

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

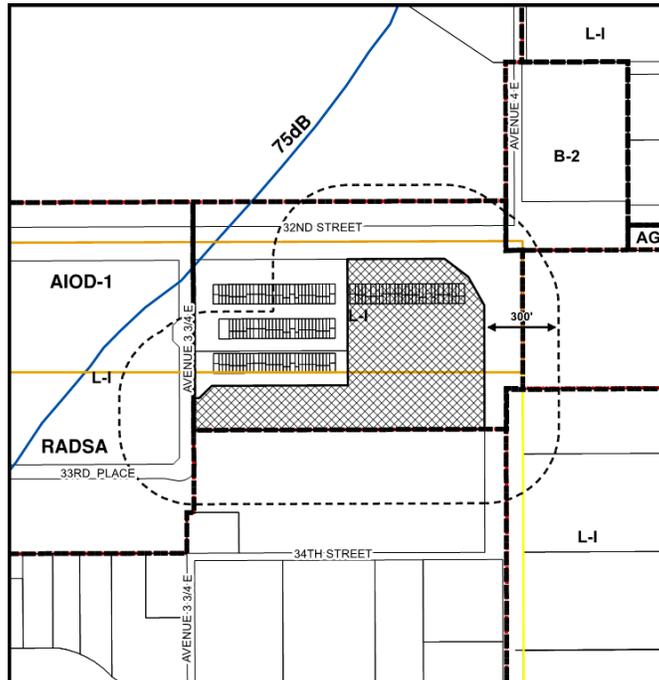
Hearing Date: September 23, 2019

Case Number: SUBD-27156-2019

Project Description/Location: This is a request by Premier Storage Condominiums of Yuma Unit 2, LLC, for approval of the final plat for Phase IV (Building 6) and Phase V (Building 7) of the Premier Storage Condominiums of Yuma Unit 2 Subdivision, Phases III Thru VIII. The two phases, totaling 3.55 acres, are proposed to create 123 storage condominiums in two new buildings, for the property located at the southeast corner of E. 32nd Street and S. 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 Building 5	Industrial
South	Light Industrial/Aesthetic Overlay (L-I/AO)	Premier Storage (future Building 8)	Industrial
East	Yuma County General Commercial (C-2)	Used Car Sales/ Agriculture	Industrial
West	Light Industrial/Aesthetic Overlay (L-I/AO)	Premier Storage Building 2 & 3	Industrial

Location Map



Prior site actions: Pre-Annexation Agreement: R2010-56 (11-09-2010); Annexation: A2011-02 (08-05-2011); Rezone: Z2011-004 (12/21/2011); Subdivision: Prior to annexation: Premier Storage #2. Tentative Plat: 2007; Final Plat: 2011 (expired in 2014). After annexation: SUBD-16104-2016 Prelim. Plat; SUBD-18331-2017 Final Plat (Phase VI); SUBD-22521-2018 Final Plat (Phase III).

Staff Recommendation: Staff recommends **APPROVAL** of the final plat for Phase IV (Building 6) and Phase V (Building 7) of the Premier Storage Condominiums of Yuma Unit 2 Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Final Plat SUBD-27156-2019 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 Phase IV (Building 6) and Phase V (Building 7) of the Premier Storage Condominiums of Yuma Unit 2 Subdivision, for the property located at the southeast corner of E. 32nd Street and S. Avenue 3 3/4E, 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: This phase of Premier Storage Unit 2 will create 123 storage unit condominiums in two buildings; they will be the fifth and sixth buildings to be completed at this location. Building 6 will have a common area restroom in place of a storage unit at the northwest corner of the building. Buildings 4 and 8 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 the entire Premier Storage Unit 2 Subdivision 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. The subject of this final plat, Buildings 6 and 7, will be in the AIOD-1.

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. On August 16, 2019, the Marine Corps Air Station also commented that the Codes, Covenants, and Restrictions (CC&Rs) for this subdivision restrict the storage of explosives and flammable items. The same CC&Rs will be in effect for Buildings 6 and 7.

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.

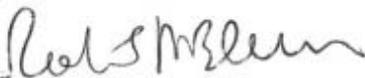
Proposed conditions delivered to applicant on: 08/26/19

Final staff report delivered to applicant on: 09/11/19

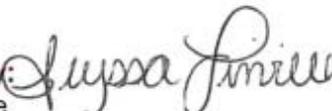
- Applicant agreed with all of the conditions of approval on: 08/26/19
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

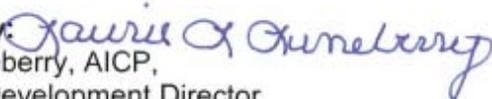
A	B	C	D	E	F
Conditions of Approval	Final Plat Map	Prelim Plat Map	Prelim Plat Conditions	Aerial Photo	Staff Research

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

Date: 8/27/19
 Robert.Blevins@yumaaz.gov

Approved By: 
 Alyssa Linville,
 Assistant Director Community Development

Date: 08/27/19

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

Date: 8-27-19

**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 prior to the recordation of the Final Plat and prior to the issuance of any building permit (including model home permits) for this property.

City Attorney Comments: (928) 373-5058:

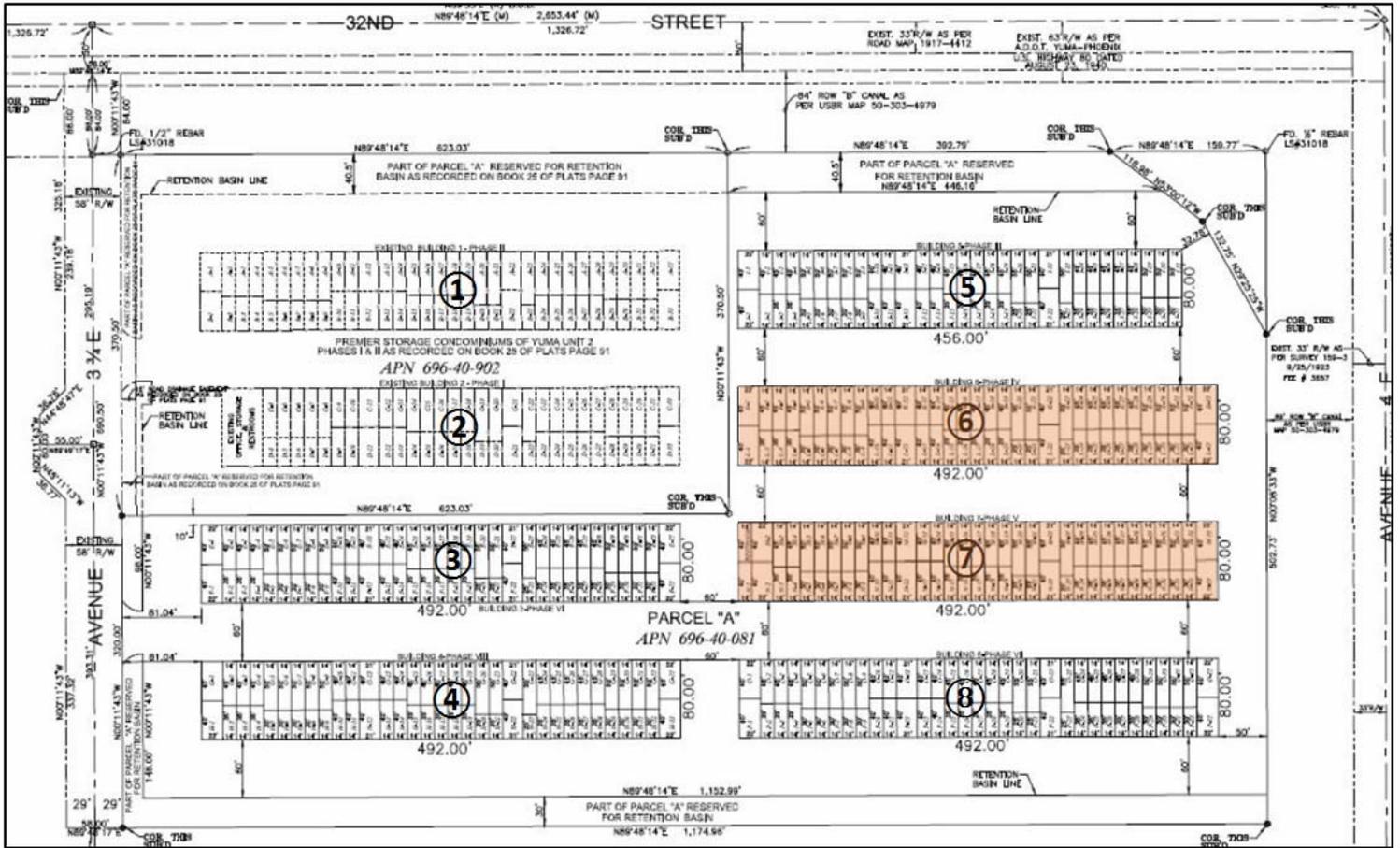
3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.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



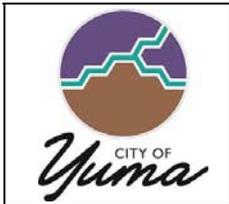
ATTACHMENT D
PRELIMINARY PLAT CONDITIONS

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-27156-2019 PHASES #: IV (BUILDING 6) & V (BUILDING 7)
CASE PLANNER: BOB BLEVINS**

I. PROJECT DATA

Project Location:	Southeast corner of E. 32 nd Street and Avenue 3 3/4E													
Parcel Number(s):	696-40-395													
Parcel Size(s):	154638 square feet													
Total Acreage:	3.55													
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		Infill		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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South	Light Industrial/Aesthetic Overlay (L-I/AO)	Premier Storage (future Building 8)	Industrial
East	Yuma County General Commercial (C-2)	Used Car Sales/Agriculture	Industrial
West	Light Industrial/Aesthetic Overlay (L-I/AO)	Premier Storage Building 2 & 3	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	X	No	Z2011-004 (12/21/2011)
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; SUBD-18331-2017 Final Plat (Phase VI); SUBD-22521-2018 Final Plat (Phase III).
Conditional Use Permit	Yes		No	N/A
Pre-Development Meeting	Yes	X	No	Date: 12-14-2017 (PDM-20492-2017)
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:	1,050 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:	10 FT	Rear:	50 FT	Side:	50.13 FT	Yes	X	No
District Size	3.55	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		No		N/A	X
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

- o Legal Ad Published: The Sun 08/30/19
- o 300' Vicinity Mailing: 08/05/19
- o 34 Commenting/Reviewing Agencies noticed: 08/08/19
- o Hearing Dates: 09/23/19
- o Comments Due: 08/19/19

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	08/09/19	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	YES	08/08/19	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	08/12/19	X		
Yuma Mesa Irrigation District	YES	08/09/19	X		
Arizona Game and Fish	YES	08/09/19	X		
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
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	NR				
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	YES	08/14/19	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	08/16/19	X		X
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
None Required	N/A
Prop. 207 Waiver	
08/22/019 by U.S. Mail	

PUBLIC COMMENTS RECEIVED: NONE

INTERNAL COMMENT

Condition(s)

No Condition(s)

Comment

Enter conditions here: The subject parcel is located within the RADSA/AIOD, APZ1 for RW17 and the 70dB noise contour. An Avigation Disclosure easement has been recorded for the property. In addition per the AIOD/RADSA ordinance the following should be noted in this land use: Factors to be considered in land use or site development include labor intensity, occupancy loads, building configuration and location, parking and vehicular circulation , structural coverage, flashing light or other exterior light sources, the extent of storage or use of explosive matierals or flammables, release of airborne particulates or pollutants which may obscure vision or pose potential explosive hazards; generation of electromagnetic fields or transmission of electrical signals or impules that would interfere with aircraft operations or radio transmissions or other processes or uses of similar character or origin. Similar to previous phases MCASY would request the same Declaration of Condominium and Covenants, Conditions and Restrictions for Premier Storage Condominiums of Yuma which restricted Explosives and Flammable Items, using the units for other than passive storage, etc

DATE: 16 August 2019

NAME: Mary Ellen Finch

TITLE: Community Liaison
Specialist



CITY DEPT: MCAS Yuma

PHONE: 928-269-2103