



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

July 21, 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: Patagonia Subdivision

SUMMARY RECOMMENDATION:

Approve the final plat of the Patagonia Subdivision. The property is located near the southeast corner of Avenue 9E and 24th Street. (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 and furthering 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 March 22, 2019. In prior years, the property was subject to a general plan amendment that changed the land use designation from resort/recreation/open space to low density residential. A rezone was recently approved by City Council, which rezoned the property from Agriculture to Low Density Residential (R-1-40).

The subject property consists of approximately 29 acres and features frontage along Avenue 9E. This development is slated to feature residential lots ranging in size from 43,000 square feet to 90,000 square feet. Further specified in §154-05.04, the following are some of the development standards required of a development with the Low Density Residential (R-1-40) District:

1. The maximum lot coverage in the Low Density Residential (R-1-40) 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 20 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.

Typically, landscaping is required along the exterior of the subdivision. However, the topography along Avenue 9E poses challenges for the installation of standard landscaping materials. Therefore, staff will be working with the applicant to identify a treatment that will meet the intent of subdivision landscaping, while also providing a long term solution for the erosion issues caused by the topography within the development.

On June 14, 2021, the Planning and Zoning Commission voted to recommend APPROVAL (5-0, with two absent) of the final plat for the Patagonia Subdivision, 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 9E. 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. Consideration can be made for access gates needed strictly for the access within utility easements.
8. A time frame of build-out for the subdivision shall be submitted to the Yuma 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

PUBLIC COMMENTS:

None

MOTION:

“Motion by Gregory Counts, Planning and Zoning Commissioner, second by Lorraine Arney, Planning and Zoning Commissioner, to APPROVE SUBD-34272-2021 subject to the Conditions of Approval in Attachment A.

“Motion carried unanimously (5-0, with Fred Dammeyer, Planning and Zoning Commissioner and Joshua Scott, Planning and Zoning Commissioner absent.’

PLANNING COMMISSION STAFF REPORT – ATTACHED

The City Council’s approval of this motion accepts the Planning and Zoning Commission’s recommendation and approves the final plat of the Patagonia Subdivision as submitted, including the conditions of approval set forth in the 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		7/13/2021	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		7/12/2021	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Alyssa Linville		7/6/2021		
WRITTEN/SUBMITTED BY:		DATE:		