



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:	April 5, 2017	<input checked="" type="checkbox"/> Motion
DEPARTMENT:	Community Development	<input type="checkbox"/> Resolution
DIVISION:	Community Planning	<input type="checkbox"/> Ordinance - Introduction
		<input type="checkbox"/> Ordinance - Adoption
		<input type="checkbox"/> Public Hearing

TITLE:
Preliminary and Final Plat: Smallville Subdivision

SUMMARY RECOMMENDATION:
Approve the preliminary and final plat for the Smallville Subdivision. The property is located at the northeast corner of 42nd Drive and 11th Place, Yuma, AZ. The applicant is Core Engineering Group, PLLC, on behalf of KDC of Yuma, LLC. (SUBD-16581-2017) (Community Development/Community Planning) (Laurie Lineberry)

REPORT:
On February 27, 2017 the Planning and Zoning Commission voted to recommend **APPROVAL** of the preliminary and final plat for the Smallville Subdivision. The property is located at the northeast corner of 42nd Drive and 11th Place, Yuma, AZ., 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 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.
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.
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.
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.

PUBLIC COMMENTS - EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

Robert Blevins, Principal Planner, summarized the staff report recommending **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

James Kerley, 6720 E. Mission Street, Yuma, AZ, was available for questions.

Kim Hamersley – Planning and Zoning Commissioner, asked for clarification on Condition of Approval #10. **Kerley** explained the one-inch water meter that was previously installed on this property was the standard at the time of installation.

PUBLIC COMMENT

None

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None

MOTION

Motion by Hamersley, second by Alan Pruitt – Planning and Zoning Commissioner, to APPROVE Case Number SUBD-16581-2017. Motion carried unanimously (6-0).

PLANNING COMMISSION STAFF REPORT - ATTACHED

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		3/27/2017	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		3/27/2017	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		2/28/2017		
WRITTEN/SUBMITTED BY:		DATE:		
Robert M. Blevins		2/28/2017		