



AGENDA ITEM REVIEW
Community Development Department

**Staff Report to the City of Somerton
Planning and Zoning Commission**

**Case # P02-17
Preliminary and Final Plat for
Townhomes at Somerton Square**

Hearing Date: January 3, 2018

Presented by: Carmen Juarez, CDD

Report Date: December 27, 2017

Project Description: Request to review and approve a Preliminary and Final Subdivision Plat for Townhomes at Somerton Square. A subdivision of ten lots to build townhomes and one tract for storm water runoff (retention basin).

I. PROJECT DATA

Project General Location:	Northwest corner of Musgrove Ave. and Spring St.
Parcel Number(s):	743-63-037
Current Address:	146 E. Spring St
Property Owner:	House of Contractors, LLC
Owner's Agent:	Fernando Villegas
Zoning of the Site:	Multi-Family Residential-3 (R-3)
Existing Land Use(s) on the Site:	Vacant apartment complex
Surrounding Zoning and Land Uses:	
North:	Government / Public Facilities
South:	R-3 and C-1 / High Density Residential and Commercial
East:	R-3 / High Density Residential
West:	R-3 / High Density Residential
Related Actions or Cases:	Code enforcement related to conditions of existing buildings.
Land Division Status:	Legal Parcel of Record
Flood Plain Designation:	Zone X

II. GENERAL PLAN

Land Use Plan	High-Density Residential (HDR)
Circulation Element: Roadway of Regional Significance: Collector Roadway: Local Streets: Traffic signal:	Main Street / U.S. Highway 95 Somerton Avenue, Bingham Avenue Spring Street, Musgrove Avenue Somerton Avenue and Main Street.
Parks and Recreation Element: Nearest Park:	Joe Munoz Park and future Centennial Park
Pedestrian Trail and Pathway System:	Shared use pathway along Main St., Avenue E and the future construction on the east side of Somerton Ave.

III. SCHOOLS

School District: Elementary Schools: Middle School: High School:	Somerton School District Valle del Encanto Elementary School Tierra Del Sol Elementary School Desert Sonora Elementary School Orange Grove Elementary School Somerton Middle School Cibola / Kofa High Schools (Yuma Union High School District)
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Public Notices:

Legal ad Published: The Yuma Sun on December 2, 2017
300' Vicinity Mailing: November 30, 2017
Posting on Property: November 30, 2017

Background and Description of the Site:

This parcel of land was originally part of the Company Addition to Somerton Subdivision as the plat was recorded in 1915.

This property is the site of the former Willy Woon Apartment Complex which had to be vacated earlier this year due to the structural and unsafe conditions of all buildings.

As of today, the site holds several vacant and blighted buildings that contribute to increase criminal activity in the area.

Fernando Villegas on behalf of House of Contractors, LLC has submitted a Preliminary and Final Plat applications for APN 743-63-037, located at 146 E.

Spring Street. Because of the size of the project, staff is presenting both plats concurrently for Council's review and possible approval.

This property is bounded on the North by George Street, on the South by Spring Street, on the West by the El Jardin Apartment complex and to the East by residential dwelling units.

This project is considered an infill development. Infill is the process of developing vacant or under-utilized parcels or rehabilitating buildings located within existing urban areas. Infill sites are located within the service areas of existing infrastructure such as streets, utilities, fire protection and parks. Infill developments often pose challenges as the utilities and services were installed long before the design of the new development was completed and in most instances, the new design must accommodate to the existing layout of utilities and services.

The applicant proposes to develop a ten (10) lot, high density townhome subdivision on the site with one (1) tract for storm water retention basin. The current zoning is Multi-Family Residential-3 (R-3) (10-20du/ac), as shown on the official Zoning Map, does conform to the City of Somerton General Plan.

The development density of 10 dwelling units will yield nearly 43 people (4.3 persons/household).

The owner is asking for approval of the Preliminary/Final plan for ten lots to develop ten townhomes.

Land Use:

The General Plan land use designation for this property is High Density Residential (HDR) (10-20 units per acre).

R-3 Zoning on this property is compatible with the property's land use designation. This property is located within the Growth Area portion of the Land Use Element of the General Plan, and is surrounded by existing infrastructure and services.

Circulation:

Musgrove Avenue, George Street and Spring Street are classified as Local Roadways in the City's General Plan, with a minimum 50' ROW.

Somerton Avenue and Bingham Avenue are classified as Collector Roadways as defined in the City's General Plan, requiring a minimum 80' ROW width. Main Street/Hwy 95 is classified as Roadway of Regional Significance.

The proposed development will not increase the impact to any of these streets as the number of dwelling units being proposed are less than the number of apartment units that were occupied at this site.

No new roadways are being proposed for this development. Public Works Department is currently working on the reconstruction of George St. and Musgrove Ave. as part of the East George Street Reconstruction Project which consists of pavement replacement and in some sections, new curb, gutter, sidewalks and drainage.

Parks and Open Space:

The total amount of recreation and open space required by the City of Somerton Zoning Ordinance within the Townhomes at Somerton Square Development will be approximately .19 Acres, Section 4.4.2 Table 4.4-1 of the Zoning Ordinance requires 20% of net project/lot area to be open space and Section 4.4.2, Table 4.4-2 requires 5% of this 20% to be usable open space. The Developer is proposing the required 20% of open space/retention basin. Due to the size and layout of this project, in lieu of the required 5% usable open space, staff is requesting the developer to contribute financially or in-kind to the construction of the future Centennial Park located across the street from this proposed project, with an amount equal to the cost (including labor and material) of the required 5% usable open space area. The cost amount will be submitted by the applicant as part of their Engineer cost report and reviewed and approved by the Parks and Rec. Department.

Airport Development/Air Space Encroachment:

The property is located outside the High Noise or Accident Potential Zone as that term is defined in A.R.S. § 28-8461. A Request for comments was sent to MCAS on November 8, 2017. A No Comment response was received from MCAS on November 9, 2017.

Sewer and Water:

Water connection: is readily available to serve this project. Connection to an existing water main will be along Musgrove Avenue.

Sewer connection: Sewer connection is available by connecting this project to an existing sewer line located on the alleyway west of this property.

Storm Water:

The developer is proposing one tract of land to be designed as private retention basin to serve the ten (10) townhomes. Maintenance of this retention basin will be the sole responsibility of the future owners of the ten townhomes as stated in the Covenants, Conditions and Restrictions (CC&Rs) to be recorded with the Final Subdivision Plat and disclosed as part of the escrow documents.

Water Conversion:

The City and the Yuma County Water User's Association (YCWUA) have entered into an agreement to allow the City to be named the delivery agent of the water entitlements for lands within the Yuma Valley. An Application to Convert an Irrigation Use Water Right to domestic use will be required to be submitted and approved prior to the recordation of the final plat for Townhomes at Somerton Square Subdivision.

Response from the Public:

No comments were received for this project.

Staff Recommendation:

*Staff recommends that the Planning & Zoning Commission recommends to the City Council conditional **APPROVAL** of the Preliminary/Final Plat of Townhomes at Somerton Square Subdivision (See Exhibit A), subject to the conditions outlined in Exhibit B, because it conforms to the City General Plan and is consistent with the uses on adjoining properties.*

Exhibits:

- A. Preliminary and Final Plats
- B. Conditions of Approval
- C. Zoning and location Map
- D. Additional information submitted by the developer

FINAL PLAT

TOWNHOMES AT SOMERTON SQUARE

LOTS 1 THROUGH 10
A SUBDIVISION OF BLOCK 12, LOTS 1-6 OF COMPANY
ADDITION TO SOMERTON, RECORDED IN BOOK 1 OF
PLATS, PAGE 71 IN THE YUMA COUNTY RECORDER,
BEING A PORTION OF THE SE $\frac{1}{4}$, SECT. 34, T9S, R24W,
G. & S.R.B. & M. YUMA COUNTY, ARIZONA.

DATE OF PREPARATION - OCTOBER 2017

GROSS ACREAGE - 0.9625 ACRES

BOOK _____
PAGE _____

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS:
THAT HOUSE OF CONTRACTORS, LLC, HAS CAUSED A PORTION OF THE SE $\frac{1}{4}$, SECTION 34, T9S, R24W,
G. & S.R.B. & M. YUMA COUNTY, ARIZONA, AS PLATTED HEREON, TO BE SUBDIVIDED INTO LOTS AND
BLOCKS UNDER THE NAME OF "TOWNHOMES AT SOMERTON SQUARE", AND HEREBY DECLARES THAT
THE ACCOMPANYING PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF SAID LOTS,
CONSTITUTING "TOWNHOMES AT SOMERTON SQUARE", AND THAT THE LOTS SHALL BE KNOWN BY THE
NUMBER GIVEN RESPECTIVELY ON SAID PLAT, AND THAT BLOCK A IS DEDICATED TO THE PUBLIC FOR
OPEN AREA AND STORMWATER RETENTION; AND THAT HOUSE OF CONTRACTORS, LLC, HEREBY
DEDICATES THE EASEMENTS FOR THE PURPOSES SHOWN HEREON.

ACKNOWLEDGMENT:

STATE OF YUMA } SS
COUNTY OF YUMA

ON THIS _____ DAY OF _____, 2017, BEFORE ME, THE
UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED HECTOR D. DIAZ WHO
ACKNOWLEDGED HIMSELF TO BE MEMBER OF HOUSE OF CONTRACTORS, LLC., AND
THAT HE, AS SUCH MEMBER BEING DULY AUTHORIZED TO DO SO, EXECUTED THE
DEDICATION INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED BY SIGNING THE
NAME OF SAID COMPANY BY HIMSELF AS MEMBER.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CERTIFICATE

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN HEREON
WAS MADE UNDER MY DIRECTION DURING OCTOBER, 2017
AND THAT THIS SUBDIVISION CONFORMS TO ALL REGULATIONS
AND REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF
THE CITY OF SOMERTON, ARIZONA.

Bruce E. Witcher
BRUCE E. WITCHER, R.L.S. NO. 10626



EXPIRES 12/31/2019

IN WITNESS WHEREOF HOUSE OF CONTRACTORS, LLC, AN ARIZONA CORPORATION,
HAS CAUSED ITS COMPANY NAME TO BE SIGNED, AS ATTESTED BY THE SIGNATURE
OF HECTOR D. DIAZ, MEMBER, THEREUNTO DULY AUTHORIZED

ON THIS _____ DAY OF _____, 2017.

HECTOR D. DIAZ,
MEMBER, HOUSE OF CONTRACTORS, LLC

SURVEYOR

WITCHER & ASSOCIATES
P.O. BOX 46992
CAMP VERDE, ARIZONA 85322

ZONING

THE CURRENT ZONING FOR THIS PARCEL IS MULTI-FAMILY RESIDENTIAL-3 (R-3)

RESTRICTIVE COVENANTS:

SHALL BE RECORDED CONCURRENTLY AND SHALL BE A PART OF THIS PLAT.

PREPARED BY:

YUMA TERRITORIAL ENGINEERING, P.C.
8849 E. TOPKIE STREET
TUCSON, ARIZONA 85715
PHONE (928) 246-9097

APPROVALS:

STATE OF ARIZONA } SS
COUNTY OF YUMA

THIS SUBDIVISION AS PLATTED HEREON HAS BEEN APPROVED
BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF
SOMERTON, ARIZONA.

MAYOR _____ DATE _____

CITY MANAGER _____ DATE _____

PLANNING & ZONING DIRECTOR _____ DATE _____

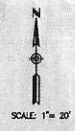
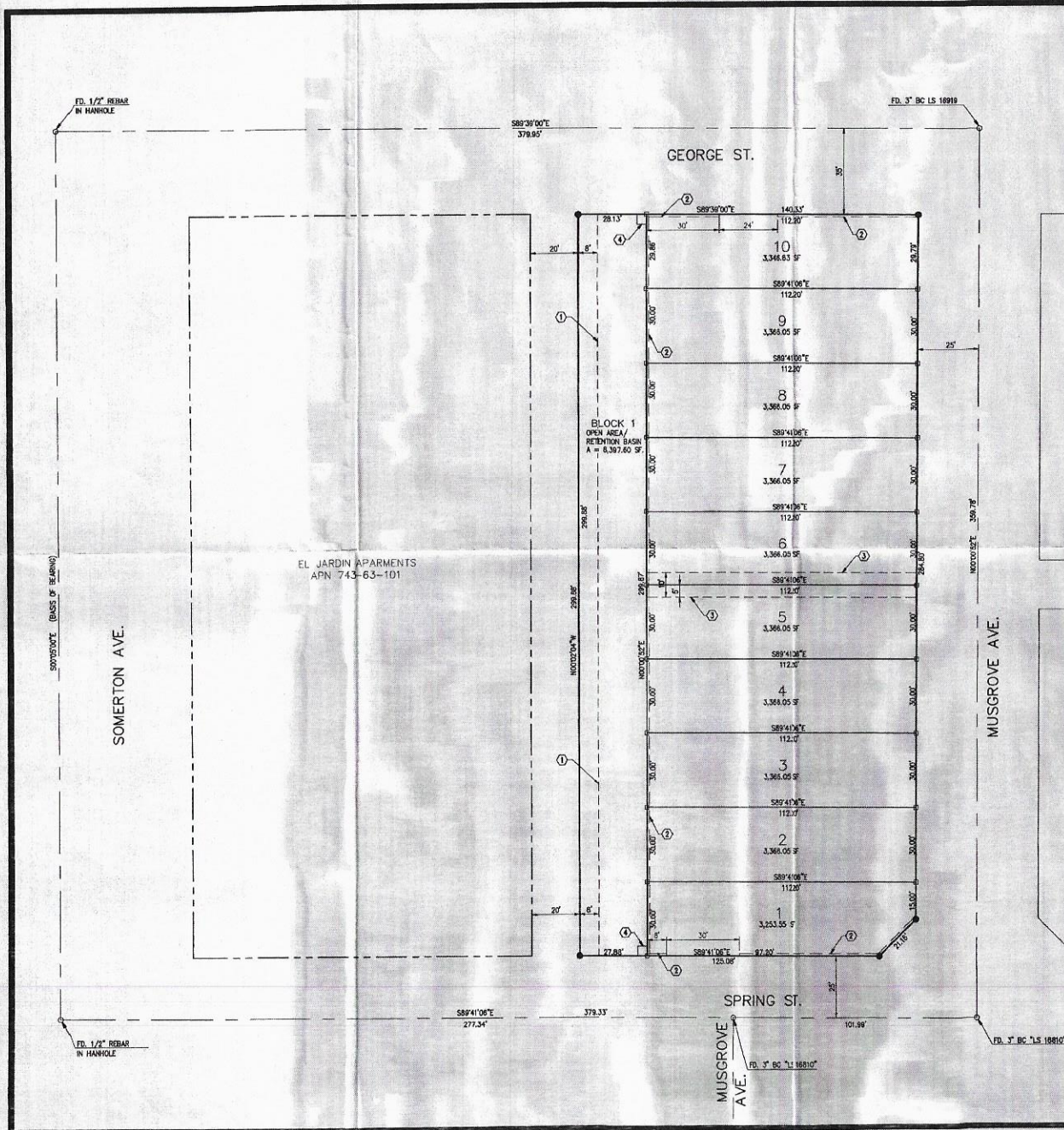
PUBLIC WORKS DIRECTOR _____ DATE _____

OWNER/DEVELOPER

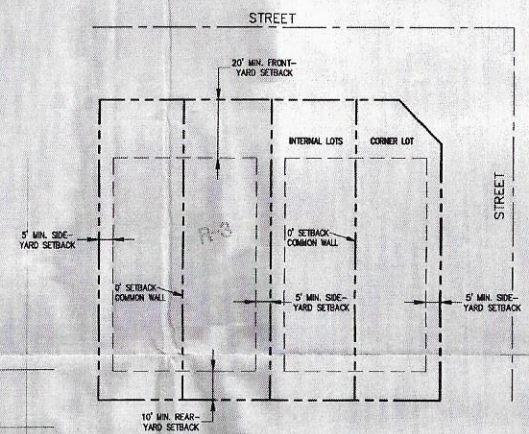
HOUSE OF CONTRACTORS LLC
AN ARIZONA CORPORATION
2881 W. CINDY LOU LANE
YUMA, ARIZONA 85365

BASIS OF BEARING

THE CENTERLINE OF SOMERTON AVENUE
BETWEEN THE FOUND 3rd REBAR IN
MANHOLE AT GEORGE STREET AND THE
FOUND 3rd REBAR IN MANHOLE AT
SPRING STREET, SAID BEARING BEING
N00°00'00"W, AS RECORDED IN BOOK 1
OF PLATS, PAGE 71.



BOOK _____
PAGE _____



TYPICAL MINIMUM YARD SETBACK DETAIL

LEGEND

- EXIST. RIGHT OF WAY _____
- LOT LINE _____
- SUBDIVISION BOUNDARY _____
- EASEMENT (TYPE AS NOTED) _____
- NEW LOT NUMBER 1
- NEW SURVEY MONUMENT NO. 4-030 ●
- FOUND SURVEY MONUMENT AS SHOWN ○
- SET 1/2" REBAR AND CAP LS 16826 □

KEY NOTES

- ① 8" PUBLIC UTILITY AND CATV EASEMENT TO BE DEDICATED UPON RECORDATION OF THIS PLAT.
- ② 1' NON-ACCESS EASEMENT TO BE DEDICATED TO THE PUBLIC UPON RECORDATION OF THIS PLAT.
- ③ 10' PUBLIC SEWER EASEMENT GRANTED TO THE PUBLIC UPON RECORDATION OF THIS PLAT.
- ④ 4" X 4" GANG MAIL BOX EASEMENT TO BE DEDICATED TO THE PUBLIC UPON RECORDATION OF THIS PLAT.



Exhibit B

Conditions of Approval For The Preliminary/Final Plat of Townhomes at Somerton Square Subdivision

The developer shall be required to comply with all City ordinances (including Zoning and Subdivision ordinances), codes, policies and standards affecting the development, construction, marketing and sale of the project in effect, as of the date of the application acceptance date for the review of this plat, which will govern the development, construction, marketing and sale of the project together with any subsequent amendments to the Development Plan and the development and use of the Property shall be subject to all other applicable City, State or Federal rules, laws or regulations.

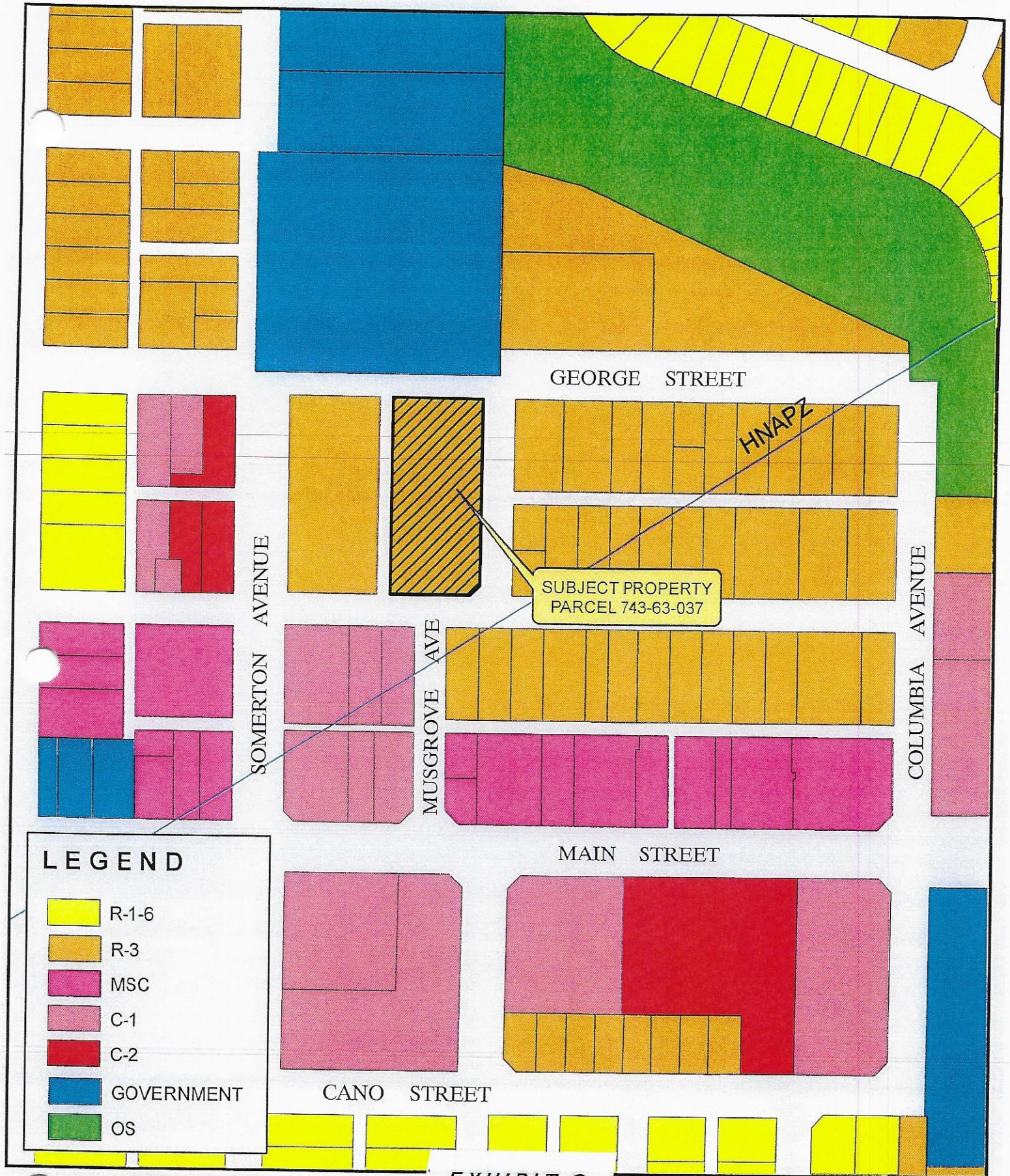
The following is a list of standard subdivision requirements. This list shall not preclude the enforcement of other standards or regulations listed in the above-mentioned Codes or requirements placed on the project by the City Council of the City of Somerton. *Some of these standard conditions may not apply to all projects.*

1. All public rights-of-way, easements, and storm water retention basins, if any, shall be dedicated to the City of Somerton upon recordation of the Final Plat for the Townhomes at Somerton Square Subdivision.
2. All sidewalks shall be installed by the developer on all public streets as per Section 10.5.4 of Subdivision Ordinance.
3. All deeds and easements must be submitted to the Department of Community Development for review and approval prior to recording a Final Plat. All dedications to be by warranty deed upon final plat recordation.
4. A six (6) foot high block wall measured from the high side of the wall shall be constructed and installed by the developer along the west property line. The design and location of the wall(s) shall be included in the improvement plans for the Final Plat and shall be approved by the Community Development Department in conformance to Section 10.5.20 of the Subdivision Ordinance.
5. Protective fence on each individual lot shall be constructed as required in Section 10.5.21 of the Subdivision Ordinance.
6. All utilities shall be constructed by the developer and shall be placed underground (gas, water, sewer, electricity, telephone, cable television) for the entire project. The developer shall install street lighting as required by the Public Works Department in general conformance to Section 10.5.15 of the Subdivision Ordinance

7. The Developer shall agree to sign and process an application to convert an irrigation use water right to domestic use and shall provide to the City of Somerton, prior to recordation of the Final Plat, written evidence that the water entitlement associated with this property is converted from irrigation to domestic use by the Yuma County Water Users Association. A portion of the converted water may be retained for landscaping if flood irrigation facilities are provided. This delivery system would be the responsibility of the property owners to maintain.
8. Fire hydrants shall be installed by the developer as per the City of Somerton Fire Code.
9. Improvement plans for all public facilities are subject to the approval of the City of Somerton Department of Public Works and the City Engineer and shall conform to City of Yuma, Yuma County and City of Somerton construction standards currently in force.
10. Storm-water runoff on the property will be managed with a retention basin located on a separate tract of land within this development.
11. if applicable, Covenants and Restrictions (2 copies), if any, must be submitted and approved by the Community Development Department prior to the recordation of the Final Plat.
12. Assurances for Completion and Maintenance of Improvements shall be submitted by the Developer as required in Section 10.4.1 of the Subdivision Ordinance.

Additional Conditions for Townhomes at Somerton Square Subdivision:

1. The Developer is proposing the 20% of open space required in Section 4.4.2, Table 4.4-1 of the Zoning Ordinance be provided within this development in the form of a retention basin located along the west side of the property. However, in lieu of the 5% usable open space required in Section 4.4.2, Table 4.4.2 of the Zoning Ordinance, the Developer shall make a financial or in-kind contribution to the future Centennial Park to be located across the street to the north. This contribution shall be equal to the cost (including labor and material) of the required 5% for usable open space. The total dollar amount shall be reviewed and approved by the Parks and Recreation Department and shall be made prior to the recordation of the final plat for the Townhomes at Somerton Square Subdivision.



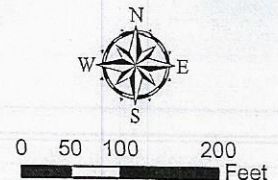
LEGEND

- R-1-6
- R-3
- MSC
- C-1
- C-2
- GOVERNMENT
- OS

EXHIBIT C

CASE # P02-17
PRELIMINARY PLAT
TOWNHOUSES AT SOMERTON SQUARE


CITY OF SOMERTON
COMMUNITY DEVELOPMENT
143 N. STATE AVE
(928) 722-7399
SOMERTON, AZ 85350



2017

TOWNHOMES AT SOMERTON SQUARE
Somerton-Arizona

Subdivision
Development Proposal
October 27, 2017



TOWNHOMES AT SOMERTON SQUARE

795 N. Marshall Loop Road Somerton Arizona 85350
(928) 271-1905

EXHIBIT D

October 27, 2017

City of Somerton
Department of Development Services
PO BOX 638
110 N. State Avenue
Somerton Arizona 85350

RE: Townhomes at Somerton Square-Subdivision Proposal

To whom it may concern:

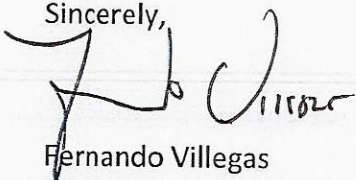
I am please to present to you this 'Development Proposal' Townhomes at Somerton Square in the City of Somerton. The project will consist of 10 lots, for the construction of townhomes with three bedroom units 1,100 square feet in size with a detached 2 car garage.

I have been developing small affordable infill projects in Somerton since 2007. In all the projects existing old deteriorating houses are demolished improving and enhancing the existing conditions of the area.

Therefore, in order to improve and enhance the existing site, I am providing you with this package for your review to see how I addressed the site design. I went through numerous design schemes to arrive at a design that worked best for the site as well as for the community, the surrounding neighborhood and the future residents.

If you have any questions or need more information please call and I look forward to working with you on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Villegas", is written over a horizontal line.

Fernando Villegas

Agent

795 N. Marshall Loop Road Somerton Arizona 85350
(928) 271-1905

a

Design & Development Proposal

for

Townhomes at Somerton Square

Townhome Project

Multi-Family Residential

prepared for

The City of Somerton

Department of Development Services

by

Fernando Villegas

795 N. Marshall Loop Road Somerton Arizona 85350
(928) 271-1905

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- * Site analysis plan and existing conditions of the property

Section 2

Proposed Project

- * Description of project including a narrative of the project and a design summary

- * Site plan concepts of proposed project

- * Font elevations

Section 1

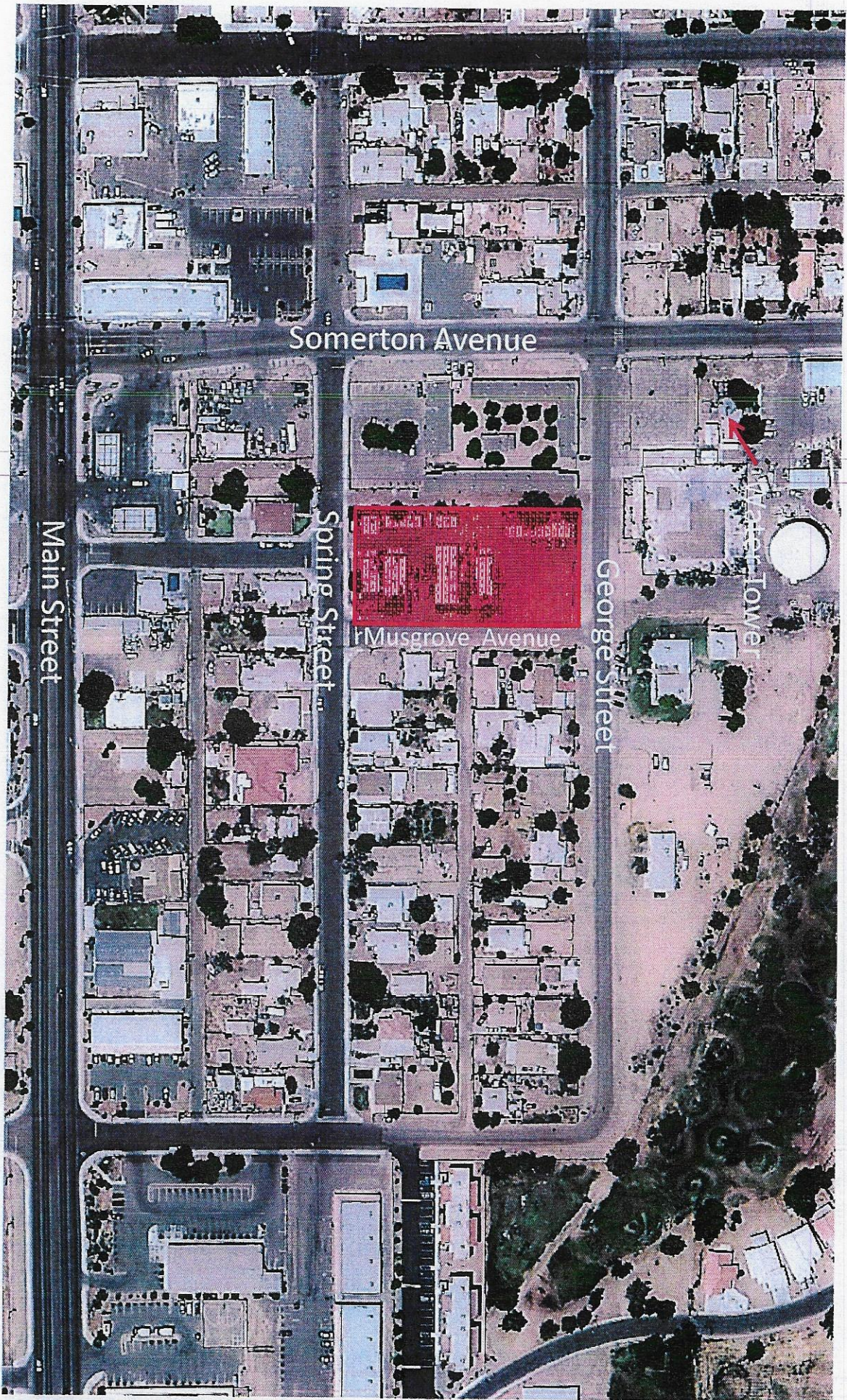
Subject Site

795 N. Marshall Loop Road Somerton Arizona 85350
(928) 271-1905



05/17/05	CREATED BY CP
12-14-05 5:23	ADULT PAREL LINES
12-14-05 5:23	PR 103.34 8006.83740.00.01
12-14-05 5:23	BOOK P-000.007
12-21-05 5:23	0054-0004 000 000
08-23-05	0054 0058-100
11-23-05	RAW OF 0728
11-23-05	RAW OF 072
11-23-05	RAW OF 003
11-23-05	RAW OF 043
11-23-05	RAW OF 0728
11-23-05	RAW OF 0728
11-23-05	RAW OF 043

BOOK 743
MAP 63
SHEET 01



Section 2

Proposed Project

795 N. Marshall Loop Road Somerton Arizona 85350
(928) 271-1905

Description of Development

Narrative

Townhomes at Somerton Square Project is located in the northwest corner of Spring Street and Musgrove Avenue in Somerton Arizona. This residential area was established in 1916 and it is no longer a desirable location for families who wish to live within a walking distance from Main Street, the post office, and the new City Hall. This area is in need of new housing development since the majority of the existing dwelling units in the neighborhood have been deteriorating over time. In addition, the existing conditions have reduced the value of the properties and the interest of some developers to develop in the area.

The subject property has an unique location in Somerton only a few properties have the privilege of having this type of location with an unique view of the Somerton Water Tower. The existing apartments on the subject property were built in the 1940's and they will be demolished as part of this project.

In order to provide needed housing and utilize the existing infrastructure of the area, the townhome project will require the approval of a subdivision plat. The subdivision consists of 10 lots with 20% of the property to be used for retention basin or open space as requested by City staff. The zoning allows the construction of apartments; however, as developers we had made the determination to improve and enhance the existing site with townhomes.

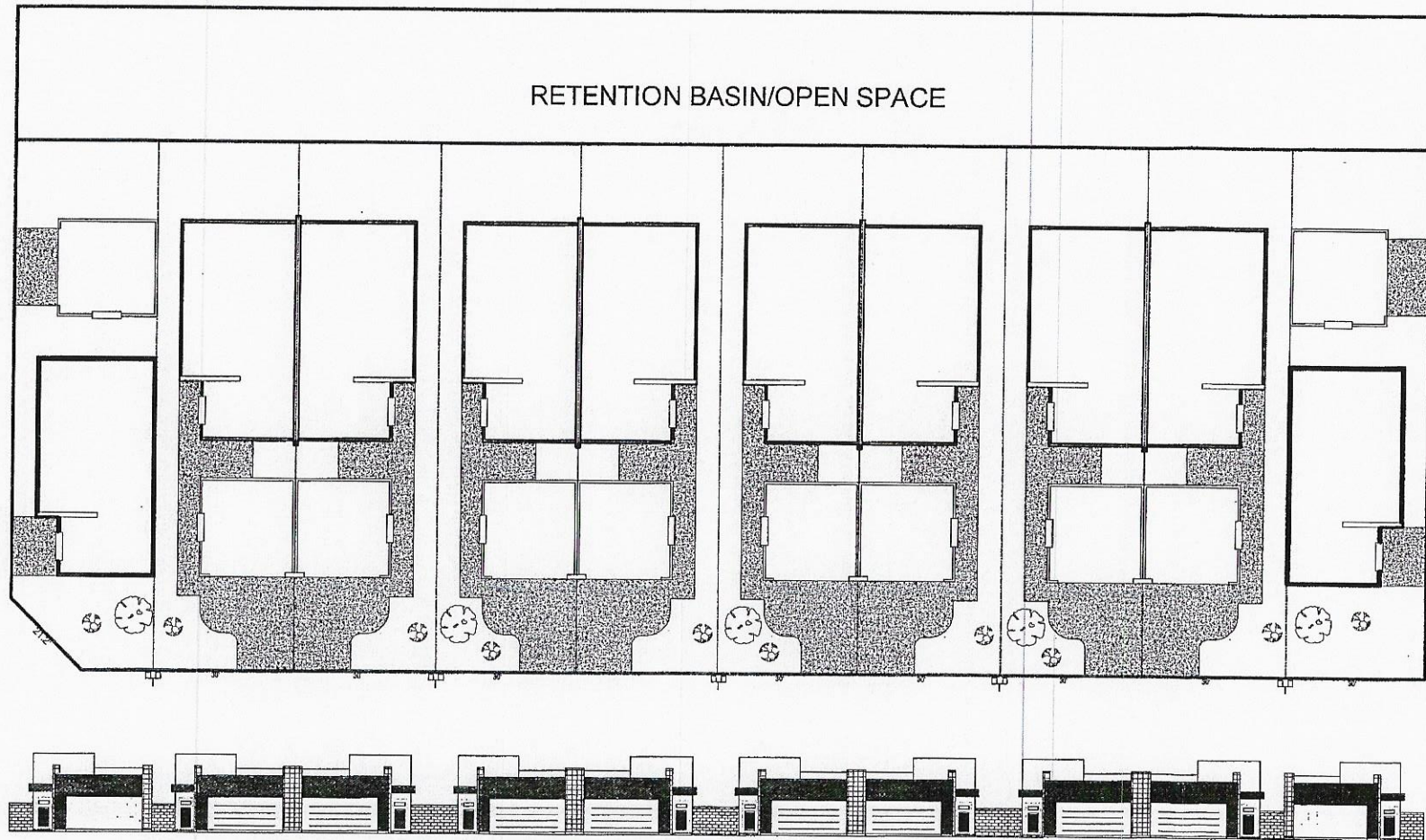
Design Features

Townhomes at Somerton Square Project site design is proposing to demolish the existing old apartments for the construction of the townhomes. As you know, adjacent streets are being improved by the City and we are coordinating this project with City staff. The water meters needed for this project will be installed during the reconstruction of Musgrove Avenue.

The design will provide share driveways for 8 townhomes, one driveway for every 2 townhomes and side entrance for the 2-corner lots. Each lot will have a detached 2 car garage and a courtyard between the garage and the unit. The front facade of the buildings will have an unique modern look with exterior veneer stones and modern garage doors.

Market

This project is designed to attract a market that will bring residents closer to downtown Somerton. This project provides housing within walking distance to all the available services and stores.



TOWNHOMES AT SOMERTON SQUARE