

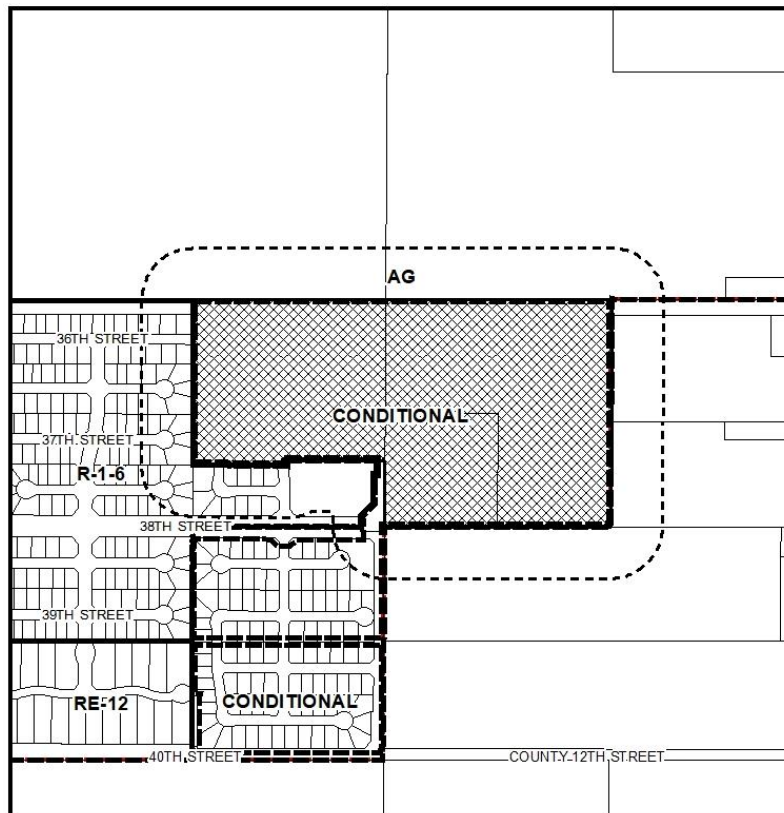
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – PRELIMINARY SUBDIVISION
CASE PLANNER: ALYSSA LINVILLE

Hearing Date: January 11, 2021 **Case Number:** SUBD-31702-2020

Project Description/Location: This is a request by Dahl, Robins & Associates, Inc., on behalf of Barkley Limited Partnership, for approval of the preliminary plat for the Livingston Ranch Units No. 3 and 4 Subdivision. This subdivision will contain approximately 65.3 acres, and is proposed to be divided into 176 residential lots, ranging in size from 7,395 square feet to 19,451 square feet. The property is located near the northwest and northeast corner of 38th Street and the Avenue B½ alignment, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Agriculture/Conditional Low Density Residential (AG/Cond. R-1-6)	Undeveloped	Low Density Residential
North	Agriculture (AG)	Agriculture	Low Density Residential
South	Low Density Residential (R-1-6); Yuma County	Single-Family Residences; Agriculture	Low Density Residential
East	Yuma County	Agriculture	Low Density Residential
West	Low Density Residential (R-1-6)	Single-Family Residences	Low Density Residential

Location Map



Prior site actions: Annexation: Ord. O2005-38 (May 18, 2005); Rezone: Ord. O2005-61 (August 17, 2005; Agriculture (AG) to Low Density Residential R-1-6))

Staff Recommendation: Staff recommends **APPROVAL** of the preliminary plat for the Livingston Ranch Units No. 3 and 4 Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Preliminary Plat SUBD-31702-2020 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 preliminary plat, the Planning and Zoning Commission is acknowledging the street and lot layout of the Livingston Ranch Units No. 3 and 4 Subdivision which includes 176 lots ranging in size from 7,395 square feet to 19,451 square feet for the property located near the northwest and northeast corner of 38th Street and the Avenue B½ alignment, subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: The subject properties were annexed into the City of Yuma on May 18, 2005. Shortly after annexation, the subject properties were zoned to the Low Density Residential (R-1-6) District with the intent of developing a single-family residential subdivision. These property will become the third and fourth phase of the Livingston Ranch Subdivision.

The subject properties consist of approximately 65 acres and feature frontage along 38th Street and the Avenue B½ alignment. This phase of development is slated to feature residential lots ranging in size from 7,395 square feet to 19,451 square feet. Further specified in Yuma City Code §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 these phases of development, staff will be requiring that a Municipal Improvement District (MID) be established for the maintenance of required subdivision landscaping. 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. The preliminary plat meets dimensional standards and development standards for the Low Density Residential (R-1-6) District.

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

Yes. The preliminary plat will comply with the criteria set forth in the City of Yuma Subdivision Code.

Standard	Subdivision						Conforms			
Lot Size	Minimum:	7,395 SF			Maximum:	19,451 SF	Yes	X	No	
Lot Depth	Minimum:	118 FT			Maximum:	186 FT	Yes	X	No	
Lot Width/Frontage	Minimum:	50 FT			Maximum:	102 FT	Yes	X	No	
Setbacks	Front:	20 FT	Rear:	10 FT	Side:	7 FT	Yes	X	No	
District Size	65.3	Acres					Yes	X	No	
Density	2.69	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	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	X	No		N/A			
	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:									
FACILITY PLANS									
TRANSPORTATION MASTER PLAN		Planned	Existing	Gateway	Scenic	Hazard	Truck		
38 th Street – Local Street		29 FT H/W ROW	62 FT H/W ROW						
Bicycle Facilities Master Plan		38 th Street – Existing Bike Lane							
YCAT Transit System		N/A							
Issues:		Phase 4 access along 38 th Street needs approval from USBR							
Parks, Recreation and Open Space Element:									
Parks and Recreation Facility Plan									
Neighborhood Park:		Existing: Las Casitas Park				Future: Las Casitas Park			
Community Park:		Existing: Smucker Community Park				Future: Smucker Community Park			
Linear Park:		Existing: East Main Canal Linear Park				Future: 36 th Street 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:									
<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	
		176	2.8	493	0.93	147,840	165.6	49,280	
Fire Facilities Plan:		Existing: Fire Station No. 6				Future: Fire Station No. 6			
Water Facility Plan:		Source:	City	X	Private	Connection	10" PVC		

Sewer Facility Plan:	Treatment:	City	X	Septic		Private		10" PVC
Issues:	None							
Safety Element:								
Flood Plain Designation:	Flood Zone X		Liquefaction Hazard Area:			Yes	X	No
Issues:	Groundwater 6' to 12' deep							
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							

Public Comments Received: None Received.

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: December 14, 2020

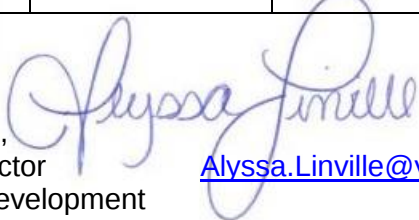
Final staff report delivered to applicant on: December 23, 2020

☒	Applicant agreed with all of the conditions of approval on: December 17, 2020
☐	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
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Agency Notifications	Agency Comments	Aerial Photo

Prepared By:
Alyssa Linville,
Assistant Director
Community Development



Alyssa.Linville@yumaaz.gov

Date: December 22, 2020

(928)373-5000, ext. 3037

**ATTACHMENT A
PRELIMINARY 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.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

City Attorney Comments: (928) 373-5058:

4. 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.
5. 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.
6. 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:

7. Owner/developer shall dedicate to the City of Yuma a 1-foot non-access easement along the Yuma Mesa Conduit right of way, as well as along the Central Canal right of way.
8. Owner/developer shall dedicate to the City of Yuma a 1-foot non-access easement across all corner triangles in conformance with City of Yuma Construction Standard 2-096.
9. 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 38th Street and the Avenue B½ alignment. 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.

10. Owner/developer shall install a water-tight subdivision perimeter wall adjacent to and along the Central Canal.
11. Storm water retention basins shall be free of ground water and dry up within 5 days after a design storm in conformance with City of Yuma code §192-04(I).

Fire Department Conditions: Kayla Franklin, Fire Marshal, (928) 373-4865:

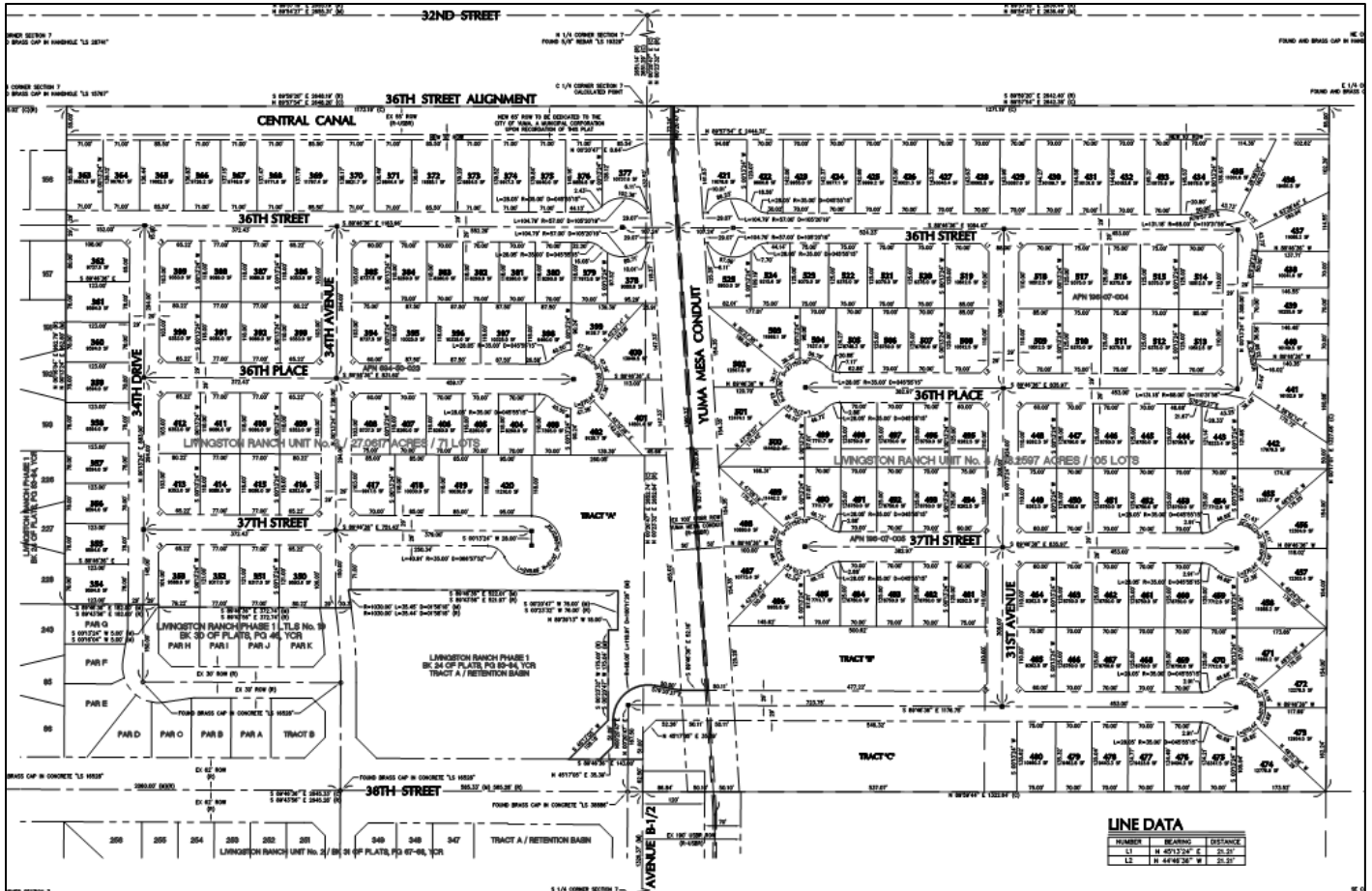
12. Must provide adequate paved primary and secondary fire department access.

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

13. The Owner shall submit a final plat within three (3) year of Preliminary Plat approval. Should a Final Plat not be submitted within three (3) 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.

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 PRELIMINARY PLAT MAP



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** (12/18/20)
- **300' Vicinity Mailing:** (09/10/20)
- **34 Commenting/Reviewing Agencies noticed:** (09/10/20)
- **Site Posted on:** (01/04/21)
- **Neighborhood Meeting:** (N/A)
- **Hearing Date:** (01/11/21)
- **Comments due:** (09/21/20)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	09/10/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	09/11/20		X	X
Yuma County Planning & Zoning	NR				
Yuma County Assessor	Yes	09/22/20	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	09/14/20	X		
Yuma Irrigation District	Yes	09/11/20	X		
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	09/16/20	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	09/14/20		X	
Building Safety	NR				
City Engineer	Yes	09/23/20		X	
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	09/16/20			X
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D
AGENCY COMMENTS**

● COMMENT NO COMMENT

Enter comments below:

1. YCWUA Serial No. S-1063 (38.00 AC) & S-1443 (21.87 AC) will need to be converted.
2. Add a 1' Non-Access Easement to the north side of lots 363-377 & 431-436.
3. Please provide a full set of the engineering plans to the YCWUA for normal review and comment.

DATE: 9/11/20 NAME: Omar Peñuñuri TITLE: Sr. Eng. Tech, Lands & ROW
AGENCY: YCWUA
PHONE: 928-627-8824

☒ Condition(s)

☐ No Condition(s)

☐ Comment

Enter conditions here: Marine Corps Air Station (MCAS) Yuma has reviewed the request for APNs 196-07-004, 196-07-005, and 694-50-023. The proposed preliminary plat is located just outside the Accident Potential Zone (APZ) II for Runway 8. MCAS requests an Aviation Easement be recorded that recognizes the noise, interference or vibrations due to aviation operations that may occur at the nearby MCAS Yuma/Yuma International Airport Aviation Complex and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE: 16 Sep 2020 NAME: Antonio Martinez TITLE: Community Liaison Specialist
CITY DEPT: MCAS Yuma
PHONE: (928) 269-2103
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

ATTACHMENT E
AERIAL PHOTO

