

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

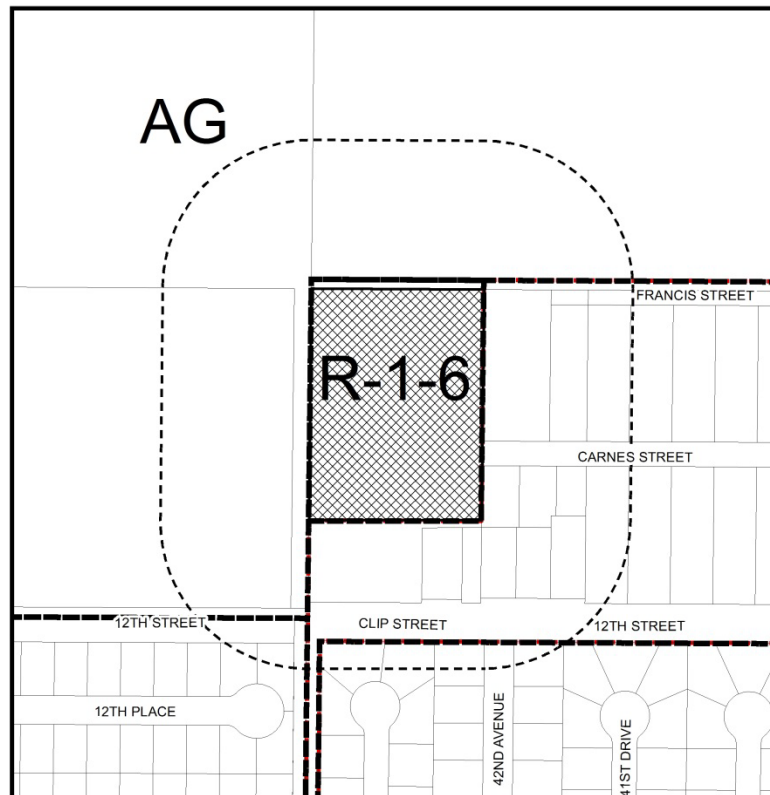
Hearing Date: February 27, 2017

Case Number: SUBD-16581-2017

Project Description/Location: Preliminary and final plat for the Smallville Subdivision. This subdivision will contain approximately 3.7 acres and is proposed to be divided into 20 residential lots, ranging in size from approximately 6,000 square feet to 6,501 square feet. The property is located at the northeast corner of 42nd Drive and 11th Place, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-6)	Smallville infrastructure	Low Density Residential
North	Agriculture (AG)	Rancho Viejo Elementary School	Public/Quasi Public
South	Yuma County Zoning: Suburban Ranch (SR-1)	Single-family homes	Low Density Residential
East	Yuma County Zoning: Rural Area (RA-40)	Single-family homes	Low Density Residential
West	Agriculture (AG)	Agriculture	Low Density Residential

Location Map



Prior site actions: Annexation: O2005-93 (November 19, 2005); Subdivision: S2005-021 (with 16 lots), S2005-021R (amended preliminary plat with 20 lots- expired).

Staff recommendation: Staff recommends **APPROVAL** of the preliminary and final plat for Smallville 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 Smallville Subdivision, subject to the conditions shown in Attachment A.

Staff Analysis: The Smallville Subdivision utilities, streets, curbs, and pavement were installed 2007-2009 based on approved plans to construct. However, the previously-approved final plat (S2005-021) was never recorded and expired 08-28-2009.

The new developer will be repairing and replacing any infrastructure that needs to meet present day City Construction Standards.

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

Yes

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

Yes

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

Yes

Public Comments Received: None received.

External Agency Comments: None Received.

Neighborhood Meeting Comments: See Attachment C.

Proposed conditions delivered to applicant on: January 26, 2017

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

- ☒ Applicant agreed with all of the conditions of approval on: February 2, 2017
☐ Applicant did not agree with the following conditions of approval: (list #'s)

Attachments

A	B	C	D	E
Conditions of Approval	Final Plat Map	Neighborhood Meeting Comments	Aerial Photo	Staff Research

Project Planner:

Robert M. Blevins

373-5189

Robert.Blevins@yumaaz.gov

Prepared By:

Robert M. Blevins, Principal Planner

Date:

2-2-17

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

2-6-17

ATTACHMENT A
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.

City Engineering Department Conditions: Andrew McGarvie, Engineering Manager, (928) 373-5000, #3044:

6. The Owner/developer shall provide the final product to the City of Yuma as approved in the original Smallville construction plans from CORE ENGINEERING GROUP, PLLC with plan date of July 2007, sealed by Douglas J. Nicholls on 8/15/ 07, and approved by Development Engineering 9/9/08, except for the following issues:
7. The Owner/developer shall fix the broken sewer line connection in or near the drop manhole in 12th street.
8. The Owner/developer shall submit construction plans and remove and replace the following failed asphalt, and regrade and compact the ABC sub-grade as needed to meet MAG specifications:

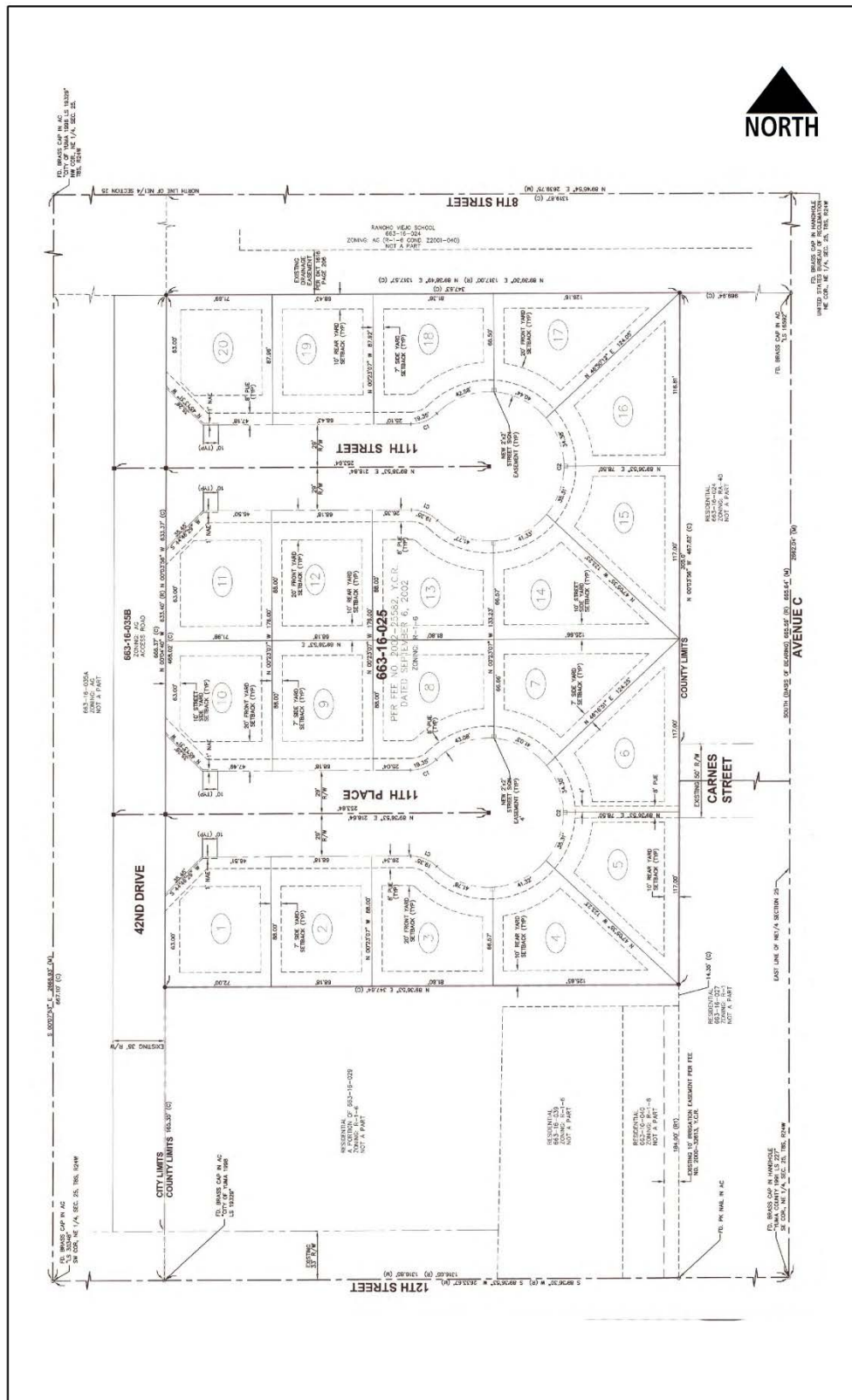
- a. 11th Place, full width replacement.
 - b. 11th Street, full width replacement.
 - c. Beginning at the North end of 42nd Drive, then 100 feet south, full width replacement.
 - d. On the east side of 42nd Drive, a patch 11 feet wide by 30 feet long, located south of Lot # 1 in front of the existing driveway.
9. The Owner/developer shall replace the angle stops on the domestic water lines with either "AY McDonald AYM 74602-33" or "Ford Meter Box Co. KV63-444W-NL" fittings due to the reduced lead content requirements from the Federal government.
10. The Owner/developer acknowledges that the water meter size is being limited to a 3/4 inch water meter due to the existing 1 inch service lateral manifold system (previously installed) that currently does not meet updated City construction standards.
11. The Owner/developer shall install LED street lights with the GE LED roadway Luminaire with 41 Watt, 3000K Bulb as submitted by the developer.
12. The City of Yuma will pay for the initial or normal materials testing required by the City Engineer to guard against unsuitable materials or defective workmanship. Additional tests, required due to failure of the initial or normal test(s), shall be paid for by the Owner/developer. The City Engineer will designate the laboratory which will accomplish the additional test(s).
13. The Owner/developer shall construct a CMU block exterior subdivision wall to replace the missing portion of the walls that have collapsed, per City of Yuma construction standard 3-310, or as approved on the construction plans.

Community Planning Conditions: Bob Blevins, Principal Planner, (928) 373-5189:

14. An 8 ½" X 11" paper copy of this phase of the 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.
15. The owner of the property shall agree to sign an application to convert all irrigation use water rights to the City of Yuma domestic use and shall provide to the City of Yuma, prior to the recordation of the final plat, written evidence that the entitlement water associated with this property is converted from irrigation to domestic use by the Yuma County Water Users Association.
16. A time frame of build-out for the subdivision shall be submitted to the Crane School District to enable the district to adequately plan for future school facilities.
17. 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
NEIGHBORHOOD MEETING COMMENTS

Date Held: 01/18/17

Location: 42nd Drive and 11th Place.

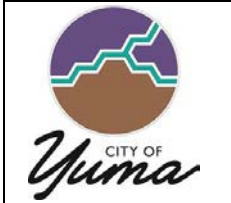
Attendees: Jim Kerley, Owner; Kevin Burge – CORE Engineering, Agent; Bob Blevins, City of Yuma Planning. No others were in attendance.

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT: NONE

ATTACHMENT E
AERIAL PHOTO



ATTACHMENT F
STAFF RESEARCH



STAFF RESEARCH – PRELIMINARY AND FINAL PLAT

CASE #: SUBD-16581-2017

CASE PLANNER: BOB BLEVINS

I. PROJECT DATA

Project Location:		Southeast corner of 42 nd Drive and 11 th Place												
Parcel Number(s):		663-16-025												
Parcel Size(s):		161,172 square feet												
Total Acreage:		3.7												
Proposed Dwelling Units:		20												
Address:		Not yet assigned												
Applicant:		KDC of Yuma, LLC.												
Applicant's Agent:		Core Engineering Group, PLLC.												
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	Low Density Residential (R-1-6)		Vacant Land					Low Density Residential						
North	Agriculture (AG)		Rancho Viejo Elementary School					Public/Quasi Public						
South	Yuma County Zoning: Suburban Ranch (SR-1)		Single Family Residential					Low Density Residential						
East	Yuma County Zoning: Rural Area (RA-40)		Single Family Residential					Low Density Residential						
West	Agriculture (AG)		Agriculture					Low Density Residential						
Prior Cases or Related Actions:														
<u>Type</u>		<u>Conforms</u>				<u>Cases, Actions or Agreements</u>								
Pre-Annexation Agreement		Yes		No		N/A								
Annexation		Yes	X	No		O2005-93 (November 19, 2005)								
General Plan Amendment		Yes		No		N/A								
Development Agreement		Yes		No		N/A								
Rezone		Yes		No		N/A								
Subdivision		Yes	X	No		S2005-021 (expired)								
Conditional Use Permit		Yes		No		N/A								
Pre-Development Meeting		Yes	X	No		Date: 12/06/16								
Design Review Commission		Yes		No		N/A								
Enforcement Actions		Yes		No		N/A								
Avigation Easement Recorded		Yes	X	No		Fee #		2008-28400						
Land Division Status:		Parcel is a legal lot of record												
Irrigation District:		Yuma County Water User's Association												
Adjacent Irrigation Canals & Drains:		Marable Lateral												
Water Conversion Agreement Required		Yes		No	X									

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	Subdivision						Conforms						
Lot Size	Minimum:	6,000.14 SF		Maximum:	6,501.57 SF		Yes	X	No				
Lot Depth	Minimum:	66.50 FT		Maximum:	124.25 FT		Yes	X	No				
Lot Width/Frontage	Minimum:	50 FT		Maximum:	85 FT		Yes	X	No				
Setbacks	Front:	20 FT		Rear:	10 FT		Side:	7 FT		Yes	X	No	
District Size	3.7		Acres					Yes	X	No			
Density	5.4		Dwelling units per acre					Yes	X	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		No		N/A	X	
Existing Streets	Yes	X	No		N/A		
Cul-de-sacs	Yes	X	No		N/A		
Half Streets	Yes		No		N/A	X	
Stub Streets	Yes		No		N/A	X	
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		No		N/A	X	
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		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 02/03/17
- 300' Vicinity Mailing: 01/09/17
- Site Posted on: 01/11/17
- 34 Commenting/Reviewing Agencies noticed: 01/12/17

- Neighborhood Meeting Date: 01/18/17
- Hearing Date: 02/27/17
- Comments due: 01/23/17

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	01/13/17	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	YES	01/16/17	X		
Yuma County Planning & Zoning	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	01/17/17	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				
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	YES	01/13/17	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	YES	01/18/17	X		
Randy Crist, Building Safety	NR				
Jim Hamersley, ITS	NR				
Josh Scott, Engineering	NR				
Jonathan Fell, Traffic Engineering	YES	01/20/17	X		
MCAS / C P & L Office	YES	01/17/17	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
01/18/17 AT THE PROPERTY	See Staff Report Attachment C
Prop. 207 Waiver Given to Applicant on:	Delivery Method:
01/09/17	By U.S. Mail to Core Eng.

PUBLIC COMMENTS RECEIVED: NONE