

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

Hearing Date: April 11, 2016

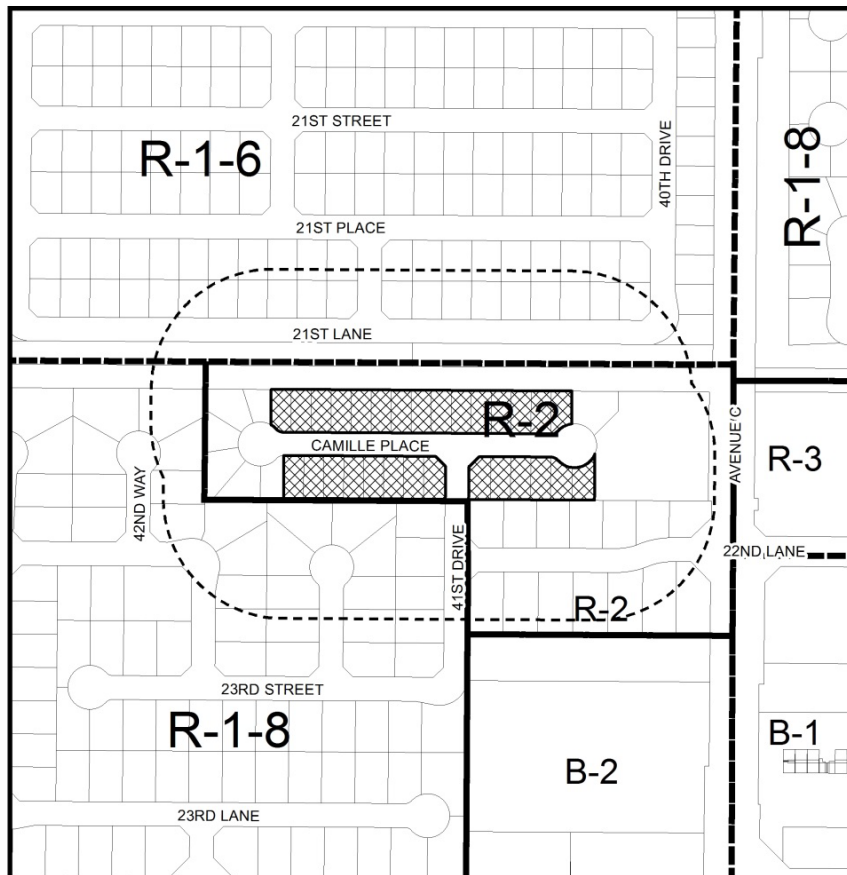
Case Number: SUBD-13498-2016

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

- | | |
|--|---|
| <input checked="checked" type="checkbox"/> | Applicant agreed with all of the conditions of approval on: March 30, 2016 |
| <input type="checkbox"/> | Applicant did not agree with the following conditions of approval: (list #'s) |
| <input type="checkbox"/> | 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:

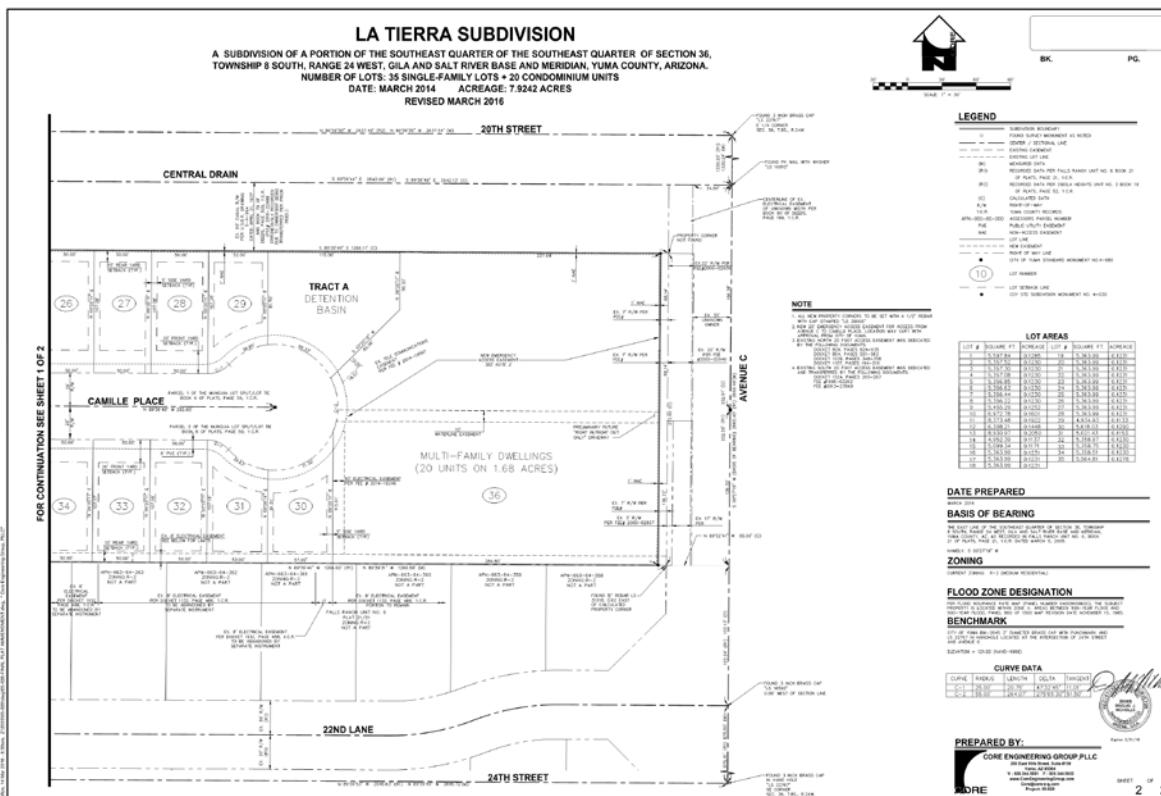
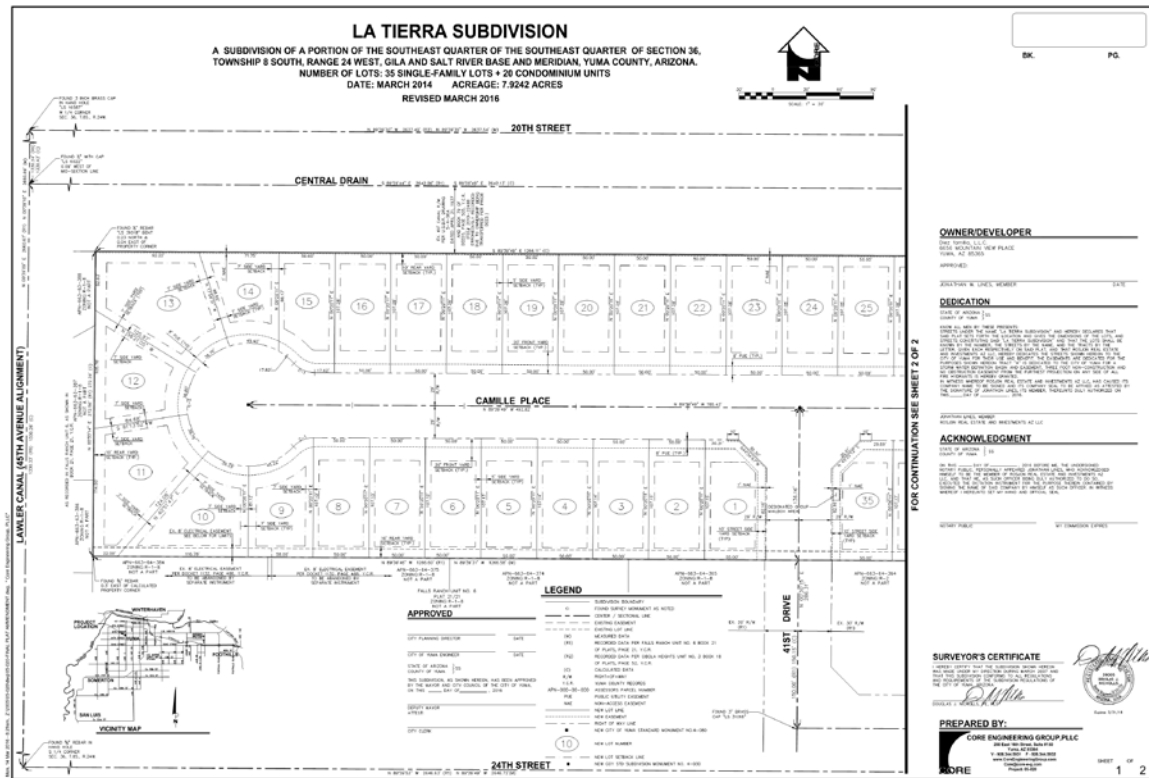
3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.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

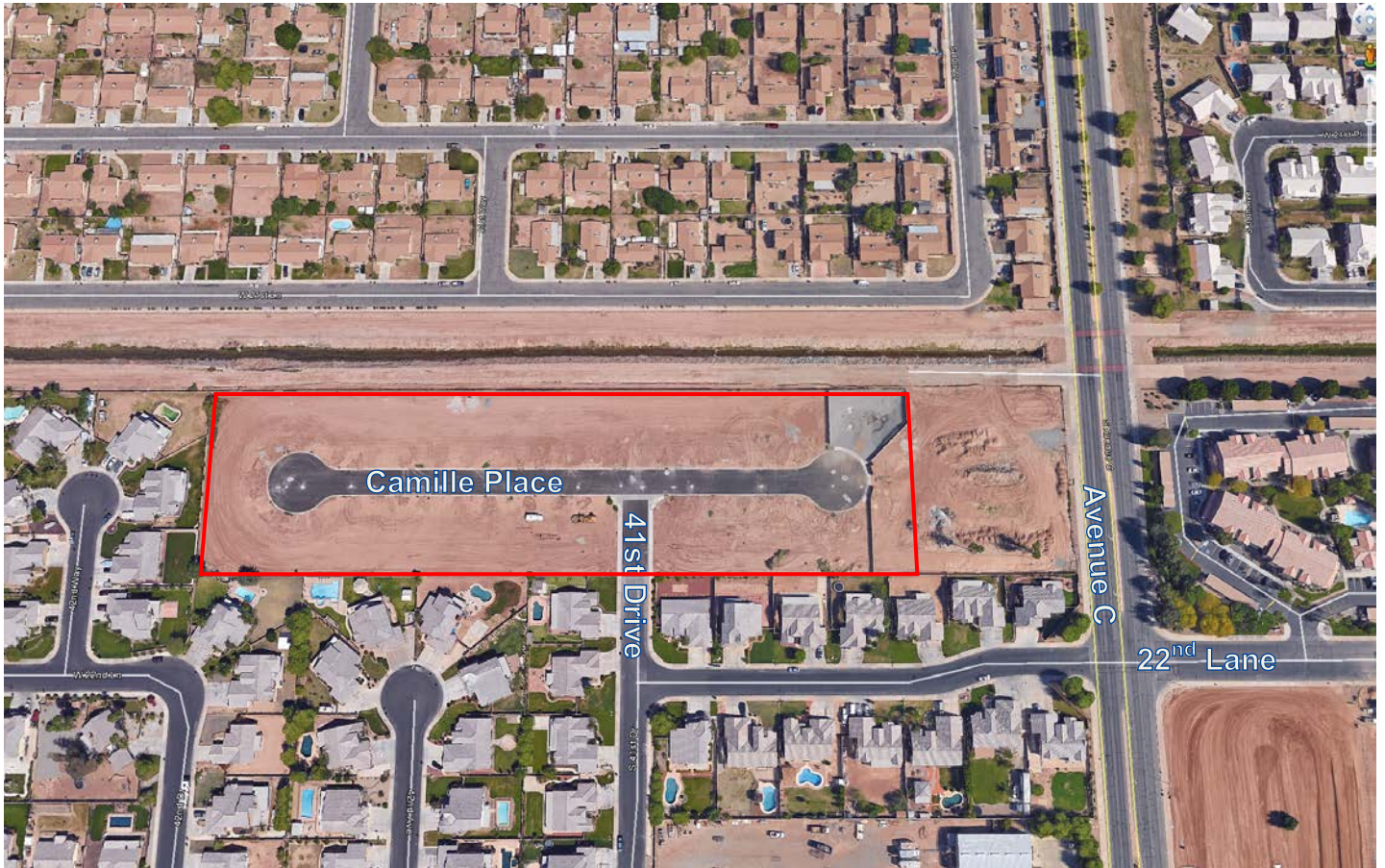
6. After the final plat has been approved by City Council, the applicant/developer shall have one year to record the approved plat, or the final plat approval shall be null and void.

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 B AMENDED FINAL PLAT MAP



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

- **Legal Ad Published: The Sun:** 3/18/16
- **300' Vicinity Mailing:** 3/15/16
- **34 Commenting/Reviewing Agencies noticed:** 3/14/16
- **Hearing Date:** 4/11/16
- **Comments due:** N/A

<i>External List (Comments)</i>	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				
<i>City of Yuma Internal List (Conditions)</i>	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				

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

PUBLIC COMMENTS RECEIVED: NONE RECEIVED