

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

Hearing Date: August 14, 2017

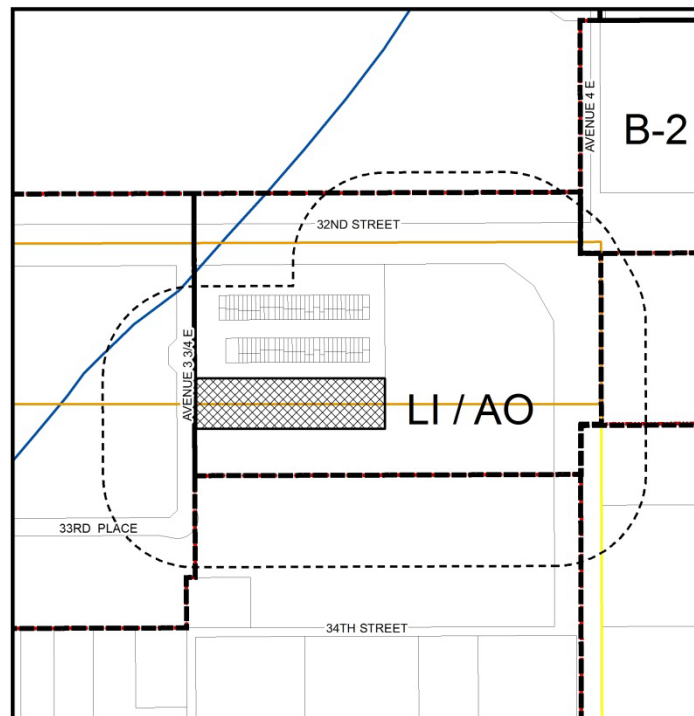
Case Number: SUBD-18331-2017

Project Description/Location:

Final Plat for Phase VI (Building 3) of the Premier Storage Condominiums of Yuma Unit 2 Subdivision. This 2.05 acre commercial condominium subdivision is proposed to create 66 storage condominiums in one new building. The property is located at the southeast corner of East 32nd Street and Avenue 3 3/4E, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial/Aesthetic Overlay (L-I/AO)	Vacant land	Industrial
North	Light Industrial/Aesthetic Overlay (L-I/AO)	Premier Storage (existing)	Industrial
South	Light Industrial/Aesthetic Overlay (L-I/AO)	Premier Storage (future)	Industrial
East	Light Industrial/Aesthetic Overlay (L-I/AO)	Premier Storage (future)	Industrial
West	Light Industrial (L-I)	GreenGate Produce Factory	Industrial

Location Map



Prior site actions: Pre-Annexation Development Agreement: R2010-56 (11-09-2010); Annexation: A2011-02 (08-05-2011); Subdivision- Prior to annexation: Premier Storage Unit 2. Tentative Plat: 2007; Final Plat: 2011 (expired in 2014); After annexation: Preliminary Plat: SUBD-16104-2017.

Staff recommendation: Staff recommends **APPROVAL** of the Final Plat for Phase VI (Building 3) of the Premier Storage Condominiums of Yuma Unit 2 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 Phase VI (Building 3) of the Premier Storage Condominiums of Yuma Unit 2 Subdivision, subject to the conditions shown in Attachment A.

Staff Analysis: This phase of Premier Storage Unit 2 will create 66 storage unit condominiums in one building; it will be the third building to be completed at this location. Five similar buildings are planned for the future.

The subdivision of this property into storage units and a common area is treated much the same as a residential subdivision: having the same public notice and hearing requirements and it must follow State Department of Real Estate regulatory processes. The units will have legal descriptions and are divided and recognized by the Assessor's Office for tax purposes; each unit can be bought and sold by deed; and the individual unit owners belong to an association with an interest in the common area.

The north 460 feet (approx.) of Premier Storage Unit 2 is in the Airport Industrial Overlay District (AIOD-1), and the south 230 feet (approx.) is in the Runway Arrival Departure Safety Area (RADSA), both of which were implemented to protect the public from overflights at the east end of the civilian runway. These zoning overlays limit the types of uses, sound attenuation, and the number of persons working in this area. Additionally, Premier Storage Unit 2 is in the 70-75 dB noise zone of the military runway.

Prior to annexation, in a letter dated January 26, 2007, the Marine Corps Air Station-Yuma (MCAS) did not object to this use at this location as long as there is no on-site caretaker's residence.

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

Yes Rezoning occurred upon annexation.

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

Yes

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

Yes

Public Comments Received: None Received

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: June 21, 2017

Final staff report delivered to applicant on:

July 13, 2017

- ☒ Applicant agreed with all of the conditions of approval on: June 22, 2017
☐ 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	E	F
Conditions of Approval	Final Plat Map	Prelim Plat Map	Prelim Plat Conditions	Aerial Photo	Staff Research

Prepared By:

Robert M. Blevins, Principal Planner (928) 373-5189

Date:7/5/17
Robert.Blevins@yumaaz.gov**Reviewed By:**

Alyssa Linville, Principal Planner

Date:

07/05/17

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

7.5.17

**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 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:

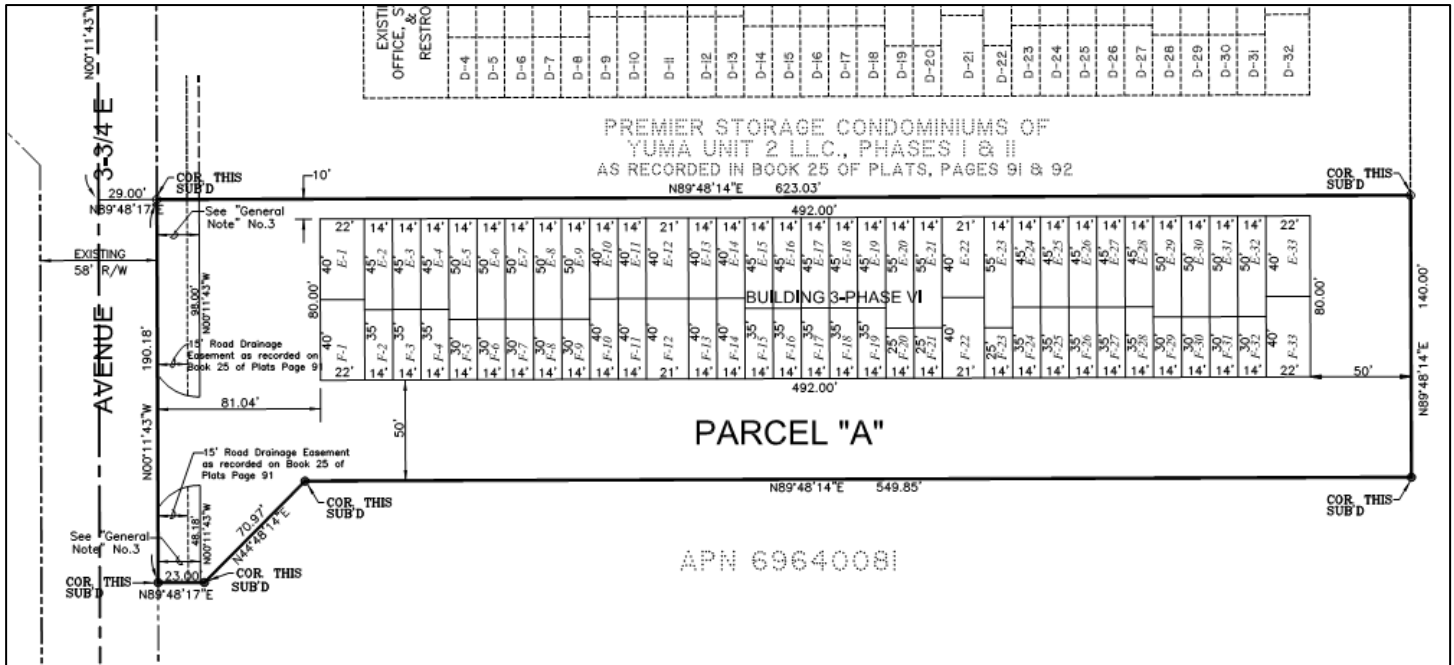
3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
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 Conditions: Robert M. Blevins, Principal Planner (928) 373-5189:

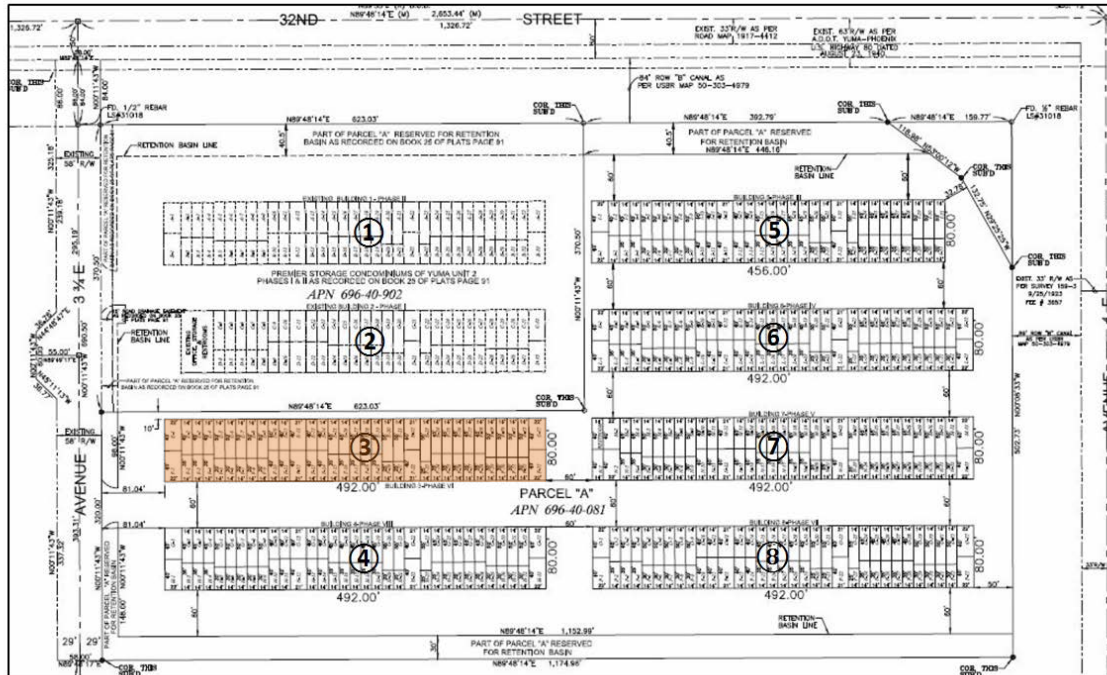
6. After the final plat has been approved by City Council, the applicant/developer shall have one year to record the approved plat, or the final plat approval shall be null and void.

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
FINAL PLAT MAP



ATTACHMENT C PRELIMINARY PLAT MAP



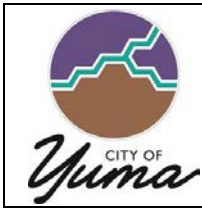
ATTACHMENT D
PRELIMINARY PLAT CONDITIONS

1. The conditions 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 preliminary 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.
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. With the exception of Condition 2, 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 E
AERIAL PHOTO



ATTACHMENT F
STAFF RESEARCH



STAFF RESEARCH – FINAL PLAT

CASE #: SUBD-18331-2017 PHASE VI

CASE PLANNER: BOB BLEVINS

I. PROJECT DATA

Project Location:				Southeast corner of E. 32 nd Street and Avenue 3 3/4E																					
Parcel Number(s):				696-40-081																					
Parcel Size(s):				89,298 square feet for Phase VI																					
Total Acreage:				2.05 (Phase VI)				13.06 acres total all phases																	
Proposed Dwelling Units:				None																					
Address:				3265 S. Avenue 3 3/4E																					
Applicant:				Premier Storage Condominiums of Yuma Unit 2, LLC.																					
Applicant's Agent:				None																					
Land Use Conformity Matrix:				Conforms:		Yes	X	No																	
Zoning Overlay:		Public			AO		Auto				B&B				Historic				None				Airport		X
	Noise Contours		65-70			70-75		X	75+				APZ1				APZ2				Clear Zone				

	Existing Zoning	Use(s) on-site	General Plan Designation
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West	Light Industrial (L-I)	GreenGate Produce Factory	Industrial

Prior Cases or Related Actions:

Type	Conforms				Cases, Actions or Agreements
Pre-Annexation Agreement	Yes	X	No		R2010-56 (11-09-2010)
Annexation	Yes	X	No		A2011-02 (08-05-2011)
General Plan Amendment	Yes		No		N/A
Development Agreement	Yes		No		N/A
Rezone	Yes		No		N/A
Subdivision	Yes	X	No		Prior to annexation: Premier Storage #2. Tentative Plat: 2007; Final Plat: 2011 (expired in 2014). After annexation: SUBD-16104-2016 Prelim. Plat
Conditional Use Permit	Yes		No		N/A
Pre-Development Meeting	Yes	X	No		10-13-2016 @ 10 a.m.
Design Review Commission	Yes		No		N/A
Enforcement Actions	Yes		No		N/A
Avigation Easement Recorded	Yes	X	No		Fee # 2011-04812
Land Division Status:	Parcel is a legal lot of record.				
Irrigation District:	Yuma Mesa Irrigation and Drainage District (YMIDD)				
Adjacent Irrigation Canals & Drains:	"B" Canal				
Water Conversion Agreement Required	Yes		No	X	

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	Subdivision						Conforms			
Lot Size	Minimum:	350 SF		Maximum:	880 SF		Yes	X	No	
Lot Depth	Minimum:	25 FT		Maximum:	55 FT		Yes	X	No	
Lot Width/Frontage	Minimum:	14 FT		Maximum:	22 FT		Yes	X	No	
Setbacks	Front:	81.04 FT	Rear:	50 FT	Side:	10 FT	Yes	X	No	
District Size	13.06	Acres					Yes	X	No	
Density	N/A	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	X	No		N/A		
Existing Streets	Yes	X	No		N/A		
Cul-de-sacs	Yes		No		N/A	X	
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: None							
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	X	No		N/A		
Fronting on Arterials	Yes	X	No		N/A		
Double Frontage	Yes		No		N/A	X	
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 (06/30/17)
- 300' Vicinity Mailing: (06/06/17)
- 34 Commenting/Reviewing Agencies noticed: (06/08/17)
- Hearing Date: (08/14/17)
- Comments due: (06/19/17)

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	06/12/17	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	YES	06/13/17	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.	YES	06/12/17	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				
<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	YES	06/09/17	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	YES	06/14/17	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	06/13/17	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

<i>Neighborhood Meeting</i>	<i>Comments Available</i>
None Required	N/A
<i>Prop. 207 Waiver Given to Applicant on:</i>	<i>Delivery Method:</i>
06/06/17	by U.S. Mail to Jacobson Companies, Inc.

PUBLIC COMMENTS RECEIVED: NONE