existing Zoning			Existing Land Use			Planned Land Use				
Site	Medium Density (R-2)			La Tierra Subdivision-Undeveloped			Medium Density Residential				
North	Low Density (R-1-6)			Cibola Heights Unit #2 & #3			Low Density Residential				
South	Low Density (R-1-8) Medium Density (R-2)			Falls Ranch Unit #6			Low Density Residential Medium Density Residential				
East	High Density (R-3)			La Mirada Apartments			High Density Residential				
West	Low Density (R-1-8)			Falls Ranch Unit #6			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	Ordinance #O2476, 2/3/1990						
General Plan Amendment		Yes	X	No	GP2005-004, R2005-86 - 8/17/2005						
Development Agreement		Yes		No	N/A						
Rezone		Yes	X	No	Z2007-014 AG to R-2, APC-3177-2013 - Zoning Compliance to finalize R-2 Zoning.						
Subdivision		Yes	X	No	Preliminary Plat S2008-001, Final Plat S2008-001-01, Preliminary and Final Plat S2008-001-01R Expired, SUBD-3244-2013 Prelim and Final Plat.						
Conditional Use Permit		Yes		No	N/A						
Pre-Development Meeting		Yes	X	No	Date: March 31, 2005						
Design Review Commission		Yes		No	N/A						
Enforcement Actions		Yes		No	N/A						
Avigation Easement Recorded		Yes	X	No	Fee #		2008-07718				
Land Division Status:		Parcels are legal lots of record.									
Irrigation District:		Yuma County Water Users Association									
Adjacent Irrigation Canals & Drains:		Central Drain									
Water Conversion Agreement Required		Yes	X	No							

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	Subdivision				Conforms			
	Lot Size	Minimum:	4934 sf	Maximum:	5,618.03 sf	Yes	X	No
Lot Depth	Minimum:	81.12'	Maximum:	115.61'	Yes	X	No	
Lot Width/Frontage	Minimum:	50'	Maximum:	71.30'	Yes	X	No	
Setbacks	Front:	20'	Rear:	10'	Side:	5'	Yes	No X*
District Size	7.92	Acres			Yes	X	No	
Density	6.94	Dwelling units per acre			Yes	X	No	

Issues: *Will conform upon recordation of this plat with modified side yard setbacks. Townhomes need a 5' side yard setback to obtain correct placement of residential dwelling units on some lots. This will equate to a minimum 10' separation between dwelling units.

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	X	No		N/A	
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: Prior comments from Falls Ranch residents from previous neighborhood meetings were that they would like this subdivision to take access from Avenue C instead of through their subdivision.						
Blocks	Conforms					
Length	Yes	X	No		N/A	
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	X	No		N/A	
Fronting on Arterials	Yes	X	No		N/A	
Double Frontage	Yes	X	No		N/A	
Side Lot Lines	Yes	X	No		N/A	
Corner Lots	Yes	X	No		N/A	
Building Sites	Yes	X	No		N/A	
Street Frontage	Yes	X	No		N/A	
Issues: None						

NOTIFICATION

- o Legal Ad Published: The Sun: 3/18/16
- o 300' Vicinity Mailing: 3/15/16
- o 34 Commenting/Reviewing Agencies noticed: 3/14/16

- o Hearing Date: 4/11/16
- o Comments due: N/A

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	NR				
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	YES	03/14/16	X		
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.	NR				
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	03/14/16	X		
Randy Crist, Building Safety	NR				
Jim Hamersley, ITS	NR				
Josh Scott, Engineering	NR				
Jonathan Fell, Traffic Engineering	NR				
MCAS / C P & L Office	NR				
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				
Rod Hamilton, Police	NR				

Neighborhood Meeting	Comments Available
N/A	N/A
Prop. 207 Waiver Given to Applicant on:	Delivery Method:
March 25, 2016	by U.S. Mail

PUBLIC COMMENTS RECEIVED: NONE RECEIVED