

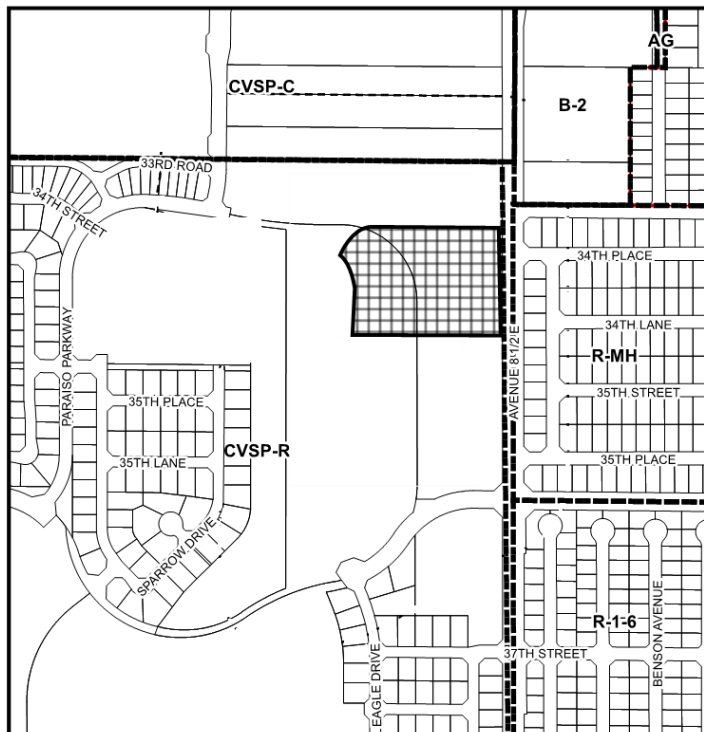
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – FINAL SUBDIVISION
CASE PLANNER: BOB BLEVINS

Hearing Date: September 14, 2020 **Case Number:** SUBD-31316-2020

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 final plat for the Cielo Verde Unit 4 (Phase I) Subdivision. This subdivision contains approximately 8.38 acres and is proposed to be divided into 35 residential lots, ranging in size from approximately 6,035.13 square feet to 12,421.23 square feet, for the property located at the northeast corner of E. 34th Lane and S. Eagle Drive, Yuma, AZ.

| | Existing Zoning | Existing Land Use | Designated Land Use |
|--------------|------------------------------------|----------------------------------|---|
| Site | Cielo Verde Specific Plan (CVSP-R) | Vacant desert | Commercial/High Density Residential/Low Density Residential |
| North | Cielo Verde Specific Plan (CVSP-R) | Proposed Unit 2B | Commercial/High Density Residential |
| South | Cielo Verde Specific Plan (CVSP-R) | Proposed Units & Existing 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 | Commercial/ Low Density Residential |

Location Map



Prior site actions: Annexation: O97-075 (12/19/97); Development Agreement: Cielo Verde Specific Plan (R2001-30); Preliminary Plat: SUBD-29684-2020.

Staff Recommendation: Staff recommends **APPROVAL** of the final plat for the Cielo Verde Unit 4 (Phase 1) Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Final Plat SUBD-31316-2020 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 final plat, the Planning and Zoning Commission is authorizing the design of Cielo Verde Unit 4 (Phase 1) Subdivision for the property located at the northeast corner of E. 34th Lane and S. Eagle Drive, Yuma, AZ., subject to the conditions of the rezone, the preliminary plat and the conditions outlined in Attachment A, and affirmatively finds that the request substantially conforms to the approved preliminary plat, is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: Cielo Verde Unit 4 (Phase 1) Subdivision is proposed for site-built single-family dwellings on lots 6,035 square feet or greater on vacant land, located at the northeast corner E. 34th Lane and S. Eagle Drive.

Access will be via S. Avenue 8 ½ E and S. Cielo Verde Drive. Both S. Eagle Drive, and E. 36th Street (from S. Avenue 8 E to S. Avenue 8 ½ E) will be completed along with the subdivision infrastructure, allowing additional access.

The preliminary plat included Unit 2B, Unit 4, and Unit 6. This final plat is only for Unit 4 (Phase 1). The other portions reviewed in the preliminary plat have separate final plats. The applicant states the reasons for the separate final plats include:

“There will be three different products (each subdivision is slightly different) and therefore we would like to have an individual plat. For the same reason of three different products, the Real Estate Report will have to be slightly different (it will be cleaner for us and the public).”

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. When 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 final plat meets CVSP development standards.

| Standard | Subdivision | | | | | | Conforms | | | |
|--------------------|-------------|-------------------------|----------|-----------|-------|------|----------|---|----|--|
| Lot Size | Minimum: | 6,035 SF | Maximum: | 12,421 SF | | | Yes | X | No | |
| Lot Depth | Minimum: | 93.87 FT | Maximum: | 167.25 FT | | | Yes | X | No | |
| Lot Width/Frontage | Minimum: | 32.55 FT | Maximum: | 98.12 FT | | | Yes | X | No | |
| Setbacks | Front: | 15 FT | Rear: | 10 FT | Side: | 7 FT | Yes | X | No | |
| District Size | 8.38 | Acres | | | | | Yes | X | No | |
| Density | 4.17 | Dwelling units per acre | | | | | Yes | X | No | |
| Issues: None | | | | | | | | | | |

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

Yes.

| 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 | | | | | | | |

3. Does the subdivision comply with the elements, plans and policies of the General Plan?

Yes.

| | | | | | | | | | |
|-----------------------------|----------------|--|---|---|-------------|--|------|---|--|
| Land Use Element: | | | | | | | | | |
| Land Use Designation: | | | Low Density Residential/Commercial/High 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: | | | | | | | | | | | | | |
| <u>Population Impacts</u> 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 Population | | Police Impact | | Water Consumption | | Wastewater Generation | | | |
| | | <i>Single Family</i> | | | | | | | | | | | |
| | | Proposed | Per Unit | | | Officers | | GPD | AF | GPD | | | |
| | | 35 | 2.8 | 98 | | 0.18 | | 29,400 | 32.9 | 9,800 | | | |
| | | | | | | | | | | | | | |
| 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 | | | | | | | | | | | |

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

N/A.

5. Does the subdivision comply with the conditions of the preliminary plat?

Yes.

6. 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: No Meeting Required.

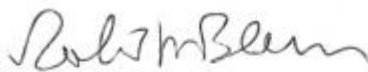
Proposed conditions delivered to applicant on: 08/11/20

Final staff report delivered to applicant on: 09/02/20

- ☒ Applicant agreed with all of the conditions of approval on: 08/11/20
☐ 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 | E | F |
|---|----------------|-------------------------|--------------------------------|-------------------------|-----------------|
| Final Plat Conditions of Approval | Final Plat Map | Preliminary Plat Map | Preliminary Plat Conditions | Agency Notifications | Aerial Photo |

Prepared By: 
Robert M. Blevins, Principal Planner (928) 373-5189
Date: 8/17/20
Robert.Blevins@yumaaz.gov

Approved By: 
Alyssa Linville,
Assistant Director Community Development
Date: 08/17/2020

**ATTACHMENT A
FINAL 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 ½ E and Cielo Verde Drive. 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.

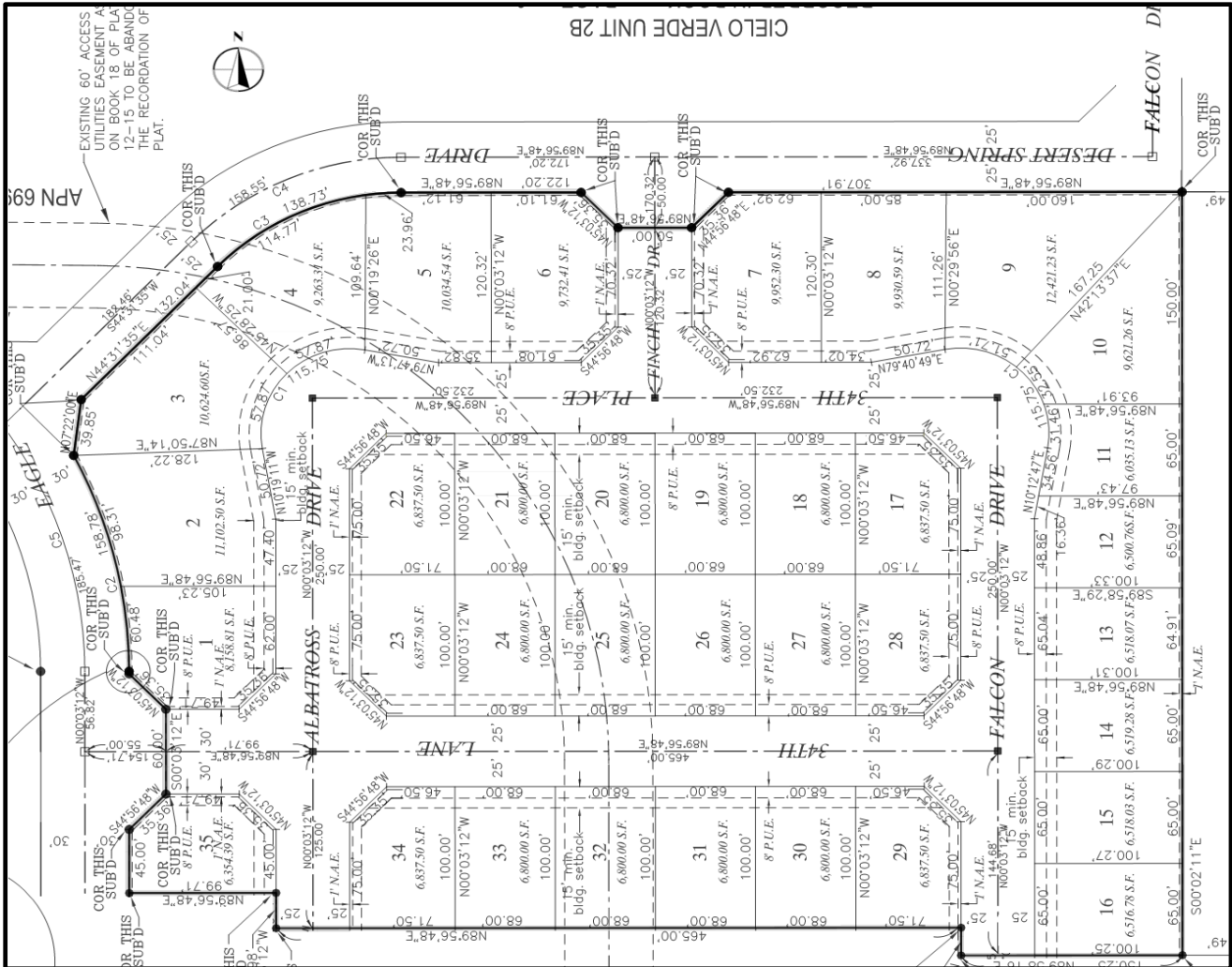
Community Planning Conditions: Robert M. Blevins, Principal Planner (928) 373-5189:

7. A time frame of build-out for the subdivision shall be submitted to the Yuma School District One to enable the districts to adequately plan for future school facilities.

8. An 8 ½" X 11" paper copy of this 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.
9. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recording of a final plat.
10. After the final plat has been approved by City Council, the applicant/developer shall have two years 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



[illegible]

ATTACHMENT D
PRELIMINARY PLAT CONDITIONS

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.
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. 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. 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.
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.

ATTACHMENT E AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** 08/21/20
- **300' Vicinity Mailing:** 07/27/20
- **34 Commenting/Reviewing Agencies noticed:** 07/30/20
- **Hearing Date:** 09/14/20
- **Comments due:** 08/10/20

| External List (Comments) | Response Received | Date Received | "No Comment" | Written Comments | Comments Attached |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority | YES | 07/31/20 | X | | |
| Yuma County Engineering | NR | | | | |
| Yuma County Public Works | NR | | | | |
| Yuma County Water Users' Assoc. | YES | 07/31/20 | X | | |
| Yuma County Planning & Zoning | YES | 07/30/20 | X | | |
| Yuma County Assessor | YES | 07/31/20 | X | | |
| 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 | 07/30/20 | 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 | YES | 07/31/20 | X | | |
| City of Yuma Internal List (Conditions) | Response Received | Date Received | "No Conditions" | Written Conditions | Comments Attached |
| Police | NR | | | | |
| Parks & Recreation | NR | | | | |
| Development Engineer | NR | | | | |
| Fire | YES | 07/30/20 | X | | |
| Building Safety | NR | | | | |
| City Engineer | NR | | | | |
| Traffic Engineer | NR | | | | |
| MCAS / C P & L Office | YES | 08/10/20 | X | | |
| Utilities | NR | | | | |
| Public Works | NR | | | | |
| Streets | NR | | | | |

ATTACHMENT F
AERIAL PHOTO

