

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

Hearing Date: May 11, 2020

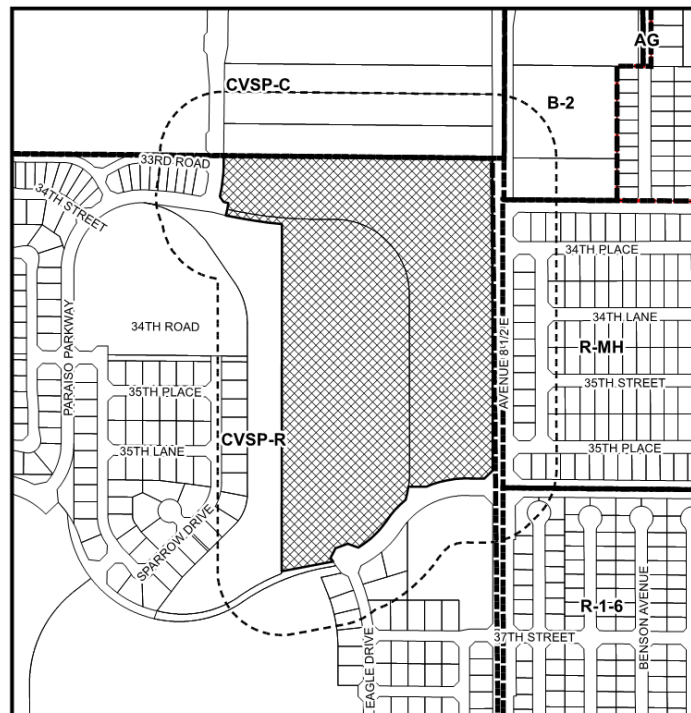
Case Number: SUBD-29684-2020

Project Description/Location:

This is a request by Jacobson Companies, Inc., on behalf of Stewart Title and Trust of Phoenix, Inc., for approval of the preliminary plat for the Cielo Verde Units 2B, 4 and 6 Subdivision. This subdivision contains approximately 40.89 acres and is proposed to be divided into 177 residential lots, ranging in size from approximately 4,513 square feet to 17,257 square feet, for the property located at the northwest corner of E. 36th Street and S. Avenue 8 ½ E, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Cielo Verde Specific Plan (CVSP-R)	Vacant desert	Low Density Residential/Commercial Medium Density Residential
North	Cielo Verde Specific Plan (CVSP-C)	Vacant desert	Commercial/ Medium Density Residential
South	Cielo Verde Specific Plan (CVSP-R)	Cielo Verde Unit 5	Low Density Residential
East	Residence-Manufactured Home (R-MH)	Savant Estates	Low Density Residential
West	Cielo Verde Specific Plan (CVSP-R)	Retention basin	Low Density Residential/ Commercial

Location Map



Prior site actions: Annexation: O97-075 (12/19/97); Development Agreement: Cielo Verde Specific Plan (R2001-30).

Staff Recommendation: Staff recommends **APPROVAL** of the preliminary plat for Cielo Verde Units 2B, 4 and 6 Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Preliminary Plat SUBD-29684-2020 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 preliminary plat, the Planning and Zoning Commission is acknowledging the street and lot layout of Cielo Verde Units 2B, 4 and 6 Subdivision, which includes 177 lots ranging in size from approximately 4,513 square feet to 17,257 square feet, for the property located at the northwest corner of E. 36th Street and S. Avenue 8 ½ E, Yuma, AZ., subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: Cielo Verde Units 2B, 4 and 6 Subdivision is proposed for site-built single-family dwellings on lots 4,513 square feet or greater on vacant land, located at the northwest corner of E. 36th Street and S. Avenue 8 ½ E.

Access will be via S. Avenue 8 ½ E and S. Cielo Verde Drive. The portion of E. 36th Street from S. Avenue 8 E to S. Avenue 8 ½ E will be completed along with the subdivision, allowing additional access.

The following are some of the development standards required in the Cielo Verde Specific Plan (CVSP) District:

- The maximum lot coverage in the Cielo Verde Specific Plan (CVSP) District shall not exceed 50% of the lot area.
- A minimum front yard setback of: 20 feet; or 15 feet with an increased rear yard.
- A minimum side yard setback of: 7 feet; multi-family can be zero feet.
- A minimum rear yard setback of 10 feet; or 15 feet if front yard reduced.
- A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

A Municipal Improvement District (MID) will be established for the maintenance of required subdivision landscaping. If developed in phases, the MID for each phase will need to be established prior to the issuance of any residential building permits.

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Yes This preliminary plat meets CVSP development standards.

2. Does the subdivision comply with the subdivision code requirements?

Yes

3. Does the subdivision comply with the Transportation Element, plans and policies?

Yes

Transportation Element	Planned	Existing	Difference	Requested
Avenue 8 ½ E – 2 Lane Collector	40 FT H/W	40 FT H/W	0 FT	0 FT

4. Is the subdivision the site of any public facility in the General Plan?

No

Public Comments Received None Received.

External Agency Comments: None Received.

Neighborhood Meeting Comments: None held.

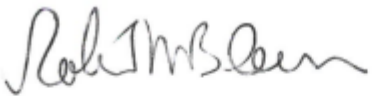
Proposed conditions delivered to applicant on: April 9, 2020

Final staff report delivered to applicant on: April 29, 2020

- ☒ Applicant agreed with all of the conditions of approval on: April 9, 2020
☐ 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
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Aerial Photo	Staff Research

Prepared By: 
Robert M. Blevins, Principal Planner (928) 373-5189 **Date:** 4/14/20
Robert.Blevins@yumaaz.gov

Approved By: 
Alyssa Linville,
Assistant Director Community Development **Date:** 04/14/2020

**ATTACHMENT A
PRELIMINARY 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: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

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.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

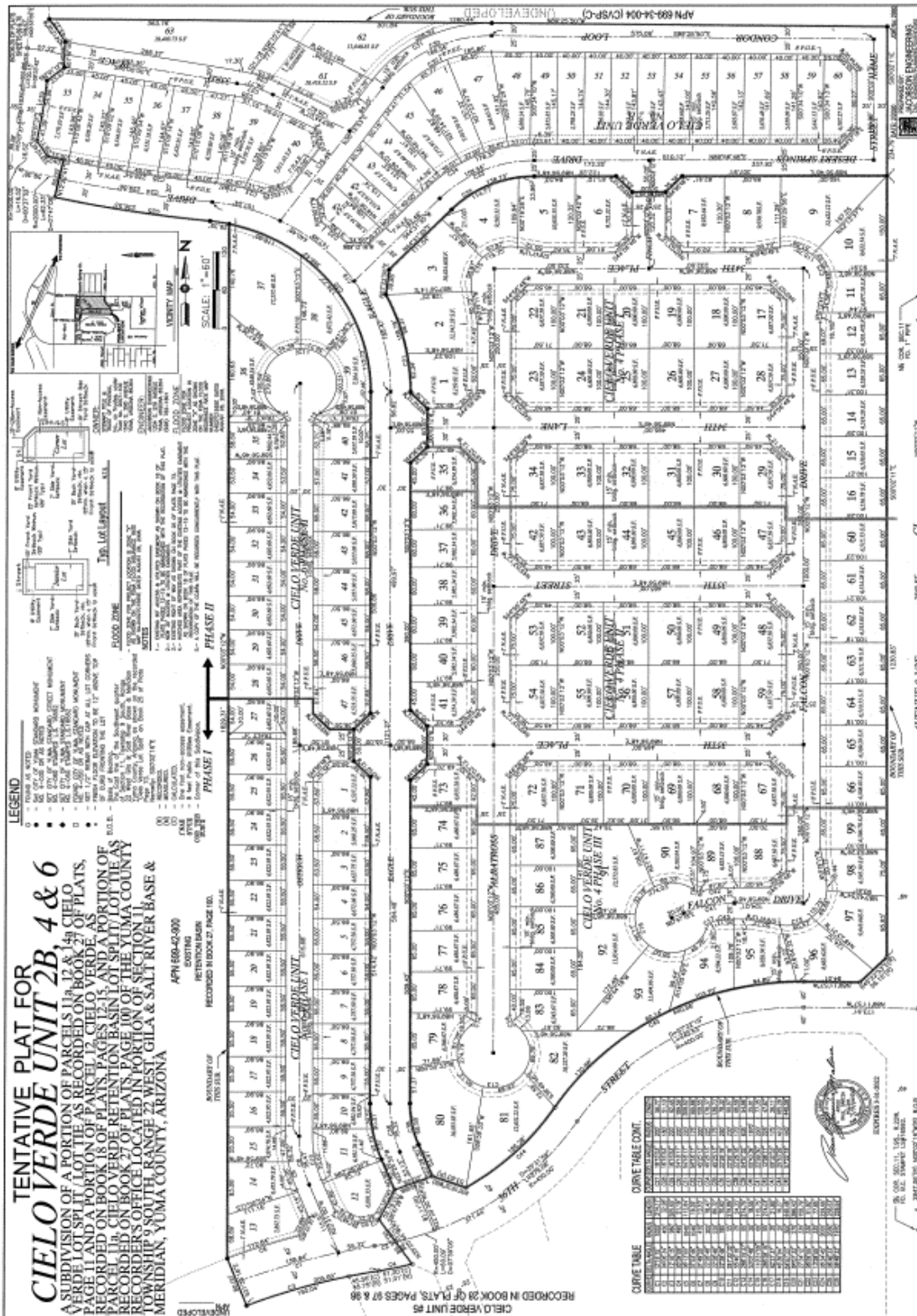
6. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along Avenue 8 1/2E and E. 40th Street. Such fencing can be removed during the construction 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.

Community Planning Conditions: Robert M. Blevins, Principal Planner (928) 373-5189:

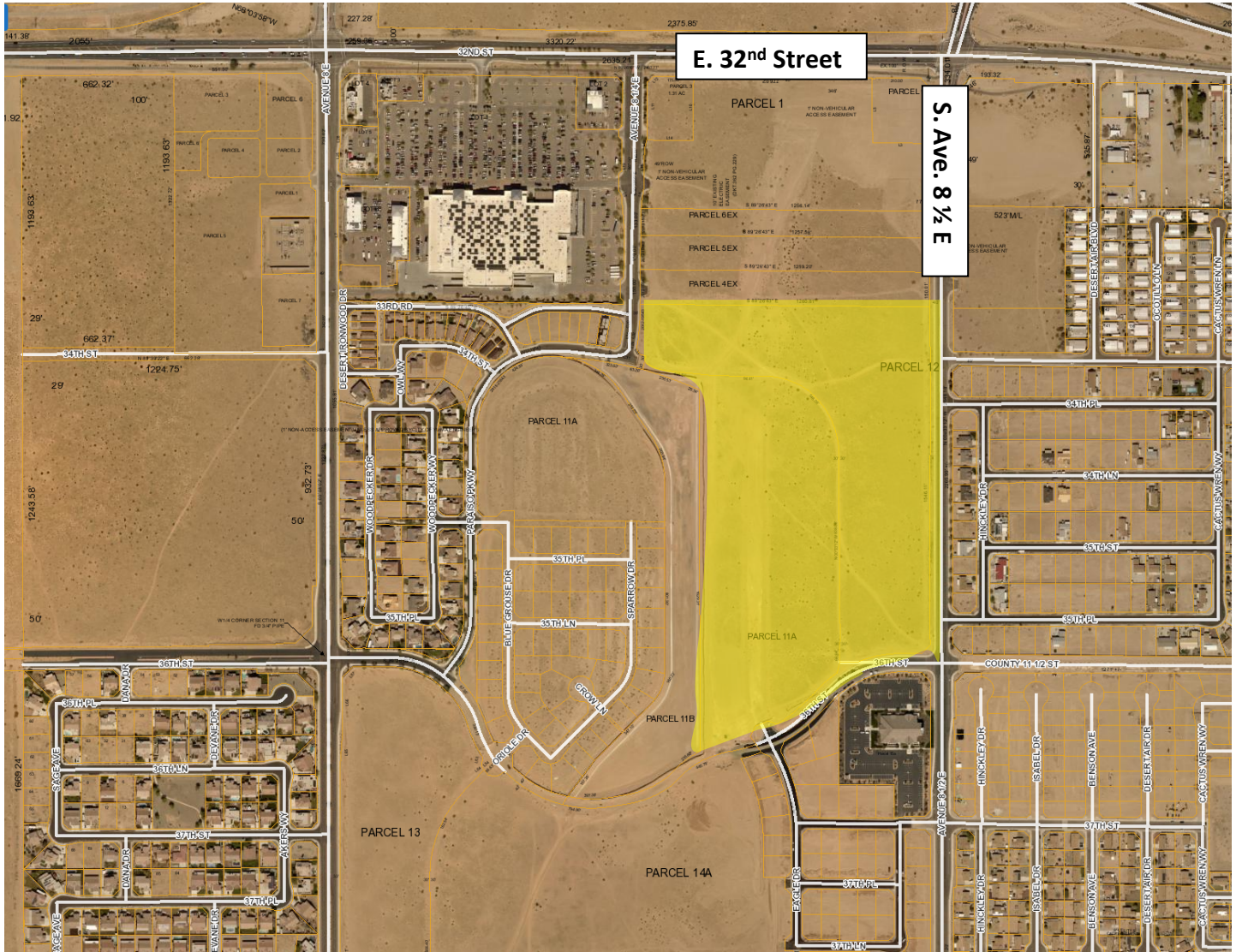
7. A time frame of build-out for the subdivision shall be submitted to the Yuma School District One, to enable the district to adequately plan for future school facilities.
8. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recordation of the final plat.

9. 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.

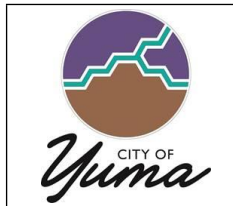
Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.



ATTACHMENT C
AERIAL PHOTO



ATTACHMENT D
STAFF RESEARCH



STAFF RESEARCH –PRELIMINARY PLAT

CASE #: SUBD-29684-2020
CASE PLANNER: BOB BLEVINS

I. PROJECT DATA

Project Location:	NWC E. 36 th Street and S. Avenue 8 1/2E														
Parcel Number(s):	699-34-012, 699-41-155, & 699-49-002														
Parcel Size(s):	012: 867,393 SF; 155: 903,761; 002: 10,067 SF														
Total Acreage:	40.8912														
Proposed Dwelling Units:	177														
Address:	Not yet assigned														
Applicant:	Stewart Title and Trust of Phoenix, Inc.														
Applicant's Agent:	Jacobson Companies, Inc.														
Land Use Conformity Matrix:	Conforms:	Yes	X	No											
Zoning Overlay:	Public		AO		Auto		B&B		Historic		Infill		None	X	
	Airport		Noise Contours	65-70		70-75		75+		APZ1		APZ2		Clear Zone	
	Existing Zoning				Use(s) on-site				General Plan Designation						
Site	Cielo Verde Specific Plan (CVSP-R)				Vacant desert				Low Density Residential/Commercial Medium Density Residential						
North	Cielo Verde Specific Plan (CVSP-C)				Vacant desert				Commercial/ Medium Density Residential						
South	Cielo Verde Specific Plan (CVSP-R)				Cielo Verde Unit 5				Low Density Residential						
East	Residence-Manufactured Home (R-MH)				Savant Estates				Low Density Residential						
West	Cielo Verde Specific Plan (CVSP-R)				Retention basin				Low Density Residential/ Commercial						
Prior Cases or Related Actions:															
Type		Conforms				Cases, Actions or Agreements									
Pre-Annexation Agreement		Yes		No		N/A									
Annexation		Yes	X	No		O97-075 (12/19/97)									
General Plan Amendment		Yes		No		N/A									
Development Agreement		Yes	X	No		Cielo Verde Specific Plan (R2001-30)									
Rezone		Yes		No		N/A									
Subdivision		Yes		No		N/A									
Conditional Use Permit		Yes		No		N/A									
Pre-Development Meeting		Yes	X	No		PDM-16262-2016 (12/06/16)									
Design Review Commission		Yes		No		N/A									
Enforcement Actions		Yes		No		N/A									
Avigation Easement Recorded		Yes	X	No		Fee #2001-34657									
Land Division Status:					Parcels are legal lots of record.										
Irrigation District:					None										
Adjacent Irrigation Canals & Drains:					N/A										
Water Conversion: (5.83 ac ft/acre)					N/A										
Water Conversion Agreement Required					Yes		No	X							

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	Subdivision						Conforms						
Lot Size	Minimum:	4,513.1 SF			Maximum:	17,257.4 SF		Yes	X	No			
Lot Depth	Minimum:	71.66 SF			Maximum:	172.48 SF		Yes	X	No			
Lot Width/Frontage	Minimum:	40 FT			Maximum:	208.52 FT		Yes	X	No			
Setbacks	Front:	15		Rear:	10		Side:	7		Yes	X	No	
District Size	40.89		Acres						Yes	X	No		
Density	4.32		Dwelling units per acre						Yes	X	No		
Issues: None													

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		No		N/A	X
Orientation to Arterials	Yes	X	No		N/A	
Business or Industrial	Yes		No		N/A	X
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						

IV. CITY OF YUMA GENERAL PLAN

Land Use Element:

Land Use Designation:	Low Density Residential/Commercial/Medium Density Residential							
Issues:	None							
Historic District:	Brinley Avenue		Century Heights			Main Street		None X
Historic Buildings on Site:	Yes		No		X			

Transportation Element:

FACILITY PLANS

TRANSPORTATION MASTER PLAN	Planned	Existing	Gateway	Scenic	Hazard	Truck
Avenue 8 1/2E- 2 Lane Collector	40 FT H/W	49 FT H/W				
Bicycle Facilities Master Plan	Avenue 8 1/2E Bike Lane					

YCAT Transit System	None									
Issues:	None									
Parks, Recreation and Open Space Element:										
Parks and Recreation Facility Plan										
Neighborhood Park:	Existing: Saguaro Park					Future: Saguaro Park				
Community Park:	Existing: Kennedy Park					Future: Aqua Viva Park				
Linear Park:	Existing: East Main Canal Linear Park					Future: Gila Gravity Main Canal Linear Park				
Issues:	None									
Housing Element:										
Special Need Household:	N/A									
Issues:	None									
Redevelopment Element:										
Planned Redevelopment Area:	N/A									
Adopted Redevelopment Plan:	North End:				Carver Park:				None:	X
Conforms:	Yes		No		N/A	X				
Conservation, Energy & Environmental Element:										
Impact on Air or Water Resources	Yes		No	X						
Renewable Energy Source	Yes		No	X						
Issues:	None									
Public Services Element:										
Population Impacts Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person		Dwellings & Type		Projected	Police	Water		Wastewater		
		<i>Single Family</i>		Population	Impact	Consumption		Generation		
		Proposed	Per Unit		Officers	GPD	AF	GPD		
		177	2.8	496	0.94	148,680	166.6	49,560		
Fire Facilities Plan:		Existing: Fire Station No. 5				Future: Fire Station No. 7				
Water Facility Plan:		Source:	City	X	Private		Connection	8" PVC at Eagle Drive		
Sewer Facility Plan:		Treatment:	City	X	Septic		Private	12" PVC at Eagle Drive		
Issues:		None								
Safety Element:										
Flood Plain Designation:	Zone X		Liquefaction Hazard Area:				Yes		No	X
Issues:	None									
Growth Area Element:										
Growth Area:	Araby Rd & Interstate 8				Arizona Ave & 16 th St				Avenue B & 32 nd St.	
	North End		Pacific Ave & 8 th St			Estancia		None	X	
Issues:	None									

NOTIFICATION

- Legal Ad Published: The Sun 04/17/20
- 300' Vicinity Mailing: 03/23/20
- 34 Commenting/Reviewing Agencies noticed: 03/26/20
- Site Posted: 03/25/20
- Neighborhood Meeting: n/a
- Hearing Dates: 05/11/20
- Comments Due: 04/06/20

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	NR				
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	NR				
Yuma County Planning & Zoning	NR				
Yuma County Assessor	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	03/31/20	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	03/30/20	X		
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 Franklin, Fire	YES	03/26/20	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	04/03/20	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				

Neighborhood Meeting	Comments Available
N/A	N/A
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

PUBLIC COMMENTS RECEIVED: NONE