



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

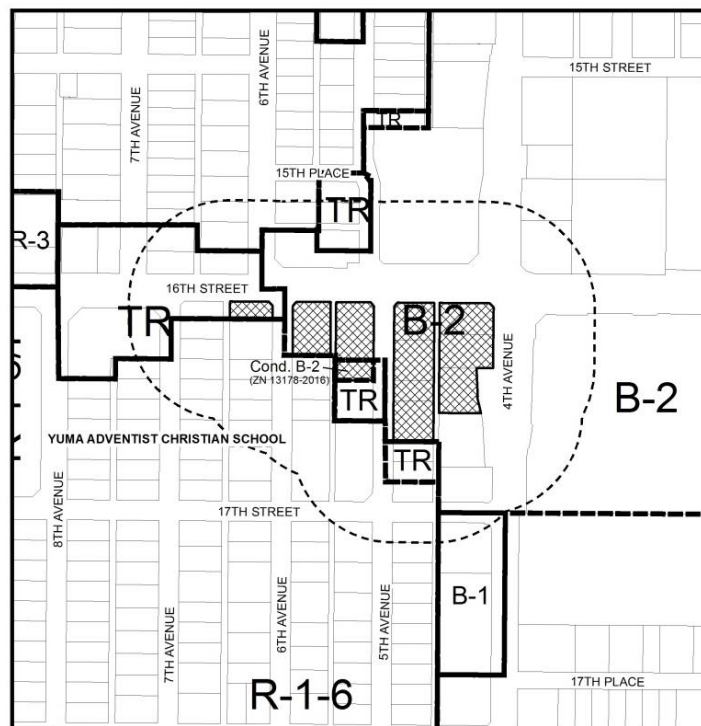
Hearing Date: January 23, 2017

Case Number: SUBD-15975-2016

Project Description/Location: This is a request by Dahl, Robins and Associates, Inc., on behalf of the City of Yuma, for approval of the final plat for the Center Pointe Commons Subdivision. This commercial subdivision will contain 3.85 acres and is proposed to create 2 lots. The property is located at the southwest corner of 16th Street and 4th Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	General Commercial (B-2) Conditional General Commercial (B-2) & Transitional (TR)	Vacant	Mixed Use & Commercial
North	General Commercial (B-2)	Vacant	Commercial
South	General Commercial (B-2), Transitional (TR) & Low Density Residential (R-1-6)	Church/Residences	Low Density Residential, Commercial, & Mixed Use
East	General Commercial (B-2)	Yuma Mesa Shopping Center	Commercial
West	General Commercial (B-2), Transitional (TR) & Low Density Residential (R-1-6)	Church/Residences	Low Density Residential & Transitional

Location Map



Prior site actions: Subdivision: Holmes Addition (July 15, 1946) and Orange Grove Subdivision (February 2, 1948); Annexation: Ord. #567 (March 11, 1952), Ord. #568 (March 11, 1952), and Ord. #742 (April 22, 1968); General Plan Amendment: GP-6521-2014 (November 19, 2014; Mixed Use/Residential to Commercial); Rezone: ZONE-7624-2014 (February 18, 2015; R-1-6/TR/B-1 to B-2) and ZONE-13178-2016 (May 18, 2016; TR to B-1)

Staff recommendation: Staff recommends **APPROVAL** of the final plat for the Center Pointe Commons 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 the Center Pointe Commons Subdivision, subject to the conditions shown in Attachment A.

Staff Analysis: The subject properties are located at the southwest corner of 16th Street and 4th Avenue within a focused redevelopment area. This request will combine 11 undeveloped City-owned parcels in to two parcels intended to be utilized for commercial development. The vacant land had been purchased for additional right-of-way, in an effort to facilitate redevelopment in the area while also providing adequate roadways. Now that the necessary roadway dedications have occurred, the City intends on disposing of the properties following the approval of a commercial subdivision.

Typically, subdivisions consist of four or more lots. However, the purpose of this commercial subdivision is to allow any adjustments, including lot splits, to occur through an “in-house” review without the need for an additional public hearing. Because it is unclear as to what future development of the site may be, it is more beneficial for the City to market a property which has already been adopted as a subdivision.

A neighborhood meeting was held to discuss the proposed subdivision on December 1, 2016. While neighbors were present during the meeting, there was little discussion regarding the proposal.

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

Yes The final plat meets dimensional and development standards for the General Commercial (B-2) and Transitional (TR) Districts.

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

Yes The proposed subdivision will comply with the conditions outlined in the approved preliminary plat.

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

Yes The proposed subdivision will comply with the criteria and guidelines set forth in the subdivision code.

Public Comments Received: None Received

External Agency Comments: See Attachment E

Neighborhood Meeting Comments: See Attachment F

Proposed conditions delivered to applicant on: December 7, 2016

Final staff report delivered to applicant on: January 6, 2017

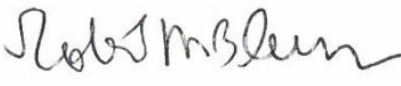
- ☒ Applicant agreed with all of the conditions of approval on: December 7, 2016
☐ Applicant did not agree with the following conditions of approval: (list #'s)
☐ If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D	E	F	G	H
Conditions of Approval	Final Plat Map	Prelim Plat Map	Prelim Plat Conditions	External Agency Comments	Neighborhood Meeting Comments	Aerial Photo	Staff Research

Prepared By: 
Alyssa Linville, Senior Planner

Date: 01/04/17

Reviewed By: 
Robert Blevins, Principal Planner

Date: 1/4/17

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

Date: 1-5-17

**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.

Fire Department Comments: Kayla Holiman, Fire Marshal, (928) 373-4865

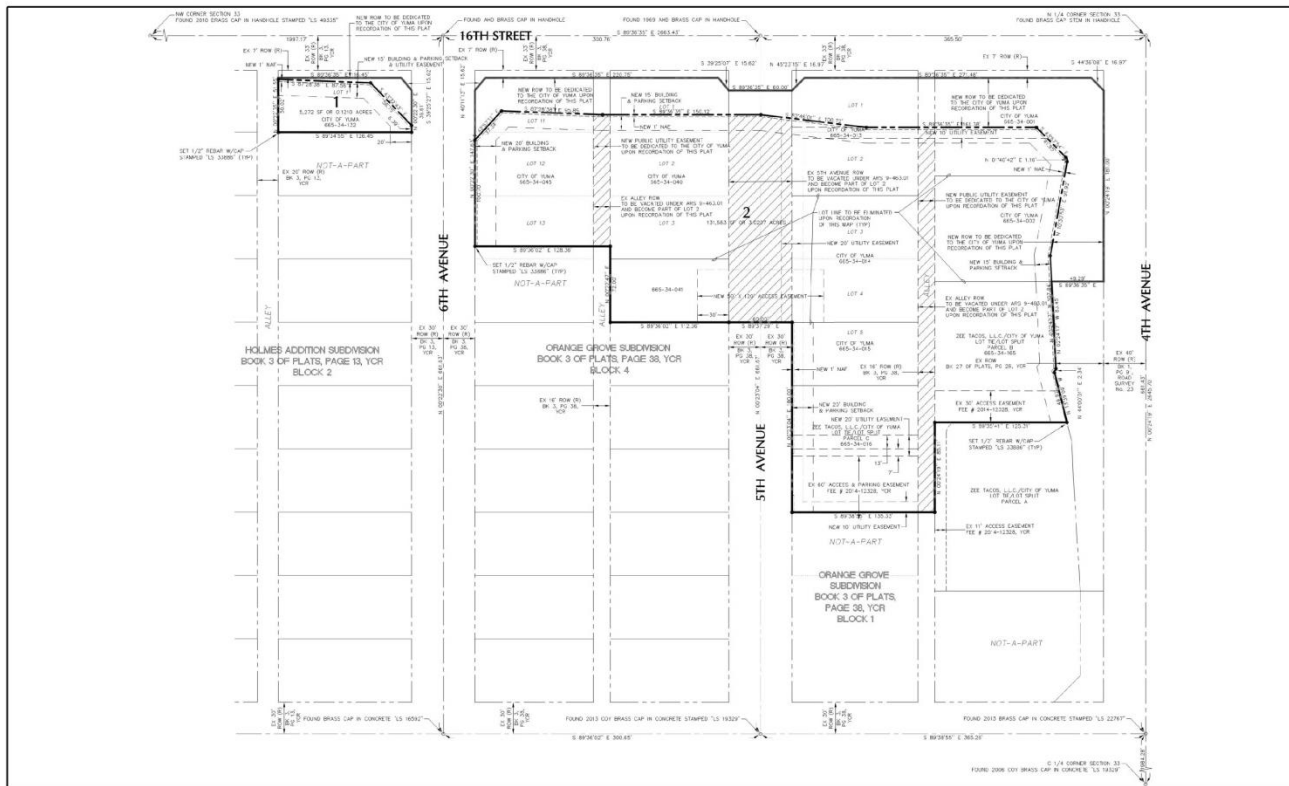
6. This proposal is creating a new dead end on the north end of 5th avenue. An adequate fire department turn around is necessary at the newly created dead end fire department access road.

Community Planning Comments: Alyssa Linville, Senior Planner, (928) 373-5000, ext. 3037

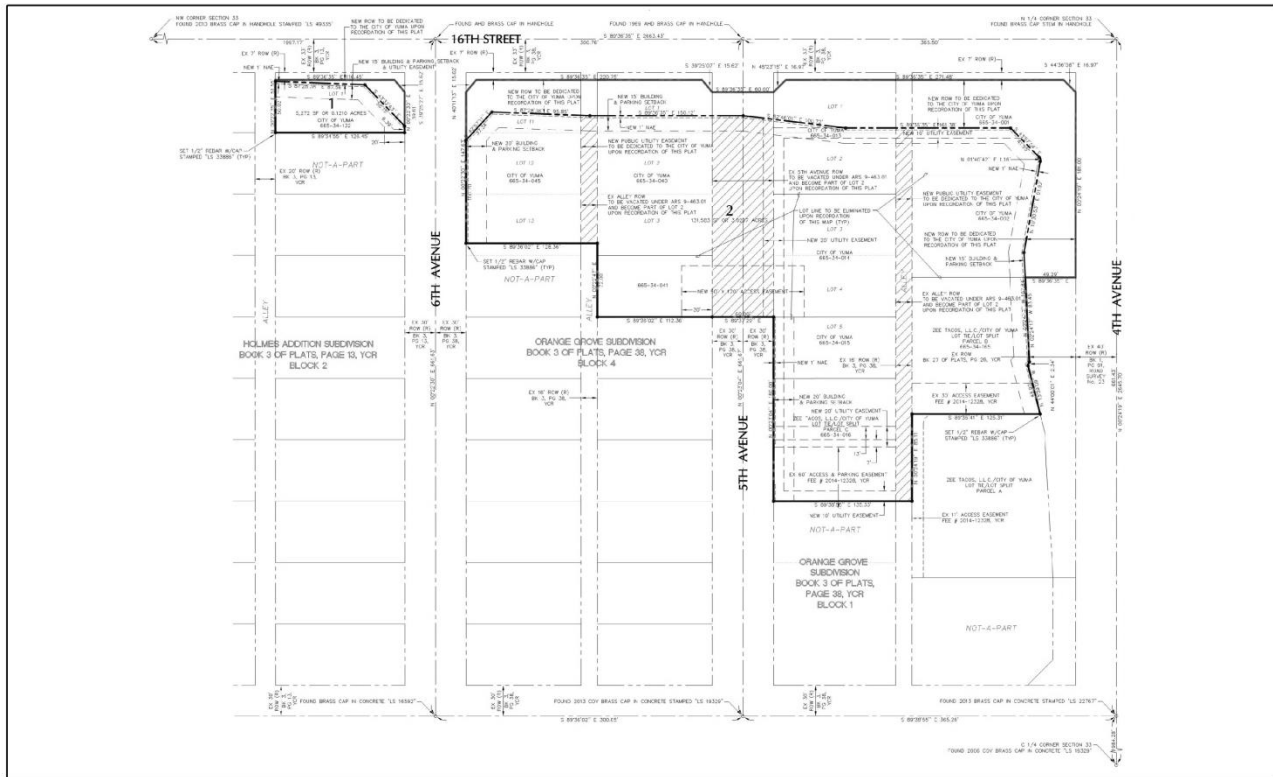
7. After the final plat has been approved by City Council, the applicant/developer shall have one year to record the approved plat, or the final plat approval shall be null and void.

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

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8. This proposal is creating a new dead end on the north end of 5th avenue. An adequate fire department turn around is necessary at the newly created dead end fire department access road.

Community Planning Conditions: Alyssa Linville, Senior Planner, (928) 373-5000, ext. 3037

9. 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.

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
EXTERNAL AGENCY COMMENTS



COMMENT



NO COMMENT

Enter comments below:

Time Warner Cable/Charter facilities in project area.

DATE: 12/8/16 NAME: TWC/Charter TITLE: Engineering

AGENCY:

PHONE:

RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

ATTACHMENT F
NEIGHBORHOOD MEETING COMMENTS

Date Held: December 1, 2016

Location: On-site (16th Street and 5th Avenue)

Attendees: Bob Blevins, City of Yuma; Christopher Robin, Dahl, Robins and Associates, Inc.;
3 neighbors

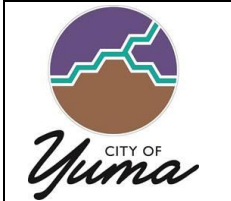
SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- **DISCUSSION ABOUT PLANNED DEVELOPMENT WAS DISCUSSED. HOWEVER, THERE ARE NO KNOWN PLANS FOR DEVELOPMENT AT THIS TIME.**
- **NEIGHBOR MADE AWARE THAT HIS BUSINESS HAD BEEN GREATLY IMPACTED BY THE CONSTRUCTION. ALSO MENTIONED THAT HIS PROPERTY, WAS THE LAST TO RECEIVE THE NEW CURBING.**

ATTACHMENT G
AERIAL PHOTO



ATTACHMENT H
STAFF RESEARCH



STAFF RESEARCH – FINAL PLAT

CASE #: SUBD-15975-2016
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:	Located on the southwest corner of 16 th Street and 4 th Avenue														
Parcel Number(s):	665-34-001, 002, 013, 014, 015, 016, 040, 041, 045, 132, & 165														
Parcel Size(s):	167,880.2 sq.ft.														
Total Acreage:	3.854 acres														
Proposed Dwelling Units:	None														
Address:	N/A														
Applicant:	City of Yuma														
Applicant's Agent:	Dahl, Robins & Associates, Inc.														
Land Use Conformity Matrix:	Conforms: Yes X No														
Zoning Overlay:	Public		AO		Auto		B&B		Historic		None	X	Airport		
Noise Contours	65-70		70-75		75+		APZ1		APZ2		Clear Zone				

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	General Commercial (B-2), Conditional General Commercial (B-2) & Transitional (TR)	Vacant	Mixed Use & Commercial
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Prior Cases or Related Actions:

Type	Conforms			Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	N/A
Annexation	Yes	X	No	Ord. #567 and Ord. #568 (March 11, 1952); Ord. #742 (April 22, 1968)
General Plan Amendment	Yes	X	No	GP-6521-2014 (November 19, 2014; Mixed Use/Residential to Commercial)
Development Agreement	Yes		No	N/A
Rezone	Yes	X	No	ZONE-7624-2014 (February 18, 2015; R-1-6/TR/B-1 to B-2); ZONE-13178-2016 (May 18, 2016; TR to B-2)
Subdivision	Yes	X	No	Holmes Addition (July 15, 1946); Orange Grove Subdivision (February 2, 1948)
Conditional Use Permit	Yes		No	N/A
Pre-Development Meeting	Yes		No	N/A
Design Review Commission	Yes		No	N/A
Enforcement Actions	Yes		No	N/A
Avigation Easement Recorded	Yes	X	No	Fee # 2015-04641 and 2016-10738

Land Division Status:	Legal lot of record				
Irrigation District:	None				
Adjacent Irrigation Canals & Drains:	None				
Water Conversion Agreement Required	Yes	No	X		

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	Subdivision					Conforms		
Lot Size	Minimum:	5,272 SF	Maximum:	131,583 SF		Yes	X	No
Lot Depth	Minimum:	50.02 FT	Maximum:	500 FT		Yes	X	No
Lot Width/Frontage	Minimum:	50.02 FT	Maximum:	540 FT		Yes	X	No
Setbacks	Front:	15 FT	Rear:	20 FT	Side:	20 FT	Yes	X
District Size	3.85	Acres				Yes	X	No
Density	N/A	Dwelling units per acre				Yes		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	X	No		N/A	
Half Streets	Yes	X	No		N/A	
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: None						
Blocks	Conforms					
Length	Yes	X	No		N/A	
Irregular Shape	Yes	X	No		N/A	
Orientation to Arterials	Yes	X	No		N/A	
Business or Industrial	Yes	X	No		N/A	
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	X	No		N/A	
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** (12/30/16)
- **300' Vicinity Mailing:** (12/05/16)
- **34 Commenting/Reviewing Agencies noticed:** (12/08/16)
- **Hearing Date:** (01/23/17)
- **Comments due:** (12/19/16)

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	12/12/16	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	Yes	12/13/16	X		
Yuma County Planning & Zoning	NR				
Arizona Public Service	NR				
Time Warner Cable	Yes	12/09/16		X	X
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	12/12/16	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	12/09/16	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	Yes	12/08/16		X	
Randy Crist, Building Safety	NR				
Jim Hamersley, ITS	NR				
Josh Scott, Engineering	NR				
Jonathan Fell, Traffic Engineering	Yes	12/09/16	X		
MCAS / C P & L Office	Yes	12/13/16	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

<i>Neighborhood Meeting</i>	<i>Comments Available</i>
NONE REQUIRED	See Staff Report Attachment
<i>Prop. 207 Waiver Given to Applicant on:</i>	<i>Delivery Method:</i>
December 5, 2016	In Person

PUBLIC COMMENTS RECEIVED: NONE RECEIVED