

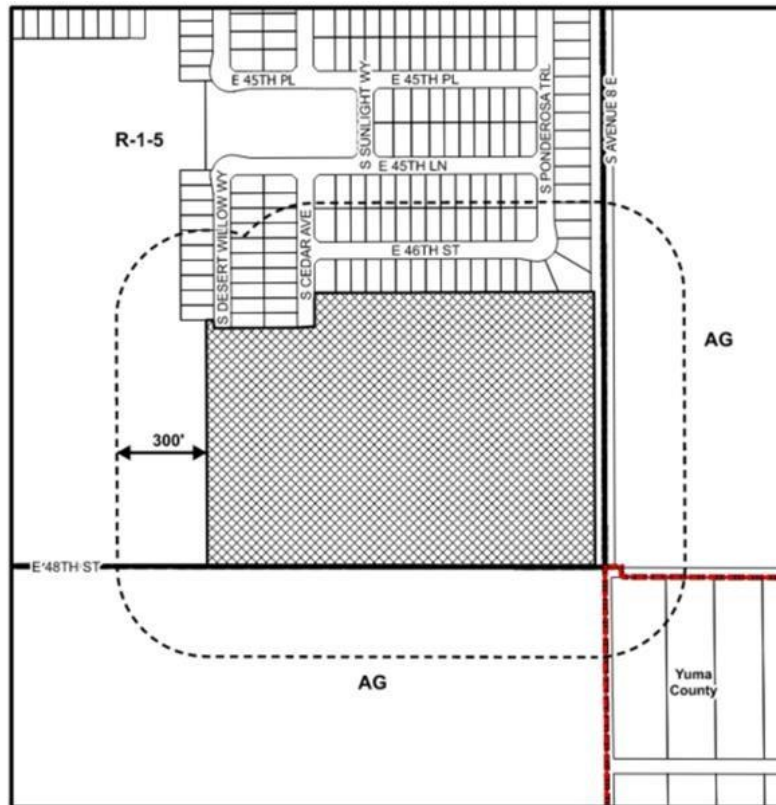
**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**  
**DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES**  
**COMMUNITY PLANNING DIVISION**  
**CASE TYPE – PRELIMINARY SUBDIVISION**  
**CASE PLANNER: ERIKA PETERSON**

**Hearing Date:** November 27, 2023      **Case Number:** SUBD-41872-2023

**Project Description/ Location:** This is a request by Dahl, Robins & Associates, Inc., on behalf of Yucca Land Company, LLC, for approval of the preliminary plat for Desert Sands Unit No. 4. This subdivision will contain approximately 28.44 acres and is proposed to be divided into 136 single-family residential lots, ranging in size from approximately 5,100 square feet to 13,338 square feet for the property located at the northwest corner of 48<sup>th</sup> Street and Avenue 8E, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
<b>Site</b>	Low Density Single-Family Residential (R-1-5) District	Undeveloped	Low Density Residential
<b>North</b>	Low Density Single-Family Residential (R-1-5) District	Residential	Low Density Residential
<b>South</b>	Agriculture (AG) District	Undeveloped	Rural Density Residential
<b>East</b>	Low Density Single-Family Residential (R-1-5) District	Undeveloped	Low Density Residential
<b>West</b>	Low Density Single-Family Residential (R-1-5) District	Undeveloped	Low Density Residential

**Location Map**



**Prior site actions:** Annexation: Ordinance O97-81 (January 2, 1998); General Plan Amendment: Res. R2004-89 (December 13, 2014; Suburban Density Residential to Low Density Residential); Rezone: Ordinance O2019-014 (March 6, 2019; Agriculture to Low Density Single-Family Residential); Pre-Development Meeting: PDM-24019-2018

**Staff Recommendation:** Staff recommends **APPROVAL** of the preliminary plat for the Desert Sands Unit No. 4, subject to the conditions outlined in Attachment A.

**Suggested Motion:** Move to **APPROVE** Preliminary Plat SUBD-41872-2023 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

**Effect of the Approval:** By approving the preliminary plat, the Planning and Zoning Commission is acknowledging the street and lot layout of Desert Sands Unit No. 4 which includes 136 lots ranging in size from 5,100 square feet to 13,338 square feet for the property located at northwest corner of 48<sup>th</sup> Street and Avenue 8E, subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

**Staff Analysis:** The subject property was annexed into the City of Yuma on January 2, 1998, and was rezoned to the Low Density Single-Family Residential (R-1-5) District in 2019. The subject property is currently undeveloped and is intended to be the fourth phase of the Desert Sands Subdivision.

The subject property consists of approximately 28.44 acres with frontage along 48<sup>th</sup> Street and Avenue 8E. This development is planned for single-family residential lots ranging in size from 5,100 square feet to 13,338 square feet, meeting the minimum lot size requirements for the Low Density Single-Family Residential (R-1-5) District.

Further specified in §154-05.05, the following are some of the development standards required of a development with the Low Density Single-Family Residential (R-1-5) District:

1. The maximum density in the Low Density Single-Family Residential (R-1-5) District shall be one unit per 5,000 square feet of land (meeting the density as identified in the General Plan);
2. The maximum lot coverage in the Low Density Single-Family Residential (R-1-5) District shall not exceed 35% of the lot area;
3. A minimum front yard setback of 20 feet;
4. A minimum side yard setback of 5 feet and 9 feet;
5. A minimum street side yard setback of 10 feet;
6. A minimum rear yard setback of 10 feet;
7. The side and rear yards shall have six foot solid block walls on the property lines;
8. A maximum building height of 40 feet; and
9. A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

With this development, Staff will be requiring that a Municipal Improvement District (MID) be established for the long-term maintenance of required subdivision

landscaping. The MID for Desert Sands Units 4, 5, and 6 will need to be established prior to the issuance of any residential building permits.

The Recordation of an Avigation Easement has been satisfied with the signing of the application.

**1. Does the subdivision comply with the zoning code and the zoning district development standards?**

Yes. The preliminary plat meets dimensional standards and development standards for the Low Density Single-Family Residential (R-1-5) District.

**2. Does the subdivision comply with the subdivision code requirements?**

Yes.

Standard	Subdivision						Conforms			
	Lot Size	Minimum:	5,000 SF		Maximum:	13,338.46 SF		Yes	X	No
Lot Depth	Minimum:	92 FT		Maximum:	153.60 FT		Yes	X	No	
Lot Width/Frontage	Minimum:	50 FT		Maximum:	60 FT		Yes	X	No	
Setbacks	Front:	20 FT	Rear:	10 FT	Side:	5 FT/9FT	Yes	X	No	
District Size	28.44	Acres						Yes	X	No
Density	4.8	Dwelling units per acre						Yes	X	No

Issues: None

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	X	No		N/A	
Intersections	Yes	X	No		N/A	
Easements	Yes	X	No		N/A	
Dimensional Standards	Yes	X	No		N/A	
Issues:						
Blocks	Conforms					
Length	Yes	X	No		N/A	
Irregular Shape	Yes		No		N/A	X
Orientation to Arterials	Yes	X	No		N/A	
Business or Industrial	Yes		No		N/A	X
Issues:						
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						

**3. Does the subdivision comply with the elements, plans and policies of the General Plan?**

Yes.

<b>Land Use Element:</b>									
Land Use Designation:				Low Density Residential					
Issues:				None					
Historic District:	Brinley Avenue		Century Heights		Main Street		None	X	
Historic Buildings on Site:		Yes	No	X					
<b>Transportation Element:</b>									
<b>FACILITY PLANS</b>									
TRANSPORTATION MASTER PLAN		Planned	Existing	Gateway	Scenic	Hazard	Truck		
48 <sup>th</sup> Street- Minor Arterial 2-Lane		40 FT H/W	0 FT H/W						
Avenue 8E- Collector 2- Lane		40 FT H/W	40 FT H/W						
Bicycle Facilities Master Plan		Proposed bike lanes on 48 <sup>th</sup> Street and Avenue 8E							
YCAT Transit System		Gold Route 8- 32 <sup>nd</sup> Street at Avenue 8E							
Issues:		None							
<b>Parks, Recreation and Open Space Element:</b>									
Parks and Recreation Facility Plan									
Neighborhood Park:		Existing: Saguaro Park			Future: Saguaro Park				
Community Park:		Existing: None			Future: East Mesa Community Park				
Linear Park:		Existing: A Canal Linear Park			Future: A Canal Linear Park				
Issues:		Minimal access to nearby facilities.							
<b>Housing Element:</b>									
Special Need Household:		N/A							
Issues:		None							
<b>Redevelopment Element:</b>									
Planned Redevelopment Area:		None							
Adopted Redevelopment Plan:		North End:		Carver Park:		None:		X	
Conforms:		Yes	X	No					
<b>Conservation, Energy &amp; Environmental Element:</b>									
Impact on Air or Water Resources		Yes	No	X					
Renewable Energy Source		Yes	No	X					
Issues:		None							
<b>Public Services Element:</b>									
<u>Population Impacts</u> Population projection per 2017-2021 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person		<i>Single Family</i>		Population	Impact	Consumption		Generation	
		Proposed	Per Unit		Officers	GPD	AF	GPD	
		136	2.9	394	0.74	81,641	91.5	27,608	
Fire Facilities Plan:		Existing: Fire Station No. 5				Future: Fire Station No. 7			
Water Facility Plan:		Source:	City	X	Private	Connection	12" PVC- S. Avenue 8E 8" PVC- S. Cedar Ave		
Sewer Facility Plan:		Treatment:	City	X	Septic	Private	18" PVC- S. Avenue 8E 8" PVC- S. Cedar Ave		

Issues:	Water and sewer lines will need to be extended to provide services for the future development.
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**Safety Element:**

Flood Plain Designation:	Zone X	Liquefaction Hazard Area:	Yes		No	X
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Issues:	None
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**Growth Area Element:**

Growth Area:	Araby Rd & Interstate 8	Arizona Ave & 16 <sup>th</sup> St	Avenue B & 32 <sup>nd</sup> St.
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	North End	Pacific Ave & 8 <sup>th</sup> St	Estancia	None	X
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Issues:	None
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**Public Comments Received:** None received.

**External Agency Comments:** See Attachment D.

**Neighborhood Meeting Comments:** No meeting required.

**Proposed conditions delivered to applicant on:** 10/31/2023

**Final staff report delivered to applicant on:** 11/13/2023

- Applicant agreed with all of the conditions of approval on:
- Applicant did not agree with the following conditions of approval:
- Conditions of Approval were emailed to the applicant and a response has not been received.

**Attachments**

A	B	C	D	E	F	G
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

**Prepared By:** **Erika Peterson** **Date:** 11/1/2023

Erika Peterson,  
Associate Planner [Erika.Peterson@YumaAZ.Gov](mailto:Erika.Peterson@YumaAZ.Gov) (928)373-5000, x3071

**Reviewed By:** *Jennifer L. Albers* **Date:** *11/2/23*  
Jennifer L. Albers,  
Assistant Director of Planning

**Approved By:** **Date:**  
Alyssa Linville,  
Director of Planning and Neighborhood Services

**ATTACHMENT A  
PRELIMINARY 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.

**Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:**

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 shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

**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.

**Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:**

6. 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 48<sup>th</sup> Street and Avenue 8E. 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.

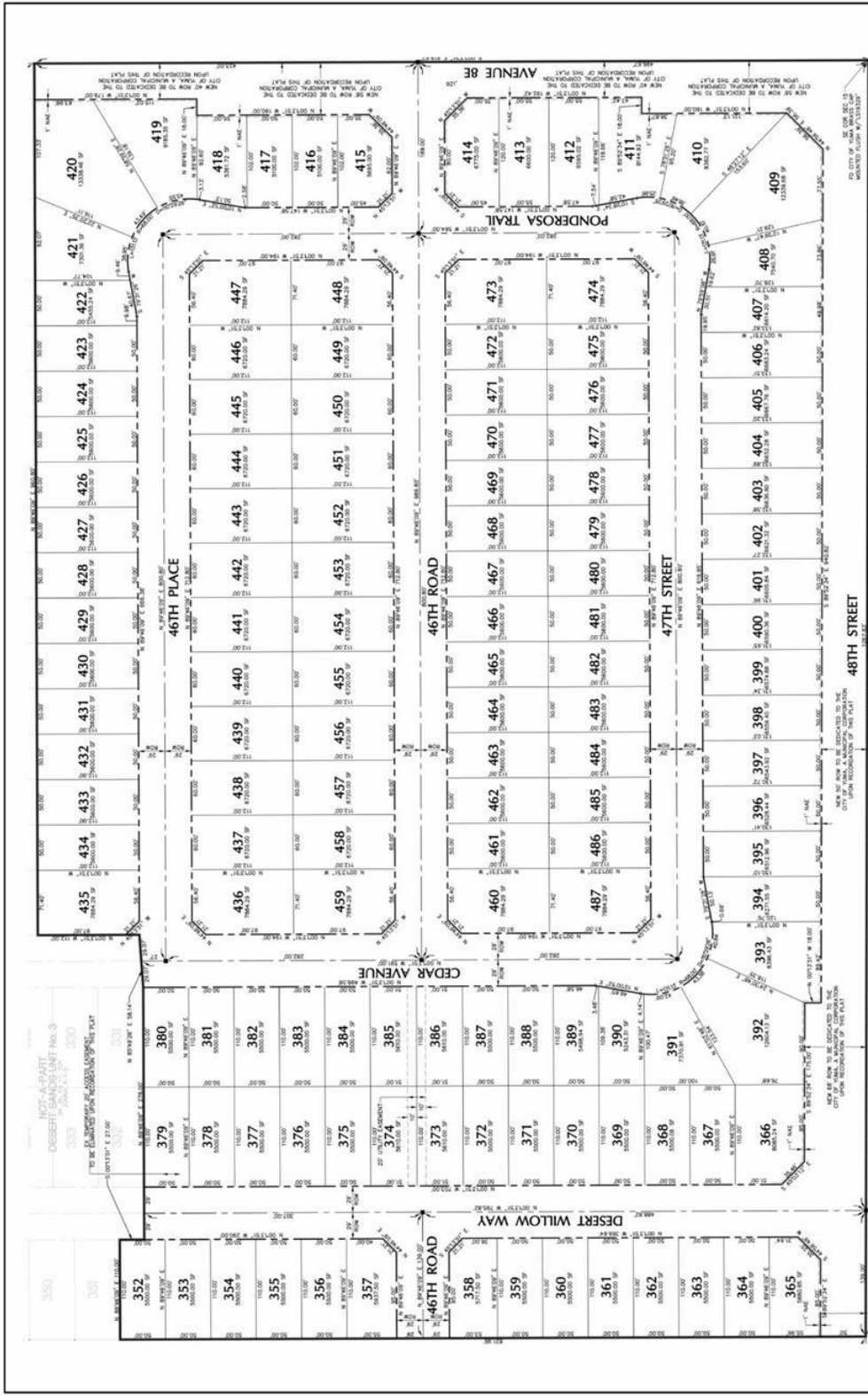
**Community Planning Conditions: Erika Peterson, Associate Planner, (928) 373-5000, x 3071**

7. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) for Desert Sand Units 4, 5, and 6 prior to the recording of a final plat.

8. The Owner shall submit a final plat within three (3) years of Preliminary Plat approval. Should a Final Plat not be submitted within three (3) years 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.

**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 PRELIMINARY PLAT MAP



Plan/Case:  
**41872**

Desert Sands Unit No. 4  
SUBD-41872-2023  
Site Plan

Prepared by:  
DG  
Date:  
10/4/2023





**ATTACHMENT C  
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun 11/3/2023
- 300' Vicinity Mailing: 10/9/2023
- 34 Commenting/Reviewing Agencies noticed: 10/12/2023
- Site Posted on: 11/20/2023
- Neighborhood Meeting: N/A
- Hearing Date: 11/27/2023
- Comments due: 10/23/2023

<b>External List (Comments)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Comment"</b>	<b>Written Comments</b>	<b>Comments Attached</b>
Yuma County Airport Authority	Yes	10/16/2023	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	10/13/2023	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	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	10/16/2023	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	10/16/2023	X		
Yuma Proving Ground	YES	10/12/2023	X		
<b>City of Yuma Internal List (Conditions)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Conditions"</b>	<b>Written Conditions</b>	<b>Comments Attached</b>
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	10/18/2023	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	10/17/2023			X
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D  
AGENCY COMMENTS**


Conditions of approval must be written in the form of a formal condition for use in staff's report. Your conditions will be used verbatim. If you also have a comment, please indicate below.

Condition(s)

No Condition(s)

Comment

Enter conditions here: The subject parcel, APN 197-15-013, is located approximately 1 mile from the Barry M. Goldwater Range West (BMGR-W) northern boundary. It is requested that Aviation easement and Range Disclosure Statements be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, BMGR, and its associated flight paths. Please send a copy of the recorded easements to MCASYUMA\_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE:	17 Oct 2023	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2103				
RETURN TO:	Erika Peterson				
	Erika.Peterson@YumaAZ.gov				

**ATTACHMENT E**  
**NEIGHBOR NOTIFICATION LIST**

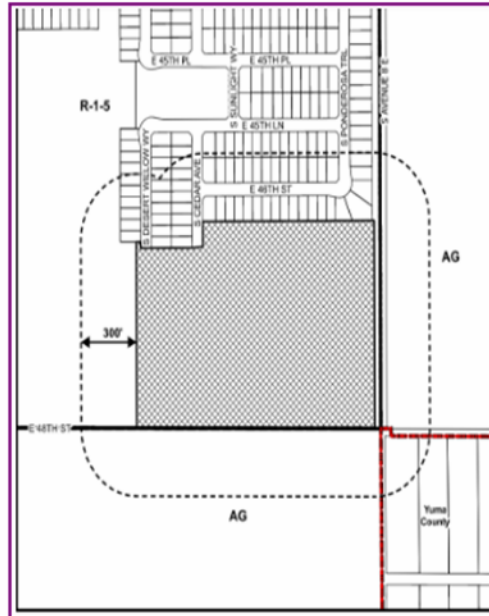
<b>Property Owner</b>	<b>Mailing Address</b>	<b>City/State/Zip Code</b>
GRANITE YUMA LLC	214 W 39TH ST STE 1200	NEW YORK, NY 10018
STATE OF ARIZONA	1110 W WASHINGTON ST	PHOENIX, AZ 85007
DN DEVELOPMENT YUMA LLC	3064 S AVE B	YUMA, AZ 85364
HALL BRIAN L TRUST 12-1-2005	3064 S AVENUE B	YUMA, AZ 85364
YUCCA LAND COMPANY AZ LLC	3064 S AVENUE B	YUMA, AZ 85364

**ATTACHMENT F  
NEIGHBOR MAILING**

This is a request by Dahl, Robins & Associates, Inc., on behalf of Yucca Land Company, LLC, for approval of the preliminary plat for Desert Sands Unit No. 4. This subdivision will contain approximately 28.44 acres and is proposed to be divided into 136 single-family residential lots, ranging in size from approximately 5,455 square feet to 13,338 square feet for the property located at the northwest corner of 48<sup>th</sup> Street and Avenue 8E, Yuma, AZ.

**MEETING DATE,  
TIME & LOCATION  
FOR CASE #  
SUBD-41872-2023**

**PUBLIC HEARING**  
11/27/2023 @ 4:30pm  
City Hall Council Chambers  
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of the NWC of 48th Street and Avenue 8E, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Erika Peterson by phone at (928) 373-5000 ext. 3071 or by email at [Erika.Peterson@YumaAz.gov](mailto:Erika.Peterson@YumaAz.gov)

