



# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

March 18, 2020

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

- ☒ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☐ Ordinance - Adoption
- ☐ Public Hearing

**TITLE:**

Final Plat: Autumn Valley Subdivision

**SUMMARY RECOMMENDATION:**

Approve the final plat of the Autumn Valley Subdivision located at the southeast corner of W. 16th Street and S. 44<sup>th</sup> Avenue, Yuma, AZ. (Community Development/Community Planning) (Jay Simonton)

**REPORT:**

The subject property was annexed into the City in 1977 and split and rezoned to the Low Density Residential (R-1-6) District in 2019. The subject property is currently undeveloped, surrounded by single-family homes.

The subject property consists of approximately 5.31 acres. The applicant is proposing to develop the area with 22 single-family dwellings, which will meet the land use density requirements of 1.0 to 4.9 dwelling units per acre. The lot sizes will range from 6,000 square feet to 11,559 square feet, which meets the minimum lot size requirements for the Low Density Residential (R-1-6) District. The subdivision will be developed with access from 44<sup>th</sup> Avenue. No access will be possible from 16<sup>th</sup> Street.

Further specified in the Yuma City Code §154-05.04, the following are some of the development standards required of a development with the Low Density Residential (R-1-6) District:

1. The maximum lot coverage in the Low Density Residential (R-1-6) 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 10 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.

With this development Staff will be requiring that a Municipal Improvement District (MID) be established for the maintenance of required subdivision landscaping. The MID will need to be established prior to the issuance of any residential building permits.

On February 24, 2020, the Planning and Zoning Commission voted to recommend APPROVAL (4-0, with Vice Chairman Fred Dammeyer absent) of the final plat for the Autumn Valley Subdivision, subject to the following conditions:

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.
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 16<sup>th</sup> Street and 44<sup>th</sup> 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.
8. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recording of a final plat.
9. A time frame of build-out for the subdivision shall be submitted to the Crane School District to enable the districts to adequately plan for future school facilities.
10. 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.

**PUBLIC COMMENTS – EXCERPTS FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:**

**CONSENT CALENDAR**

**MINUTES** – January 27, 2020

**WITHDRAWALS BY APPLICANT** – None

**Continuances** – None

**APPROVALS –**

1. **SUBD-28737-2019:** This is a request by Vega and Vega Engineering, on behalf of Proxima Centauri Development, LLC, for approval of the final plat for the Autumn Valley Subdivision, proposed to be divided into 22 residential lots ranging in size from 6,000 square feet to 11,559 square feet. The property is located at the southeast corner of 16th Street and 44th Avenue, Yuma, AZ. *(Continued from February 10, 2020.)*
2. **ZONE-28855-2019:** This is a request by Land Development Consultants, LLC., on behalf of Circle K Stores, Inc., to rezone a 2.28-acre parcel from Agriculture (AG) to General Commercial (B-2), for the property located at 6544 E. 32nd Street. *(Continued from February 10, 2020.)*

**Motion by Gregory Counts - Planning and Zoning Commissioner, second by Barbara Hengl - Planning and Zoning Commissioner, to APPROVE the Approvals section of the Consent Calendar. The minutes of January 27, 2020 were deferred to the next scheduled meeting. Motion carried unanimously (4-0, with 1 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 Autumn Valley 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.  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="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip Rodriguez		3/10/2020	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		3/9/2020	
SIGNATURES	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
	Alyssa Linville		3/2/2020	
SIGNATURES	WRITTEN/SUBMITTED BY:		DATE:	
	Richard Munguia		3/2/2020	