



CITY OF
Yuma

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

May 1, 2019

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:

Final Plat: The Fields at Castle Dome Subdivision

SUMMARY RECOMMENDATION:

Approve the final plat for The Fields at Castle Dome Subdivision. The property is located north of the intersection of 8th Street and Castle Dome Avenue, Yuma, AZ. (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

The subject area is located north of the intersection of 8th Street and Castle Dome Avenue, directly west of the Pacific Avenue Athletic Complex. The proposed subdivision will subdivide the parcel into seven lots intended for the development of retail, hospitality and residential accommodations. The site is currently zoned General Commercial (B-2) with the Aesthetic Overlay (AO); however, the general plan designation is High Density Residential which will allow residential development through a rezone to the High Density Residential (R-3) District.

While the subdivision proposal clearly indicates future sites for development, the developer is still seeking potential development opportunities. Therefore, the layout currently proposed may be modified later once such development opportunities have been formalized. If these modifications are necessary and the final plat has already been recorded, such modifications can typically be completed through an administrative lot tie/lot split review, which will not require an additional public hearing.

The proposed subdivision will feature a new public cul-de-sac to be utilized for internal access, as well as a retention basin designed to retain all street storm water run-off generated within the development. It should be noted that all development within the subdivision will require the review and approval of the Design and Historic Review Commission as the properties are subject to the requirements outlined within the Aesthetic Overlay District.

On April 8, 2019, the Planning and Zoning Commission voted to recommend APPROVAL (4-0, with Merten and Counts absent) of the final plat for The Fields at Castle Dome 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 Owner / Developer shall enter into a development agreement with the City of Yuma for payment in lieu of construction for preliminary plat conditions 7 through 12, relating to intersection improvements at Castle Dome, Giss Parkway, and 8th St. An alternative method to satisfy preliminary plat condition 13 concerning improvements to Pacific Avenue & 8th Street intersection will also be included in this development agreement. The development agreement needs to be approved by the City of Yuma Council, signed, and recorded prior to the first building permit being issued in the subdivision.
8. 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:

None

APPLICANT/APPLICANT'S REPRESENTATIVE:

"Kerry Schimpf, 6363 Greenwich Dr, San Diego, CA, gave an overview of the property. He said there was a need for a market-rate apartment complex in Yuma.

"Schimpf added there has not been a market-rate apartment complex constructed in over thirty years. He said the current rents were not high enough to support a new project.

“Schimpf explained that they would be splitting the property into three major components – hospitality, retail, and multi-family components.

“Schimpf explained they would go through the rezone process for the high density portion of the property.

“Schimpf added that they have been working with the City attorney’s office to put together a development agreement.

“Chris Hamel – Planning and Zoning Commissioner asked for clarification on access to the property.

“Schimpf explained that there would be right-in and right-out access to this property.

“Hamel complimented the applicant on this proposal.

PUBLIC COMMENTS:

None

MOTION:

“Motion by Fred Dammeyer – Planning and Zoning Commissioner, second by Vinod Mohindra – Planning and Zoning Commissioner, to APPROVE Case Number SUBD-24366-2018.

“Motion carried unanimously (4-0, with Shara Merten and Gregory Counts absent, and one vacancy.)’

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 Fields at Castle Dome 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:
	Gregory K. Wilkinson			4/22/2019
	REVIEWED BY CITY ATTORNEY:			DATE:
	Richard W. Files			4/22/2019
RECOMMENDED BY (DEPT/DIV HEAD):			DATE:	
Laurie Lineberry			4/11/2019	
WRITTEN/SUBMITTED BY:			DATE:	
Alyssa Linville			4/11/2019	