



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

January 17, 2018

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:

Final Plat: Alta Vista Estates Subdivision

SUMMARY RECOMMENDATION:

Approve the final plat of the Alta Vista Estates Subdivision. The property is located at 1900 S. 14th Avenue, Yuma, AZ. (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

Originally developed in 1964, the subject property featured a 4,700 square foot single-family residence on the nearly 1.8 acre parcel. The subject property was one of the first residential developments to occur in the area. Bordered by the Bel-Aire Heights and Vista Del Valle No. 2 subdivisions, the subject property has yet to be associated with a particular subdivision development. Following the acquisition of the subject property in April of 2017, the property owner made the decision to demolish the residence and redevelop the site as a subdivision.

The proposed subdivision will feature three residential lots ranging in size from 18,631 square feet to 20,385 square feet; meeting the minimum lot size requirements for the Low Density Residential (R-1-6) District. Frontage for each lot will be along a private roadway, intended to be utilized and maintained by the property owners within the subdivision. Further specified in §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.

A neighborhood meeting was held on October 19, 2017 to discuss the proposed project with neighbors in the surrounding area. A majority of the concerns discussed during the meeting were in regards to the following issues: loss of privacy for the surrounding development, structural concerns regarding the recently removed retaining wall, and concerns over the ability to construct three single-family dwellings.

Staff informed the concerned neighbors that any construction which occurs on-site will be evaluated by Building Safety and Engineering Staff accordingly. If deemed necessary during the plan review process, a retaining wall may be required with the construction of each new residence. Staff, however, was unable to ease the neighbors' concerns regarding privacy and the potential development of three single-family residences. The proposed final plat complies with the property development standards of the Low Density Residential (R-1-6) District, and is in compliance with the City of Yuma Code.

On December 11, 2017, the Planning and Zoning Commission voted to recommend APPROVAL (4-0, with Dammeyer and Abplanalp absent) of the final plat for the Alta Vista Estates 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. The sewer system is to be private from the existing manhole on 19th Street.
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. A time frame of build-out for the subdivision shall be submitted to the Yuma High School District to enable the districts to adequately plan for future school facilities.
10. The owner/developer shall submit, prior to the recording of the final plat, a landscaping and irrigation plan that meets City landscaping code requirements for any retention basin, and street parkways adjacent to each the subdivision.
11. 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:

QUESTIONS FOR STAFF:

“**Chris Hamel – Planning and Zoning Commissioner** asked for clarification on how Staff would evaluate the construction of the three single-family dwellings.

“**Alyssa Linville – Principal Planner** explained that the construction of the three-single family dwellings would be evaluated by Building Safety and Engineering and if deemed necessary, a retaining wall may be required with the construction of each new residence.

APPLICANT/APPLICANT’S REPRESENTATIVE:

“**Vianey Vega, 1846 S. 8th Avenue, Yuma, AZ 85364**, was available for questions.

“**Hamel** complimented the applicant for moving forward with this development.

“**Tyrone Jones – Planning and Zoning Commissioner** asked if the neighbors’ concerns have been addressed.

“**Linville** explained the neighbors had traffic concerns and those concerns had been forwarded to the Traffic Engineer. She stated that a quick analysis was done on 14th Avenue and it was determined that the existing traffic flow on 14th Avenue did not require additional stop signs. She added that the neighbors were also concerned with privacy and the potential development of three single-family residences.

PUBLIC COMMENTS:

None

MOTION:

“**Motion by Jones, second by Alan Pruitt – Planning and Zoning Commissioner, to APPROVE Case Number SUBD-19970-2017, subject to the Conditions of Approval shown in Attachment A.**

“**Motion carried unanimously (4-0) with Fred Dammeyer – Planning and Zoning Commissioner Lukas Abplanalp – Planning and Zoning Commissioner, and Thomas Lund – Planning and Zoning Commissioner 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 Alta Vista Estates 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				
SIGNATURES	CITY ADMINISTRATOR:			DATE:
	Gregory K. Wilkinson			1/10/2018
	REVIEWED BY CITY ATTORNEY:			DATE:
	Richard W. Files			1/10/2018
	RECOMMENDED BY (DEPT/DIV HEAD):			DATE:
Laurie Lineberry			1/2/2018	
WRITTEN/SUBMITTED BY:			DATE:	
Alyssa Linville			1/2/2018	