

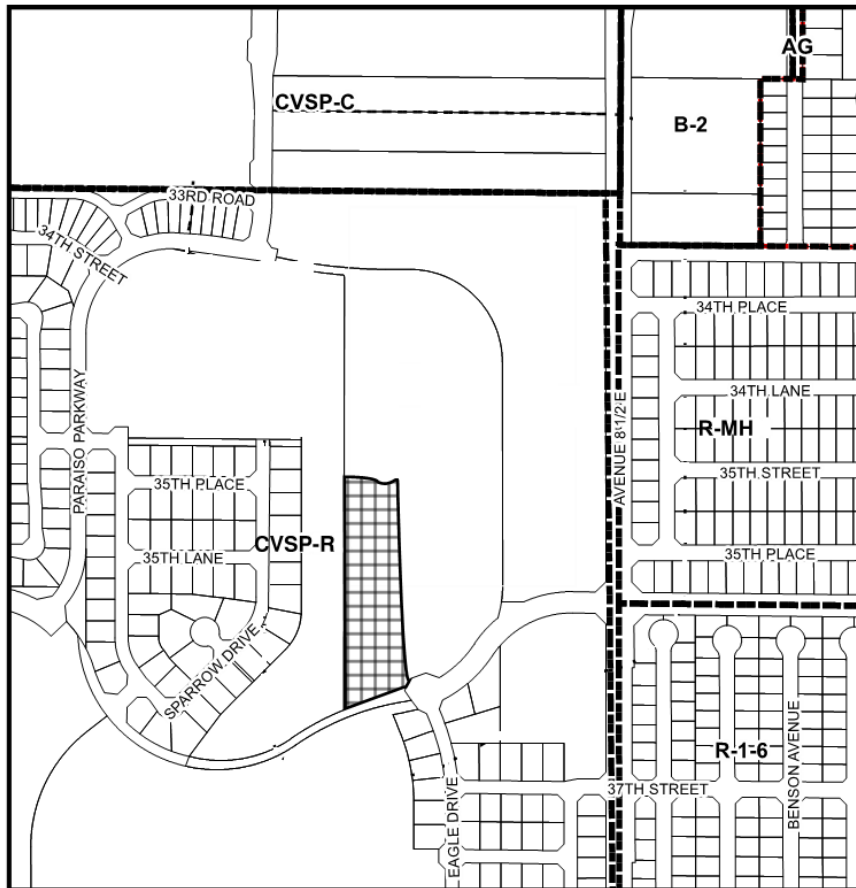
**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**COMMUNITY PLANNING DIVISION**  
**CASE TYPE – FINAL SUBDIVISION**  
**CASE PLANNER: BOB BLEVINS**

**Hearing Date:** September 14, 2020 **Case Number:** SUBD-31317-2020

**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 6 (Phase I) Subdivision. This subdivision contains approximately 4.55 acres and is proposed to be divided into 27 residential lots, ranging in size from approximately 4,627.75 square feet to 7,782.72 square feet, for the property located at the northwest corner of E. 36<sup>th</sup> Street and S. Eagle Drive, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
<b>Site</b>	Cielo Verde Specific Plan (CVSP-R)	Vacant desert	Low Density Residential
<b>North</b>	Cielo Verde Specific Plan (CVSP-R)	Proposed Unit 2B	Commercial
<b>South</b>	Cielo Verde Specific Plan (CVSP-R)	Existing Unit 5	Low Density Residential
<b>East</b>	Residence-Manufactured Home (R-MH)	Proposed Unit 4	Low Density Residential
<b>West</b>	Cielo Verde Specific Plan (CVSP-R)	Retention basin	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 6 (Phase 1) Subdivision, subject to the conditions outlined in Attachment A.

**Suggested Motion:** Move to **APPROVE** Final Plat SUBD-31317-2020 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 6 (Phase 1) Subdivision for the property located at the northwest corner of E. 36<sup>th</sup> Street and S. Eagle Drive., 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 6 (Phase 1) Subdivision is proposed for site-built single-family dwellings on lots 4,627.75 square feet or greater on vacant land, located at the northeast corner E. 36<sup>th</sup> Street and S. Eagle Drive.

Access will be via S. Avenue 8 ½ E and S. Cielo Verde Drive. Both S. Eagle Drive, and E. 36<sup>th</sup> 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 6 (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:	4,627.75 SF		Maximum:	7,782.72 SF		Yes	X	No	
Lot Depth	Minimum:	86.50 FT		Maximum:	111.16 FT		Yes	X	No	
Lot Width/Frontage	Minimum:	49.26 FT		Maximum:	88.57 FT		Yes	X	No	
Setbacks	Front:	15 FT	Rear:	10 FT	Side:	7 FT	Yes	X	No	
District Size	4.55	Acres					Yes	X	No	
Density	5.9	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.**

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

<b>Transportation Element:</b>													
<b><u>FACILITY PLANS</u></b>													
TRANSPORTATION MASTER PLAN		<b>Planned</b>		<b>Existing</b>		<b>Gateway</b>		<b>Scenic</b>		<b>Hazard</b>		<b>Truck</b>	
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											
<b>Parks, Recreation and Open Space Element:</b>													
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											
<b>Housing Element:</b>													
Special Need Household:		N/A											
Issues:		None											
<b>Redevelopment Element:</b>													
Planned Redevelopment Area:		N/A											
Adopted Redevelopment Plan:		North End:				Carver Park:				None:		X	
Conforms:		Yes				No				N/A		X	
<b>Conservation, Energy &amp; Environmental Element:</b>													
Impact on Air or Water Resources		Yes				No		X					
Renewable Energy Source		Yes				No		X					
Issues:		None											
<b>Public Services Element:</b>													
<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		<b>Dwellings &amp; Type</b>		<b>Projected Population</b>		<b>Police Impact</b>		<b>Water Consumption</b>		<b>Wastewater Generation</b>			
		<i>Single Family</i>											
		Proposed	Per Unit			Officers	GPD	AF	GPD				
		27	2.8	76		0.14	22,680	25.4	7,560				
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											
<b>Safety Element:</b>													
Flood Plain Designation:		Zone X		Liquefaction Hazard Area:				Yes		No		X	
Issues:		None											
<b>Growth Area Element:</b>													
Growth Area:		Araby Rd & Interstate 8				Arizona Ave & 16 <sup>th</sup> St				Avenue B & 32 <sup>nd</sup> St.			
		North End		Pacific Ave & 8 <sup>th</sup> 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.

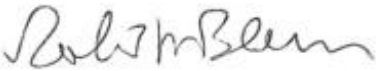
**Proposed conditions delivered to applicant on:** 08/11/20

**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 S. Eagle Drive and E. 36<sup>th</sup> 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.

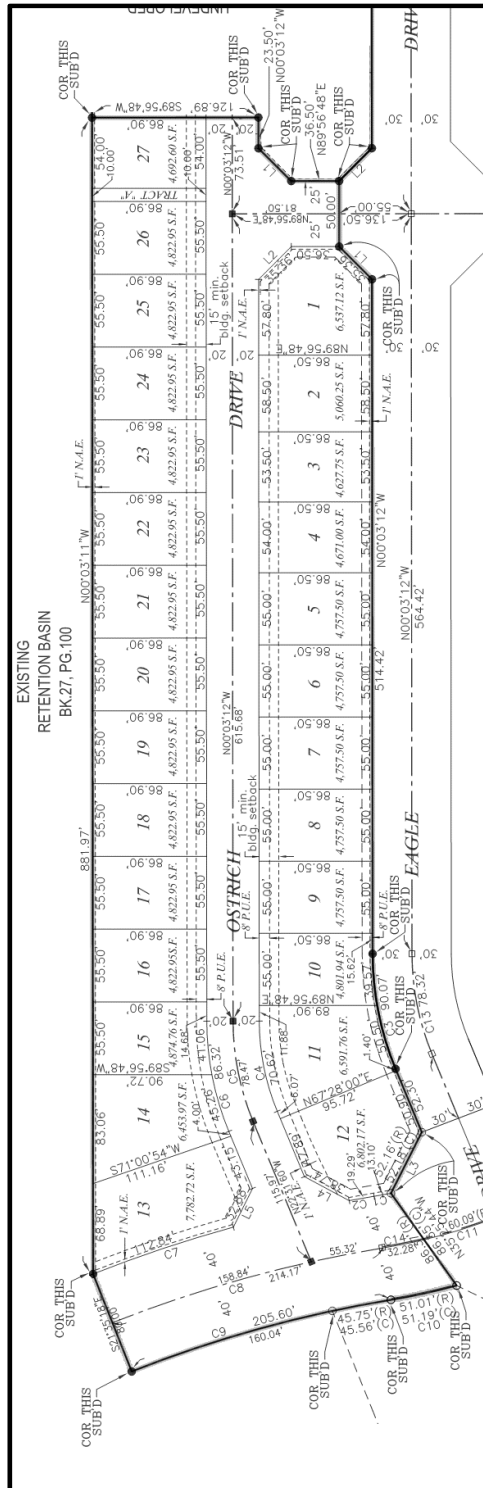
**Community Planning Conditions: Robert M. Blevins, Principal Planner (928) 373-5189:**

7. A time frame of build-out for the subdivision shall be submitted to the Yuma School District One to enable the 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





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**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

<b>External List (Comments)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Comment"</b>	<b>Written Comments</b>	<b>Comments Attached</b>
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		
<b>City of Yuma Internal List (Conditions)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Conditions"</b>	<b>Written Conditions</b>	<b>Comments Attached</b>
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

