

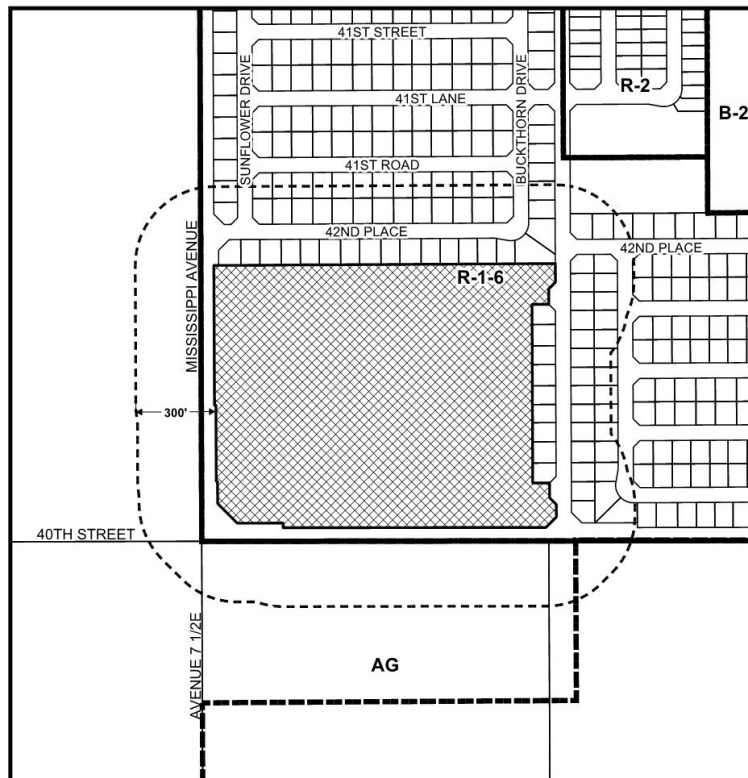
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – FINAL SUBDIVISION
CASE PLANNER: ALYSSA LINVILLE

Hearing Date: August 10, 2020 **Case Number:** SUBD-30786-2020

Project Description/Location: This is a request by Dahl, Robins & Associates, on behalf of Saguaro Desert Development, LLC, for approval of the final plat for Saguaro Unit No. 4 Subdivision. This subdivision will contain approximately 28.3 acres and is proposed to be divided into 125 residential lots, ranging in size from approximately 6,264 square feet to 10,610 square feet, for the property located at the northeast corner of S. Mississippi Avenue (Avenue 7 ½E) and E. 44th Street, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Low Density Residential (R-1-6)	Undeveloped	Low Density Residential
North	Low Density Residential (R-1-6)	Saguaro Unit No. 2 Subdivision	Low Density Residential
South	Medium Density Residential (R-2); Medium Density Single-Family Residential (R-2-5)	Undeveloped	Mixed Use
East	Low Density Residential (R-1-6)	Saguaro Unit No. 3 Subdivision	Low Density Residential
West	Agriculture (AG)	Undeveloped	Low Density Residential

Location Map



Prior site actions: Annexation: Ord. O97-81 (January 2, 1998); General Plan Amendment: Res. R2004-89 (December 13, 2004); Rezone: Ord. O2007-56 (November 7, 2007; Expired); Statutory Compliance Hearing (July 2, 2008); Subdivision: LS2008-02 (June 20, 2008); S2008-005 (Preliminary Plat; Expired); SUBD-3879-2013 (Preliminary Plat; August 26, 2013)

Staff Recommendation: Staff recommends **APPROVAL** of the final plat for the Saguaro Unit No. 4 Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Final Plat SUBD-30786-2020 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 Saguaro Unit No. 4 Subdivision for the property located at the northeast corner S. Mississippi Avenue (Avenue 7 ½E) and E. 44th Street, 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: The subject property was annexed into the City of Yuma on January 2, 1998. Since the annexation, the property has been subject to a general plan amendment, rezone, and preliminary subdivision review with the intention of developing the site for single-family development. This final plat request is the fourth and final phase of the Saguaro Subdivision and will consist of 125 residential lots.

The subject property consists of approximately 28.3 acres with frontage along S. Mississippi Avenue and E. 44th Street. This phase of development is slated to feature residential lots ranging in size from 6,264 square feet to 10,610 square feet. Further specified in §154-05.04, the following are some of the development standards required of a development with the Low Density Residential (R-1-6) District:

1. The maximum lot coverage in the Low Density Residential (R-1-6) District shall not exceed 35% of the lot area;
2. A minimum front yard setback of 20 feet;
3. A minimum side yard setback of 7 feet;
4. A minimum rear yard setback of 10 feet;
5. A maximum building height of 40 feet; and
6. A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

With this phase of development, Staff will be requiring that a Municipal Improvement District (MID) be established for the maintenance of required subdivision landscaping. The MID will need to be established prior to the issuance

of any residential building permits. The developer has been permitted to delay the installation of subdivision landscaping for phases one and two until the recording of the fourth phase; at which time a three year landscaping maintenance deposit will be assessed for the phases of one and two.

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Yes.

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

Yes.

Standard	Subdivision				Conforms			
Lot Size	Minimum:	6,264 SF	Maximum:	10,610 SF	Yes	X	No	
Lot Depth	Minimum:	81.61 FT	Maximum:	147.94 FT	Yes	X	No	
Lot Width/Frontage	Minimum:	44.55 FT	Maximum:	81 FT	Yes	X	No	
Setbacks	Front:	15-20 FT	Rear:	10 FT	Side:	7 FT	Yes	X
District Size	28.3	Acres			Yes	X	No	
Density	4.4	Dwelling units per acre			Yes	X	No	

Issues:

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	X	No		N/A	
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		No		N/A	X
Double Frontage	Yes		No		N/A	X
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?

Land Use Element:									
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				
Transportation Element:									
<u>FACILITY PLANS</u>									
TRANSPORTATION MASTER PLAN		Planned	Existing	Gateway	Scenic	Hazard	Truck		
Mississippi Avenue – 2-Lane Collector		40 FT H/W ROW	56 FT H/W ROW						
44 th Street – 2-Lane Collector		40 FT H/W ROW	50 FT H/W ROW						
Bicycle Facilities Master Plan		Proposed Bike Lane: Mississippi Avenue (Avenue 7 ½E)							
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: None			Future: South Mesa Community Park					
Linear Park:	Existing: None			Future: "A" 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			
Conservation, Energy & Environmental Element:									
Impact on Air or Water Resources		Yes		No	X				
Renewable Energy Source		Yes		No	X				
Issues:		None							
Public Services Element:									

Population Impacts 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 <i>Single Family</i>		Projected Population	Police Impact	Water Consumption		Wastewater Generation
Proposed		Per Unit			Officers	GPD	AF	GPD
125		2.8		350	0.66	105,000	117.6	35,000

Fire Facilities Plan:		Existing: Fire Station No. 5				Future: Fire Station No. 7			
Water Facility Plan:		Source:	City	X	Private	Connection			
Sewer Facility Plan:		Treatment:	City	X	Septic	Private			
Issues:		Water and sewer line extensions needed.							
Safety Element:									
Flood Plain Designation:		Flood Zone X			Liquefaction Hazard Area:			Yes	No
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?

Yes.

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: July 30, 2020

Final staff report delivered to applicant on: July 31, 2020

<input checked="" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: July 30, 2020
<input type="checkbox"/>	Applicant did not agree with the following conditions of approval: (list #'s)
<input type="checkbox"/>	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
Preliminary Plat Conditions of Approval	Final Plat Map	Preliminary Plat Map	Preliminary Plat Conditions	Agency Notifications	Aerial Photo

Prepared By:

Alyssa Linville,
Assistant Director
Community Development



Date: August 25, 2020

Alyssa.Linville@yumaaz.gov

(928)373-5000, ext. 3037

**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:

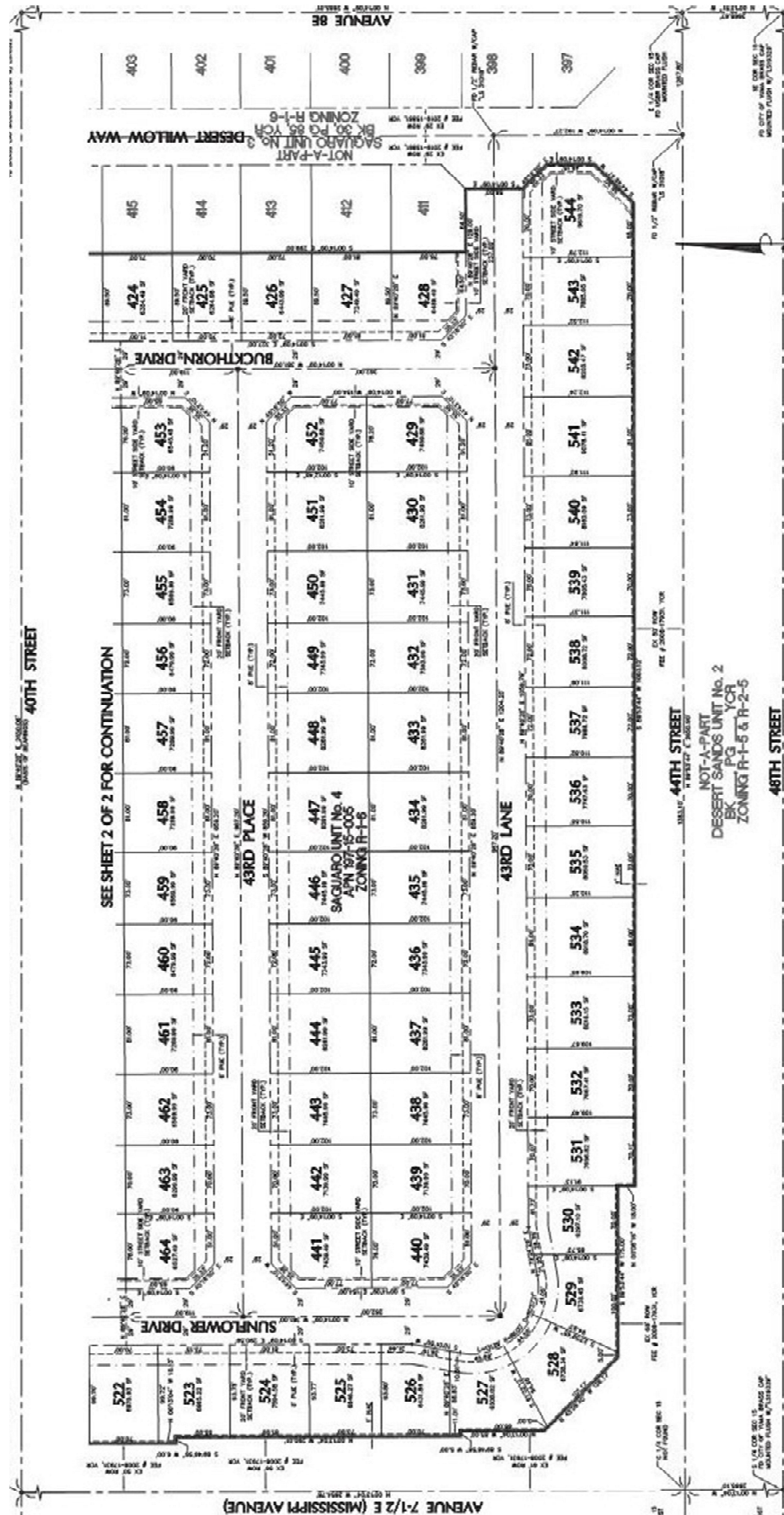
6. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along Mississippi Avenue (Avenue 7 ½ E) and 44th Street. Such fencing can be removed 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.

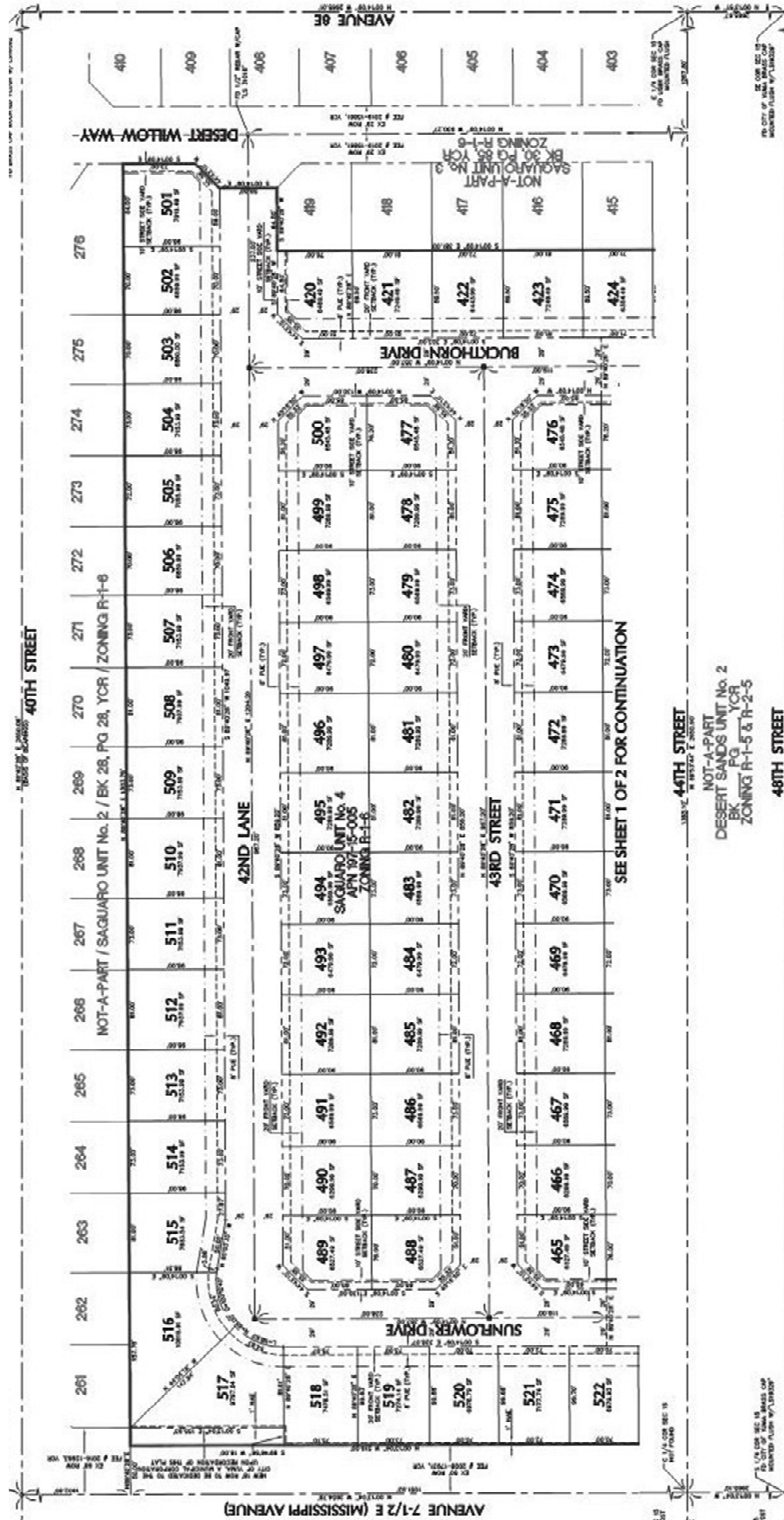
Community Planning Conditions: Alyssa Linville, Assistant Director Community Development, (928) 373-5000, ext. 3037:

7. A time frame of build-out for the subdivision shall be submitted to the Yuma School District 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. Setback deviations shall be granted for lots 526, 527, 528, 529, and 530. For future reference, a note shall be indicated on the final plat.
11. 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.

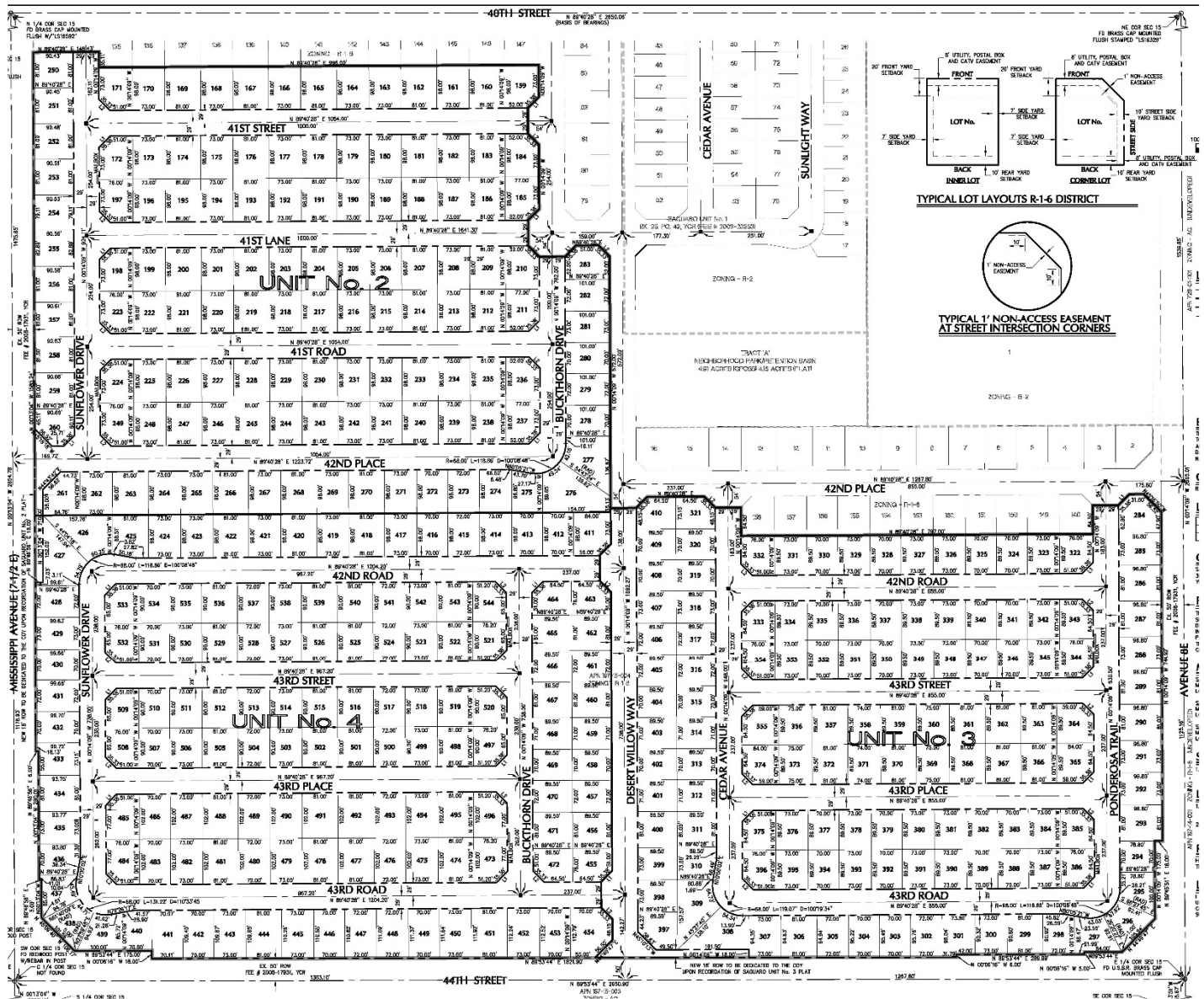
Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B FINAL PLAT MAP





ATTACHMENT C PRELIMINARY PLAT MAP



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 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 preliminary 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. Unless otherwise approved by Public Works -City Engineering Division, all right-of-way dedications shall conform to the City's Major Roadways Plan - 2005, as amended, Figure 3. With the dedications of right-of-way, the Owner shall provide the City with an environmental transaction screening document, to verify that the rights-of-way being dedicated are free of contamination.
7. The sanitary sewer collection system and partial sanitary sewer interceptor system designed and constructed for this proposed subdivision shall flow all subdivision waste to Avenue 8E (collection) and, then, North along Avenue 8E (interceptor) to the existing 40th Street interceptor line.
8. The developer/owner will construct two lanes plus center median such that it can be used for the full width design on Avenue 8E, Avenue 7 1/2E, 40th Street, and 44th Street, unless otherwise approved by the City Engineer.
9. Developer/Owner shall provide a 1' non-access easement across the property frontages adjacent to a collector street or larger on the final plat, unless approved by the City Engineer.
10. The Owner shall implement use of a Silt Fence & subdivision walls for control of sand and dust in the construction area.

11. The owner shall match the existing landscape on Avenue 8E, with no trees in the Medians and use D/G as ground cover due to blowing sand.
12. Use Type 3 barricade at the west end of 42nd Place - if Avenue 7 ½ E (Mississippi Avenue) is not built at this time, and also at the south end of Desert Willow Way - if 44th Street is not built at this time. If built at this time then use City of Yuma Standards. The Owner shall install the bare minimum landscape in the right of ways and medians due to the high volume of blowing sand and dust in the area.
13. A minimum of 2 points of access must be provided and maintained for all phases of construction.
14. A time frame of build out for the subdivision shall be submitted to the Yuma School District to enable the district to adequately plan for future school facilities.
15. The developer/applicant shall coordinate mail delivery receptacles with the United States Postal Service.
16. The developer/applicant shall submit a landscaping and irrigation plan that meets City landscaping code requirements for the street parkways, raised medians and areas adjacent to the subdivision walls.
17. The developer/applicant shall establish a Maintenance Improvement District for the basin and roadway landscaping maintenance prior to the recordation of the final plat.
18. With the exception of Condition 2, the owner shall submit a final plat within three (3) years of Preliminary Plat approval. Should a Final Plat not be submitted within three (3) years 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)
- **Site Posted on:** (09/17/20)
- **Neighborhood Meeting:** (N/A)
- **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	NR				
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	NR				
Yuma County Planning & Zoning	NR				
Yuma County Assessor	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.	NR				
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
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	NR				
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT F
AERIAL PHOTO

