

**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**  
**DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES**  
**COMMUNITY PLANNING DIVISION**  
**CASE TYPE – PRELIMINARY SUBDIVISION**  
**CASE PLANNER: ERIKA PETERSON**

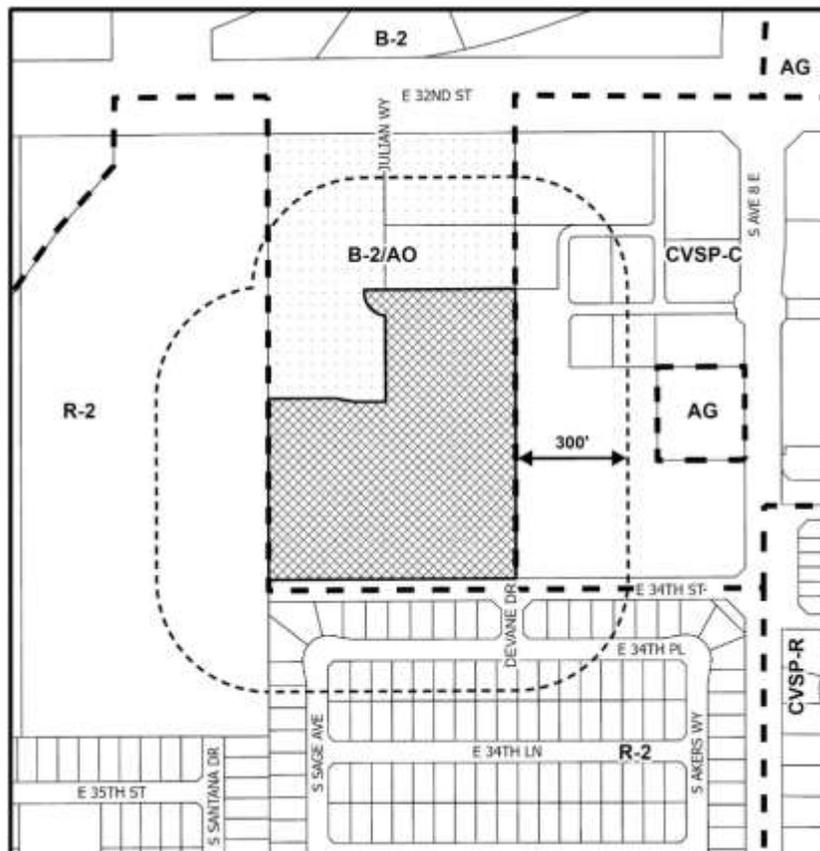
**Hearing Date:** February 24, 2025

**Case Number:** SUBD-43527-2024

**Project Description/Location:** This is a request by Dahl, Robins & Associates, Inc., on behalf of Yuma Development One, LLC, for approval of the preliminary plat for La Vida Townhomes. This subdivision will contain approximately 9.74 acres and is proposed to be divided into 60 townhome lots, ranging in size from approximately 3,674 square feet to 5,278 square feet for the property located at the northwest corner of 34<sup>th</sup> Street and DeVane Drive, Yuma, AZ.

	<b>Existing Zoning</b>	<b>Existing Land Use</b>	<b>Designated Land Use</b>
<b>Site</b>	General Commercial/ Aesthetic Overlay (B-2/AO)	Undeveloped	Medium Density Residential
<b>North</b>	General Commercial/ Aesthetic Overlay (B-2/AO)	Undeveloped	Commercial
<b>South</b>	Medium Density Residential (R-2)	Single-family homes	Medium Density Residential
<b>East</b>	Cielo Verde Specific Plan Commercial (CVSP-C)	Apartments	Commercial
<b>West</b>	Medium Density Residential (R-2)	Undeveloped	Medium Density Residential

**Location Map**



**Prior site actions:** Annexation: Ord. O99-29 (July 3, 1999); General Plan Amendment: GP-2005-014 Resolution R2005-125 (November 16, 2005) Minor Amendment to change land use designation from Medium Density Residential to Commercial; Rezone Z2006-12: Ord. O2006-59 (AG to B-2/AO) (February 27, 2008); Lot Split: LS2005-042 Yuma Development One Lot Split; Subdivision: YDO Parcel C Subdivision; Lot Split: LOTS-43285-2024 24/7 Get Fit Lot Tie/Lot Split No. 3 (in process); Rezone ZONE-43328-2024: Ord O2025-002 (B-2 to R-2/PUD) January 15, 2025.

**Staff Recommendation:** Staff recommends **APPROVAL** of the preliminary plat for the La Vida Townhomes, subject to the conditions outlined in Attachment A.

**Suggested Motion:** Move to **APPROVE** Preliminary Plat SUBD-43527-2024 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 La Vida Townhomes which includes 60 lots ranging in size from 3,674 square feet to 5,278 square feet for the property located at the northwest corner of 34<sup>th</sup> Street and DeVane Drive, 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 property covers approximately 9.74 acres and is situated at the northwest corner of 34th Street and DeVane Drive. Currently, the site is undeveloped. Annexed into the City of Yuma in 2009, the property has undergone a number of general plan amendments, a rezoning, and lot splits.

This development proposal aims to subdivide the property into 60 townhome residential lots, known as La Vida Townhomes, with lot sizes ranging from 3,674 square feet to 5,278 square feet, meeting the minimum lot size requirements for the Medium Density Residential/Planned Unit Development (R-2/PUD) District. The Planned Unit Development Overlay (PUD) District allows for certain deviations from typical development standards (increased densities, reduced setbacks, and increased lot coverage), provided that the development offers enhanced amenities for residents.

The proposed subdivision will need to meet the development standards required of the zoning designation, unless otherwise specified in the approved rezoning application. The following development standards deviate from the typical zoning requirements as a result of the enhanced amenities identified during the PUD process:

- A decrease in the minimum lot size from 4,500 square feet to 3,674 square feet.
- A decrease in minimum lot width from 50 feet to 32 feet.
- A reduction in side yard setbacks from 5 feet on each side to zero feet.
- An increase in maximum lot coverage from 55% to 70%
- A reduction in minimum local street widths from 58 feet to 48 feet.

With this development, a Municipal Improvement District (MID) will be established for the long-term maintenance of the landscaping within the retention basin, amenity area (Tract B), midblock walking path (Tract C), and Tract D as well as for any required subdivision landscaping. The MID will need to be established prior to the issuance of any residential building permits.

The Recordation of an Avigation Easement has been satisfied with the signing of the application.

**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 Medium Density Residential/Planned Unit Development (R-2/PUD) District.

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

Yes.

Standard	Subdivision				Conforms				
Lot Size	Minimum:	3,674 SF	Maximum:	5,278 SF	Yes	X	No		
Lot Depth	Minimum:	113.54 FT	Maximum:	131.15 FT	Yes	X	No		
Lot Width/Frontage	Minimum:	32 FT	Maximum:	32.5 FT	Yes	X	No		
Setbacks	Front:	20 FT	Rear:	10 FT	Side:	0 FT	Yes	X	No
District Size	9.74	Acres				Yes	X	No	
Density	12.9	Dwelling units per acre				Yes	X	No	
Issues: The minimum lot size, minimum lot width and reduced side yard setbacks were approved during the rezoning process.									

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		No		N/A	X
Cul-de-sacs	Yes		No		N/A	X
Half Streets	Yes		No		N/A	X
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: The reduced roadway widths were approved during the rezoning process.

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:

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: Lot dimensions approved during rezoning process.

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

Yes.

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

**Transportation Element:**

<b>FACILITY PLANS</b>							
TRANSPORTATION MASTER PLAN		<b>Planned</b>	<b>Existing</b>	<b>Gateway</b>	<b>Scenic</b>	<b>Hazard</b>	<b>Truck</b>
32 <sup>nd</sup> Street- Principal Arterial- 4 Lanes		50 FT HW	100 FT HW				X
Avenue 8E- Collector 2 Lanes		40 FT HW	49 FT HW				
34 <sup>th</sup> Street- Local		29 FT HW	29 FT HW				
Bicycle Facilities Master Plan		32 <sup>nd</sup> Street- Bike path and Avenue 8E- Proposed bike lane					
YCAT Transit System		32 <sup>nd</sup> Street at Avenue 8E- Gold Route 8					
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: East Mesa Park
Linear Park:	Existing: E. Main Canal Linear Park	Future: "A" Canal Linear Park
Issues:	None	

**Housing Element:**

Special Need Household:	N/A
Issues:	None

**Redevelopment Element:**

Planned Redevelopment Area:	None					
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X
Conforms:	Yes		No			

**Conservation, Energy & Environmental Element:**

Impact on Air or Water Resources	Yes		No	X
Renewable Energy Source	Yes		No	X
Issues:				

Population Impacts Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person	<b>2-4 Units</b>		<b>Population</b>	<b>Impact</b>	<b>Consumption</b>		<b>Generation</b>
	Proposed	Per Unit		<b>Officers</b>	<b>GPD</b>	<b>AF</b>	<b>GPD</b>
	60	2.71	163	0.31	33,658	37.7	11,382
Fire Facilities Plan:	Existing: Fire Station No. 7			Future: Fire Station No. 7			
Water Facility Plan:	Source:	City	X	Private	Connection	10" PVC on east side of parcel	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 8" PVC east side of parcel	
Issues:	None						

**Safety Element:**

Flood Plain Designation:	500 Year Flood	Liquefaction Hazard Area:	Yes		No	X
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Issues:	None						
<b>Growth Area Element:</b>							
Growth Area:	Araby Rd & Interstate 8	X	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
Issues:	None						

**Public Comments Received:** None received.

**External Agency Comments:** See Attachment E.

**Neighborhood Meeting Comments:** No meeting required.

**Proposed conditions delivered to applicant on:** 2/3/2025

**Final staff report delivered to applicant on:** 2/10/2025

- Applicant agreed with all of the conditions of approval on:
- Applicant did not agree with the following conditions of approval: #6
- Conditions of Approval were emailed to applicant on 2/3/2025.

**Attachments**

A	B	C	D	E	F	G	H
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Rezone Conditions	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

**Prepared By:** *Erika Peterson* **Date:** 1/24/2025

Erika Peterson,  
Associate Planner [Erika.Peterson@YumaAZ.Gov](mailto:Erika.Peterson@YumaAZ.Gov) (928)373-5000, x3071

**Approved By:** *Jennifer L. Albers* **Date:** 2/3/25

Jennifer L. Albers,  
Assistant Director of Planning

**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.

**Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (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 shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

**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: Jerry Anaya, Engineering Manager (928)373-5000, x 5182:**

6. If the streets within the subdivision become public, the developer shall install streetlights in accordance with City of Yuma standards.
7. 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 34<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.

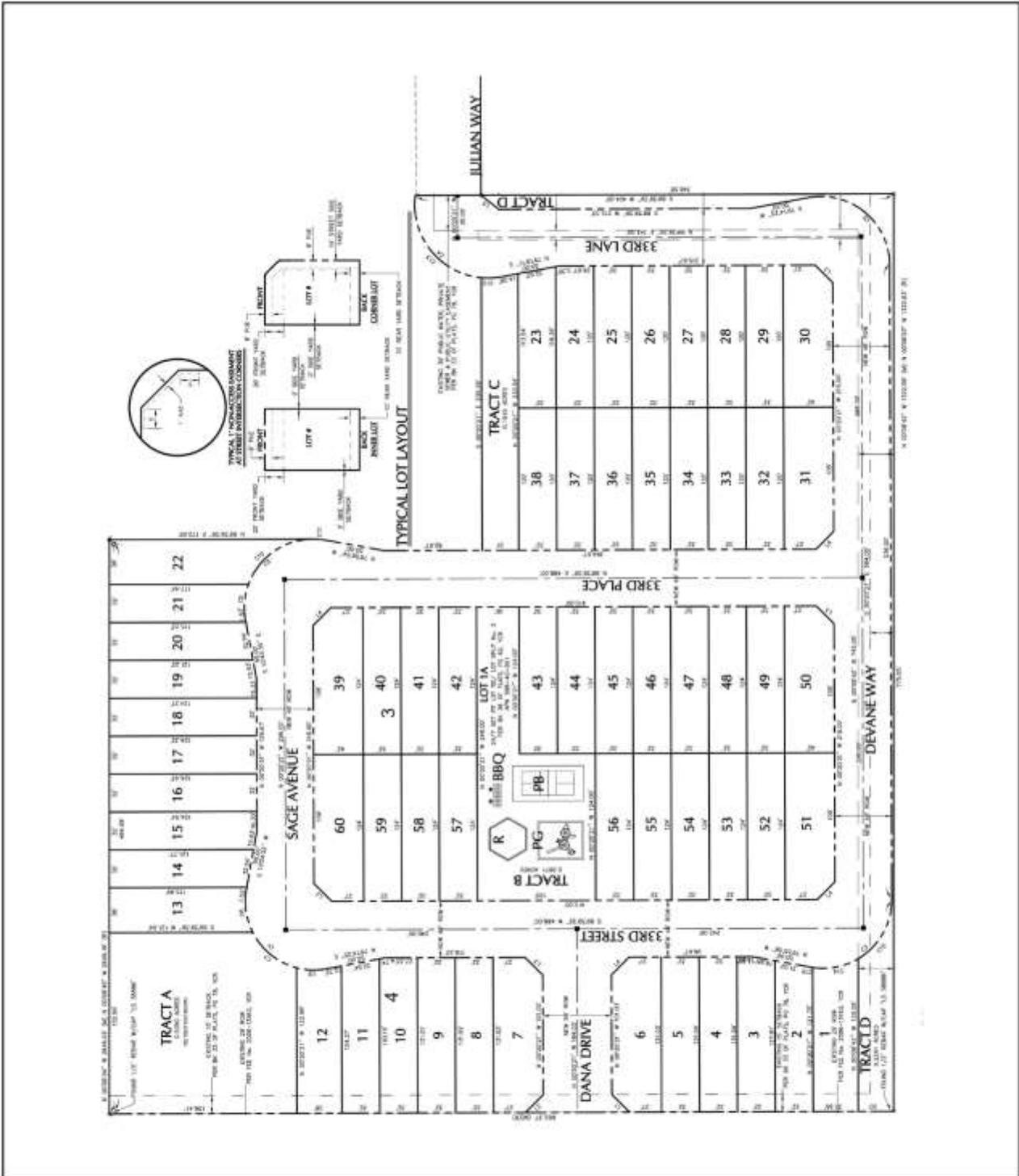
**Community Planning Conditions: Erika Peterson, Senior Planner, (928) 373-5000, x 3071**

8. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recording of a final plat.

9. 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.

**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



Prepared by:  
DG  
Date:  
12/24/2024

SUBD-43527-2024  
Preliminary Plat  
La Vida Townhomes  
Site Plan

Plan/Case:  
**43527**



**ATTACHMENT C  
REZONE CONDITIONS**

1. The conditions listed below 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 shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. If rolled curb is used within the development, Owner/Developer shall put together an entity to maintain the private streets, as the local streets within the development does not meet current City standards. This condition will be considered null and void if the City adopts a new local street standard with rolled curbs, and that the subdivision has the same matching street construction standard and right-of-way width prior to the plat recordation.
4. Owner/Developer shall grant a full street width utility easement to the City of Yuma on the final plat if the streets remain private as noted above.
5. Owner/Developer shall provide a 6-foot-tall solid subdivision wall around the perimeter of the development per City of Yuma construction standard 1-010, or similar design as sealed by a registered civil or structural engineer certifying that it will stand up to current code wind and seismic loads.
6. At the time the preliminary subdivision plat is submitted, the Owner/developer shall submit a Traffic Impact Statement providing the peak hour traffic count based on the Trip Generation Manual from the Institute of Transportation Engineers, sealed by an Arizona Engineer with traffic experience. Development conditions per ARS 9-462.01.
7. The common area/retention basin shall be designed to include the following amenities:
  - a. Landscaping in a cohesive manner throughout retention basin (Tract A), amenity area (Tract B), midblock walking path (Tract C), and Tract D.
  - b. Landscaping in retention basin, amenity area (Tract B), midblock walking path (Tract C), and Tract D to be installed prior to the closing of the first residence.
  - c. 5-foot walking path in Tract C connecting to amenity area (Tract B).
8. Front yard irrigation, artificial grass, a 15-gallon tree, and 4 shrubs for each unit shall be installed as a phased installation project, not to exceed 10 completed units.
9. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.

**ATTACHMENT D  
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 1/31/2025
- **300' Vicinity Mailing:** 1/6/2025
- **34 Commenting/Reviewing Agencies noticed:** 1/9/2025
- **Site Posted on:** 1/18/2025
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 2/24/2025
- **Comments due:** 1/20/2025

<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	1/9/2025	X		
Yuma County Engineering	NR				
Yuma County Public Works	YES	1/10/2025	X		
Yuma County Water Users' Assoc.	YES	1/10/2025	X		
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 Game and Fish	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	1/13/2025			X
Ft. Yuma Quechan Indian Tribe	YES	1/13/2025	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	NR				
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	1/22/2025			X
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT E  
AGENCY COMMENTS**

<input checked="" type="checkbox"/> COMMENT <input type="checkbox"/> NO COMMENT
<i>Enter comments below:</i>
There is a potential conflict with our GLA - SON 69kV line, please have the developer reach out to WAPA prior to proceeding.
DATE:                    1/13/25                    NAME: Leslee Beckett                    TITLE: Realty Specialist
AGENCY:                Western Area Power Administration
PHONE:                 6026052846
RETURN TO:            Erika Peterson Erika.Peterson@YumaAZ.gov

Follow-up email from Leslee Beckett dated 1/23/2025:

<p>Erika</p> <p>I spoke with Christopher yesterday. If there project is at least 400 ft from WAPA right of way, there would not be a problem.</p> <p>Sincerely,</p> <p><b>Leslee Beckett   Realty Specialist</b> Western Area Power Administration   Desert Southwest Region ☎(O) 602.726.5270 (C) 602.762.6250 <a href="mailto:Beckett@wapa.gov">Beckett@wapa.gov</a></p> 
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<input checked="" type="checkbox"/> Condition(s) <input type="checkbox"/> No Condition(s) <input type="checkbox"/> Comment
<i>Enter conditions here:</i>
The subject parcel is located approximately 2.5 miles from the Barry M. Goldwater Range West (BMGRW) northern boundary. It is requested that Avigation and Range Disclosure Statements be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, BMGR-W and its associated flight paths. Please send a copy of the recorded statements to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comm
DATE:                    20 Jan 2025                    NAME:                    Mary Ellen Finch                    TITLE: Community Liaison Officer
CITY DEPT:             MCAS Yuma
PHONE:                 928-269-2047
RETURN TO:            Erika Peterson Erika.Peterson@YumaAZ.gov

**ATTACHMENT F  
NEIGHBORHOOD NOTIFICATION LIST**

<b>Property Owner</b>	<b>Mailing Address</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
#1 GYM LLC	1401 W PARKWAY DR	YUMA	AZ	85364
ALON 2017 FAMILY TRUST 2-3-2017	10023 REOLA DR	LAKESIDE	CA	92040
BARRAZA SANTOS	516 S ASHFORD AVE	BLOOMINGTON	CA	92316
CASAREZ ARTURO DE JESUS & ROSA	7962 E 34TH PL	YUMA	AZ	85365
CHACON HECTOR JR	7828 E 34TH PL	YUMA	AZ	85365
CIELO VERDE APARTMENTS LLC	1334 S 5TH AVE	YUMA	AZ	85364
CORONADO ALDO	7815 E 34TH PL	YUMA	AZ	85365
DHG LLC	1670 W MAIN ST	SOMERTON	AZ	85350
DHG LLC	1670 W MAIN ST	SOMERTON	AZ	85350
DHG LLC	1670 W MAIN ST	SOMERTON	AZ	85350
DHG LLC	PO BOX 2986	SOMERTON	AZ	85350
DHG LLC	1670 W MAIN ST	SOMERTON	AZ	85350
DHG LLC	1670 W MAIN ST	SOMERTON	AZ	85350
DHG LLC	1670 W MAIN ST	SOMERTON	AZ	85350
DPL LLC	300 W 22ND PL	YUMA	AZ	85364
DPL LLC	300 W 22ND ST	YUMA	AZ	85364
FLECK KELLY LYNN	7827 E 34TH PL	YUMA	AZ	85365
GONZALEZ PEDRO & KARINA	7804 E 34TH PL	YUMA	AZ	85365
GUTIERREZ PAUL & ITZEL	3418 S SAGE AVE	YUMA	AZ	85365
HERNANDEZ YUNKIN YUMIKO	7899 E 34TH PL	YUMA	AZ	85365
HEWITT RICHARD SCOTT & WILLIAM FRANCIS II	2569 E COUNTY 15TH ST	YUMA	AZ	85365
JACOBSON COMPANIES INC AZ CORP	1334 S 5TH AVE	YUMA	AZ	85364
JACOBSON COMPANIES INC AZ CORP	1334 S 5TH AVE	YUMA	AZ	85364
JACOBSON COMPANIES INC AZ CORP	1334 S 5TH AVE	YUMA	AZ	85364
JACOBSON COMPANIES INC AZ CORP	1334 S 5TH AVE	YUMA	AZ	85364
KNAM & D CONSTRUCTION LLC	PO BOX 2865	SAN LUIS	AZ	85349
KNAM & D CONSTRUCTION LLC	PO BOX 2865	SAN LUIS	AZ	85349
LA VIDA SECA LLC	4575 W COVERED WAGON WAY	YUMA	AZ	85364
MARICHI MARIA ANTONIETA	7887 E 34TH PL	YUMA	AZ	85365
RAMOS CESAR A	7864 E 34TH PL	YUMA	AZ	85365
RIOS OMAR JOEL & NANCY A	7913 E 34TH PL	YUMA	AZ	85365
ROBLES ELLIOT IVAN	3426 S SAGE AVE	YUMA	AZ	85365
RODRIGUEZ ANTONIO	7863 E 34TH PL	YUMA	AZ	85365
SANTANA 142 RE HOLDINGS AZ LLC	340 PALLADIO PKWY STE 521	FOLSOM	CA	95630
TATE STEPHANIE	7926 E 34TH PL	YUMA	AZ	85365
TROPIC ENTERPRISES LLC	3208 S AVE 8E	YUMA	AZ	85365

TROPIC ENTERPRISES LLC	3208 S AVE 8E	YUMA	AZ	85365
TUMBAGA SABRINA	1670 W MAIN ST	SOMERTON	AZ	85350
UGARTE ONELIA AVILA	7893 E 34TH PL	YUMA	AZ	85365
VALENCIA MARTIN & SYLVIA	7907 E 34TH PL	YUMA	AZ	85365
VALENZUELA NANCY V	7852 E 34TH PL	YUMA	AZ	85365
YUMA DEVELOPMENT ONE AZ LLC	PO BOX 1417	FORT GIBSON	OK	74434



ATTACHMENT H  
AERIAL PHOTO



Subject Property