

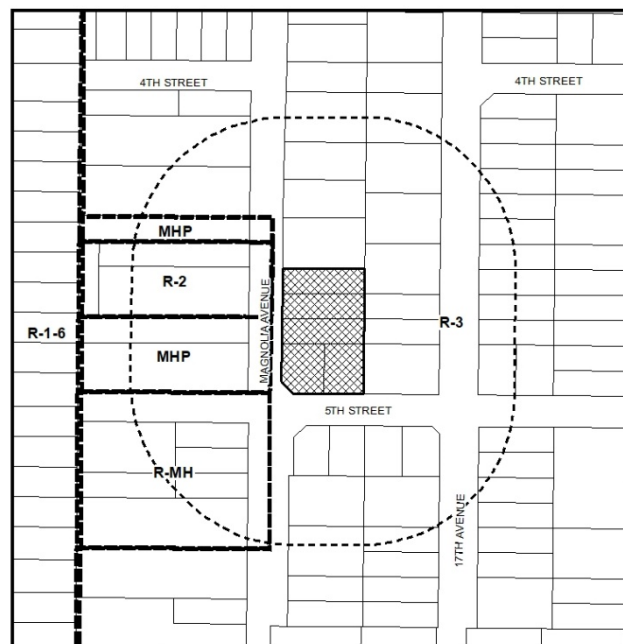
**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – FINAL SUBDIVISION
CASE PLANNER: ALYSSA LINVILLE**

Hearing Date: February 22, 2021 **Case Number:** SUBD-33187-2020

Project Description/Location: This is a request by Vianey Vega, on behalf of Arizona Housing Development Corporation, for approval of the final plat for the AHDC Magnolia Avenue Phase Two Subdivision. This subdivision will contain approximately 40,650 square feet, and is proposed to be divided into 6 residential lots, ranging in size from 5,649 square feet to 9,899 square feet. The property is located at the northeast corner of Magnolia Avenue and 5th Street, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	High Density Residential/Infill Overlay (R-3/IO)	Single-family residence(s); vacant	Low Density Residential; Medium Density Residential
North	High Density Residential/Infill Overlay (R-3/IO)	Multi-family residential	Low Density Residential
South	High Density Residential/Infill Overlay (R-3/IO)	Single-family residence(s)	Medium Density Residential
East	High Density Residential/Infill Overlay (R-3/IO)	Single-family residence(s); Multi-family residential	Low Density Residential; Medium Density Residential
West	Medium Density Residential/Infill Overlay (R-2/IO); Manufactured Housing Park/Infill Overlay (MHP/IO)	Mobile home park; vacant	Medium Density Residential

Location Map



Prior site actions: Subdivision: Savera Lot Split (July 25, 2018), TNNA Lot Split (July 25, 2018), ADHC Magnolia Avenue Phase Two Subdivision Preliminary Plat (December 14, 2020)

Staff Recommendation: Staff recommends **APPROVAL** of the final plat for the AHDC Magnolia Avenue Phase Two Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Final Plat SUBD-33187-2020 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 final plat, the Planning and Zoning Commission is authorizing the design of AHDC Magnolia Avenue Phase Two Subdivision for the property located at the northeast corner of Magnolia Avenue and 5th Street, subject to the conditions of the rezone, the preliminary plat and the conditions outlined in Attachment A, and affirmatively finds that the request substantially conforms to the approved preliminary plat, is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: Historically, the properties served as a grove for citrus production; however, in recent years the properties were cleared, remaining vacant and undeveloped. In 2018, the vacant properties were split into five resulting parcels; one lot was split into two parcels and the other lot was split into three parcels. Then in 2020, three of the properties were each developed with a single-family residence. Now, with this request, the property owner is proposing to create a sixth lot.

The proposed subdivision will meet the intent and development standards outlined within the High Density Residential (R-3) District through the utilization of development incentives offered within the Infill Overlay (IO) District. One of the primary development incentives that will be utilized with this subdivision is the request to reduce the minimum lot size requirement from 6,000 square feet to 5,649 square feet. In addition, the following are some of the standards that will be required for development within the proposed subdivision:

1. The maximum lot coverage in the High Density Residential/Infill Overlay (R-3/IO) District shall be 60% of the lot area;
2. A minimum front yard setback of twenty feet;
3. A minimum side yard setback of five feet;
4. A minimum street side setback of ten feet;
5. A minimum rear yard setback of ten feet;
6. A maximum building height of forty feet; and
7. A requirement for each lot to provide two off-street parking spaces, appropriately located.

Neighbors within 300' were notified of the proposed development, none of which voiced any thoughts or concerns about the proposed development.

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

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

Yes.

Standard	Subdivision						Conforms			
Lot Size	Minimum:	5,649 SF	Maximum:	9,899 SF			Yes	X	No	
Lot Depth	Minimum:	99 FT	Maximum:	250 FT			Yes	X	No	
Lot Width/Frontage	Minimum:	50 FT	Maximum:	68 FT			Yes	X	No	
Setbacks	Front:	20 FT	Rear:	10 FT	Side:	5 FT	Yes	X	No	
District Size	.93	Acres					Yes	X	No	
Density	6.4	Dwelling units per acre					Yes	X	No	
Issues:										

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		No		N/A	X	
Half Streets	Yes		No		N/A	X	
Stub Streets	Yes		No		N/A	X	
Intersections	Yes	X	No		N/A		
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		No		N/A	X	
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.

Land Use Element:	
Land Use Designation:	Low Density Residential and Medium Density Residential

Issues:		None									
Historic District:	Brinley Avenue		Century Heights				Main Street			None	X
Historic Buildings on Site:		Yes		No	X						
Transportation Element:											
FACILITY PLANS											
TRANSPORTATION MASTER PLAN		Planned	Existing	Gateway	Scenic	Hazard	Truck				
Magnolia Avenue – 2-Lane Collector		40 FT H/W ROW	40 FT H/W ROW								
5 th Street – Local Street		29 FT H/W ROW	30 FT H/W ROW								
Bicycle Facilities Master Plan		Magnolia Avenue: Existing Bike Route									
YCAT Transit System		N/A									
Issues:		None									
Parks, Recreation and Open Space Element:											
Parks and Recreation Facility Plan											
Neighborhood Park:	Existing: Kiwanis Park			Future: Kiwanis Park							
Community Park:	Existing: Carver Park			Future: Carver Park							
Linear Park:	Existing: East Main Canal Linear Park			Future: East Main Canal Linear Park							
Issues:		None									
Housing Element:											
Special Need Household:		N/A									
Issues:		None									
Redevelopment Element:											
Planned Redevelopment Area:		None									
Adopted Redevelopment Plan:		North End:			Carver Park:		X	None:			
Conforms:		Yes	X	No							
Conservation, Energy & Environmental Element:											
Impact on Air or Water Resources		Yes		No		N/A					
Renewable Energy Source		Yes		No		N/A					
Issues:		None									
Public Services Element:											
<u>Population Impacts</u> Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person		Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation			
		<i>Single Family</i>									
		Proposed	Per Unit		Officers	GPD	AF	GPD			
		6	2.8	17	0.03	5,040	5.6	1,680			
Fire Facilities Plan:		Existing: Fire Station No. 1				Future: Fire Station No. 1					
Water Facility Plan:		Source:	City	X	Private		Connection		10" PVC		
Sewer Facility Plan:		Treatment:	City	X	Septic		Private		10" PVC		
Issues:		None									
Safety Element:											

Flood Plain Designation:	Flood Zone X	Liquefaction Hazard Area:	Yes		No	X
Issues:	None					
Growth Area Element:						
Growth Area:	Araby Rd & Interstate 8		Arizona Ave & 16 th St		Avenue B & 32 nd St.	
	North End		Pacific Ave & 8 th St		Estancia	None X
Issues:	None					

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

N/A

5. Does the subdivision comply with the conditions of the preliminary plat?

Yes.

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

Yes.

Public Comments Received: None Received.

External Agency Comments: See Attachment F.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: February 11, 2021

Final staff report delivered to applicant on: February 16, 2021

<input checked="" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: 02/11/2021
<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	E	F	G
Preliminary Plat Conditions of Approval	Final Plat Map	Preliminary Plat Map	Preliminary Plat Conditions	Agency Notifications	Agency Comments	Aerial Photo

Prepared By:

Alyssa Linville,
Assistant Director of
Community Development

Date: February 12, 2021

Alyssa.linville@yumaaz.gov (928)373-5000, ext. 3037

**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: Alyssa Linville, Assistant Director, Community Development, (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 request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

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 Magnolia Avenue. 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: Alyssa Linville, Assistant Director of Community Development (title), (928) 373-5000, ext. 3037

7. 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.
8. 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.

9. 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.

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.

[illegible]

[illegible]

ATTACHMENT D
PRELIMINARY PLAT CONDITIONS

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (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 request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

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.
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 - d. pay to cross the easement to reach any structure on the lot;
 - e. prevent the utilities from providing service to any structure on a lot; or
 - f. 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 Magnolia Avenue. 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: Alyssa Linville, Assistant Director of Community Development, (928) 373-5000, ext. 3037:

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

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 E
AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** (01/28/21)
- **300' Vicinity Mailing:** (01/04/21)
- **34 Commenting/Reviewing Agencies noticed:** (01/07/21)
- **Site Posted on:** (01/15/21)
- **Neighborhood Meeting:** (N/A)
- **Hearing Date:** (02/22/21)
- **Comments due:** (01/18/21)

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' Assoc.	Yes	01/06/21		X	X
Yuma County Planning & Zoning	Yes	01/12/21		X	X
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	01/06/21	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	Yes	01/06/21	X		
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
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	Yes	01/11/21	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT F
AGENCY COMMENTS



COMMENT



NO COMMENT

Enter comments below:

- Water rights for Serial No. S-1585-160 & -163 will need to be converted. Please refer to the attached Water Conversion form. We can begin to process the water conversion(s) as soon as we receive the filled out form(s).

DATE: 1/6/21 NAME: Omar Peñuñuri TITLE: Sr. Eng. Lands & ROW
AGENCY: YCWUA
PHONE: 928-627-8824
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov



COMMENT



NO COMMENT

Enter comments below:

Flag lots should be discouraged in new subdivisions. Flag lots could pose a challenge when looking for some degree of uniformity in the building setback line. Flag lots could also make it more difficult for E911 emergency personnel to access the dwelling unit in an emergency.

DATE: 1/12/21 NAME: Juan Leal Rubio TITLE: Senior Planner
AGENCY: Yuma County Department of Development Services
PHONE: 928-817-5176
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

ATTACHMENT G
AERIAL PHOTO

