



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

September 18, 2019

DEPARTMENT:

Engineering

DIVISION:

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

TITLE:

Right-of-way Acquisition: Chestnut Avenue

SUMMARY RECOMMENDATION:

Authorize acquisition by fee title of corner triangles at the southwest corner of 10th Street and Chestnut Avenue and at the northwest corner of 11th Street and Chestnut Avenue. (Engineering / Development Engineering) (Jeff Kramer)

REPORT:

The subject property is Yuma County Parcel Number 665-15-002 located at 1463 East 10th Street, Yuma, Arizona 85365 (the Property). The Property was part of the Speese Subdivision originally subdivided on September 15, 1904 in the County of Yuma, Territory of Arizona (before statehood). In May 1981, Mrs. Sharon Miller (Owner) and her family moved onto the Property as their residence. In October 2005, the entire area, including the Property, was rezoned to commercial in anticipation of continued commercial development in the area. Although the rezone to commercial was successful, commercial development in the area slowed during the economic downturn of the late 2000s/early 2010s and the parcels immediately adjacent to the Property remain undeveloped with mostly agricultural uses.

Owner continues to utilize the Property as residential and maintains her primary residence on the Property. Owner entered into an Acknowledgement and Agreement of Continued Legal, Non-Conforming Use with the City to permit Owner's desire to place a temporary accessory dwelling unit on the Property for Owner's personal use so that Owner's adult children may reside in the existing dwelling and provide care for Owner. As part of that Agreement, and in preparation of future commercial development, Owner contractually agreed to dedicate the necessary corner triangles on her Property for future roadway construction as depicted on the 1904 plat.

The Speese Subdivision plat dedicated future roadways, and consistent with standards at the time, with each corner having a sharp, 90-degree angle. Current construction standards require corner triangles to ensure intersection safety. To meet current standards, additional right-of-way is required from the Property for corner triangles at the southwest corner of 10th Street and Chestnut Avenue

and at the northwest corner of 11th Street and Chestnut Avenue. For reference, a location map showing the Property and the corner triangles is attached to this Request for City Council Action.

Per the City of Yuma Transportation Master Plan, 10th Street, 11th Street, and Chestnut Avenue are classified as local streets, requiring a triangle with 25-foot legs for the future sidewalk and ramps as well as intersection visibility. The street widths as plated in the Speese Subdivision, recorded in Book 1 of Plats, Page 18, were 60 feet wide, therefore the corner triangles can be reduced by 1 foot resulting in 24-foot legs.

Adopting this ordinance accepts Owner's dedication of the necessary right-of-way acquisition for future commercial development. Once adopted, City will record a warranty deed to complete the dedication. City is responsible for the deed recordation costs.

FISCAL REQUIREMENTS	CITY FUNDS:	\$30.00	BUDGETED:	\$30.00
	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: 001-42-13.6903	
	TOTAL:	\$30.00		
	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 checked="" type="radio"/> City Clerk's Office <input checked="" type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	John D. Simonton		8/28/2019	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		8/27/2019	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Jeffrey A. Kramer		8/13/2019		
WRITTEN/SUBMITTED BY:		DATE:		
Andrew McGarvie		8/8/2019		