



AGENDA ITEM REVIEW

Community Development Department

Staff Report to the City of Somerton Planning and Zoning Commission

Case # PLN18-00014 Preliminary Plat for Valle del Sol Phase 3 Subdivision

Hearing Date: September 17, 2018

Presented by: Carmen Juarez, CDD

Report Date: September 6, 2018

Project Description: Request to review and approve a Preliminary Subdivision Plat for Valle del Sol Phase 3. A subdivision of seventy (70) lots to build single-family residences and one (1) tract for storm water runoff (retention basin) in a Single-Family Residential-6 (R-1-6) zoning district.

I. PROJECT DATA

Project General Location:	Northwest corner of Bingham Ave. and 12 th St.
Parcel Number(s):	752-32-026 and 752-32-028
Current Address:	
Property Owner:	Linton Management Inc, CA Corp.
Owner's Agent:	Vianey Vega, P.E.
Zoning of the Site:	Single-Family Residential-6 (R-1-6)
Existing Land Use(s) on the Site:	Low Density Residential (LDR)
Surrounding Zoning and Land Uses:	
North:	R-1-8 / Low Density Residential
South:	R-1-6 / Low Density Residential
East:	AG20 / Agriculture-Industrial
West:	R-1-6 / Low Density Residential
Related Actions or Cases:	Rezoning Case #Z01-17, Lot split Case #LS01-07, Subdivision Final plat #P07-07, Rezoning Case #Z02-06
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:	Main Street / U.S. Highway 95
Collector Roadway: Local Streets: Traffic signal:	Bingham Avenue, Co. 17 th Street 13 th Place, 12 th Street Bingham Avenue and Main Street.
Parks and Recreation Element: Nearest Parks:	Joe Munoz Park and Centennial Park
Pedestrian Trail and Pathway System:	Shared use pathway along Avenue E from Main St to Co. 17 th St and the future construction on the section along Co 17 th St from Ave. E to Bingham Ave.

III. SCHOOLS

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

Public Notices:

Legal ad Published: The Yuma Sun on September 1, 2018
300' Vicinity Mailing: August 31, 2018
Posting on Property: September 3, 2018

Background and Description of the Site:

This parcel of land was originally part of the Valle del Sol Phase 3 Subdivision as it was approved by Council in 2006 to build fifteen one-acre lots and one five-acre tract for retention basin/open space. Although this subdivision was approved and certain improvements were installed, it was never approved or accepted by the City.

Prior to the plat approval in 2006, a rezoning of land was also approved in 2006 changing from Agriculture to Suburban Ranch. A lot split was recorded in 2007 dividing the parcel into three separate parcels.

Separate rezoning processes were approved in 2017 changing the zoning from Suburban Ranch to R-1-6 for all three parcels.

Vianey Vega of Vega & Vega Engineering, PLC on behalf of Linton Management, Inc CA Corp. has submitted a Preliminary Plat application for APN 752-32-026 and 752-32-028, proposing to develop a seventy (70) lot, low density residential subdivision on the site with one (1) tract for storm water retention basin. The current zoning is Single-Family Residential-6 (R-1-6) with a required minimum lot size of 6,000sf, as shown on the official Zoning Map, does conform to the City of Somerton General Plan Land Use Designation, therefore an amendment to the General Plan is not required.

This property is bounded on the North by low density residential development, on the South by a vacant parcel that is in the process of approval for a residential subdivision, on the West by Bingham Ave. and on the East by Avenue E/City's Shared used pathway.

The development density of 70 dwelling units will yield nearly 301 people (4.3 persons/household).

The applicant is asking for approval of the Preliminary plat for seventy (70) lots to develop single-family detached residences.

Land Use:

The General Plan land use designation for this property is Low Density Residential (LDR) (1-6 dwelling units per acre).

R-1-6 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 there is existing infrastructure and services available to this proposed subdivision.

Circulation:

The proposed development includes the extension and alignment of existing streets in the area adjoining the subdivision as required by the Subdivision Ordinance. Cholla Avenue, 12th Street, 12th Place, 13th Street and 13th Place are classified as Local Roadways in the City's General Plan, with a minimum 50' ROW.

Five new sections of local roadways are being proposed within this development, extending existing Cholla Ave to the south, and 12th St and 12th Place to the east. which will be built to a full width within the subdivision and a half-street is being proposed to extend 13th Street and 13th Place which will align to the future Valle del Sol Phase 4, adjacent to the south of this proposal.

Public Works and Fire Departments have reviewed the proposed preliminary plat and have no objection to the proposed street/circulation plan.

County 17th Street, 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 significantly increase the impact to any of these streets.

Parks and Open Space:

Revised Section 4.4.2 Table 4.4-1 of the Zoning Ordinance requires new residential development to provide drainage facilities and pathway improvements if development is adjacent to sections of pathway as per the Pathway Masterplan.

In order to fulfill this requirement, the Developer is proposing a one-tract retention basin, for drainage capacity, with an area of 36,608.54sf be located on the north boundary of the subdivision.

Since the improvements of the section of Shared Use Pathway immediately adjacent to the property on the east boundary have already been installed, the City has required the developer to install amenities on the proposed retention basin similar to the existing on Valle del Sol Phase 1 for the residents to utilize as a park/open space. These amenities shall be reviewed and approved by Parks and Rec. Department prior to installation.

Airport Development/Air Space Encroachment:

This property is located inside 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 in December 2016 while working on the rezoning case and MCAS issued a letter dated December 12, 2016 not objecting to this development. A second request for comments as part of the subdivision process was received on September 10, 2018 with specific conditions but since an approval letter was issued in 2016, MCAS has no further objection or condition other than what their approval letter requires. (Refer to Exhibit D).

Sewer and Water:

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

Sewer connection: Sewer connection is readily available to serve this project. Connection to an existing sewer line will be along Bingham Ave.

Storm Water:

The developer is proposing one tract of land on the north side of the subdivision to be dedicated to the City upon recordation of the final plat. This tract shall be improved and in compliance with the requirements of the Zoning and Subdivision Code.

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.

Improvement Districts:

The Developer must agree to apply to submit this subdivision to the terms of the creation of a Subdivision Street Lighting Improvement District and an Enhanced Municipal Services District for the purpose of charging for the use and maintenance of public lighting facilities and maintenance of retention basin/open space areas.

Response from the Public:

No comments from the public were received for this project. MCAS-Yuma response to the request for comments is included in this report as Exhibit D.

Staff Recommendation:

Staff recommends that the Planning & Zoning Commission recommends to the City Council conditional **APPROVAL** for the Preliminary Plat of Valle del Sol Phase 3 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 Plat
- B. Conditions of Approval
- C. Zoning and location Map
- D. Response to Request for Comments

A SUBDIVISION OF PARCELS "D" & "F" OF VALLE DEL SOL LOT SPLIT No. 2, AS RECORDED IN BOOK 23 OF PLATS, PAGES 45 & 46, Y.C.R.O., YUMA COUNTY ARIZONA, AND ALSO BEING A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 3, T10S, R24W, G. & S. R. B. & M. YUMA COUNTY, AZ.
AUGUST 2018 ACREAGE: 14.85 AC (GROSS)

VALLE DEL SOL PHASE 4 BOOK 24, PAGES 2-3, Y.C.R.

RETENTION BASIN / TRACT "A"

12TH STREET

13TH STREET

14TH STREET

15TH STREET

16TH STREET

17TH STREET

18TH STREET

19TH STREET

20TH STREET

21ST STREET

22ND STREET

23RD STREET

24TH STREET

25TH STREET

26TH STREET

27TH STREET

28TH STREET

29TH STREET

30TH STREET

31ST STREET

32ND STREET

33RD STREET

34TH STREET

35TH STREET

36TH STREET

37TH STREET

38TH STREET

39TH STREET

40TH STREET

41ST STREET

42ND STREET

43RD STREET

44TH STREET

45TH STREET

46TH STREET

47TH STREET

48TH STREET

49TH STREET

50TH STREET

51ST STREET

52ND STREET

53RD STREET

54TH STREET

55TH STREET

56TH STREET

57TH STREET

58TH STREET

59TH STREET

60TH STREET

61ST STREET

62ND STREET

63RD STREET

64TH STREET

65TH STREET

66TH STREET

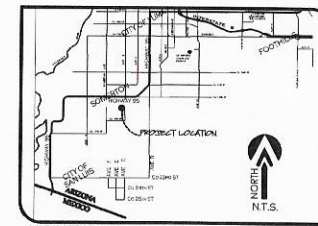
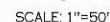
67TH STREET

68TH STREET

69TH STREET

70TH STREET

FUTURE VALLE DEL SOL PHASE 4 SUBDIVISION



LINTON MANAGEMENT, INC.
1310 STRATFORD COURT
OIL MAR, CA, 92014

THE CENTRINE OF BINGHAM AVENUE, AS SHOWN ON VALLE DEL SOL LOT SPLINE No. 2, AS RECORDED IN BOOK 23 OF PLATS, PAGES 42 & 43, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, ARIZONA.

RETNOTES

① NEW 8' UTILITY EASEMENT

② NEW 1' NON-ACCESS EASEMENT

- + PROPERTY CORNERS TO BE MARKED BY 1/2" DIAMETER REBAR TAGGED WITH CAP L.S. 16526
- + PROJECT ZONING: R-1-6

LINE NUMBER	BEARING	LENGTH (FEET)
L1	S45°00'00"E	21.21
L2	N44°57'53"E	21.21

ELABORATED BY: YNV17-100



VEGA & VEGA
ENGINEERING & PLUMBING

1846 S. 8th Avenue 928-329-0000 Tel
Yuma, Az. 85364 928-247-6232 Fax
www.vega Nevada.com

LAND SURVEYOR'S
CERTIFICATE:

CERTIFICATE.
HENTY CARRY NITAMAA LAND SURVEY LIES ON THE ROOSTER OF ACTIVE ROSEBARTS IN THE TAD-
SHAD OF BEHONAL ROSEBARTS OF ANSONA, AND THAT THIS MAP CONSIDERING OF ONE (1) ERE
CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING THE YEAR OF 2018 AND
ALL MONUMENTS IS SHOWN HEREIN ACCURATELY LIE AND THEIR POSITIONS ARE CORRECTLY SHOWN OF ALL
INFLUENCE WITHIN ONE YEAR FROM RECORDED DATE OF THIS MAP. THE MONUMENTS WILL BE SUFFICIENT TO
DISABLE THE SURVEY TO BE RECORDED. THIS SURVEY IS TRUE AND COMPLETE AS SHOWN. ALL DISTANCES ARE
SHOWN IN FEET AND DECIMAL PARTS.

BT: John C. English RLS No. 1459

EXHIBIT A

Exhibit B
Conditions of Approval For
The Preliminary Plat of Valle del Sol Phase 3 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 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.

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 Valle del Sol Phase 3 Subdivision.
2. All sidewalks shall be installed by the developer on all public streets and in compliance with the 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 perimeter on the east and south sides of the subdivision. The design and location of the wall shall be included in the improvement plans for the Final Plat and shall be approved by the Community Development Department in conformance with the Subdivision Ordinance.
5. Protective fence on each individual lot shall be constructed as required in 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 with 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 the subdivision shall be submitted with the Final Plat application and shall be subject to the approval of the City of Somerton Department of Public Works and the City Engineer.
10. Storm-water on the property will be managed with on-site retention located on Tract A of the proposed Plat. Developer must assure there is adequate storm-water retention as required in the Subdivision Code.
11. 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. Park amenities similar to VDS Phase 1 shall be installed on the proposed retention basin. Review and approval from Parks and Rec. prior to installation is required
13. the Developer must submit an application for the creation of a Subdivision Street Lighting Improvement district and an Enhanced Municipal Services District for the purpose of charging for the use and maintenance of public lighting facilities and maintenance of retention basin/open space areas.
14. The Developer must record an avigation disclosure statement recognizing the noise, interference and vibrations that may be caused by aviation activities performed at the nearby MCAS-Yuma. A copy of the recorded statement must be submitted to the City's Community Development Department and to MCAS-Yuma.
15. Noise level reduction standards must be incorporated into the construction of new residences.

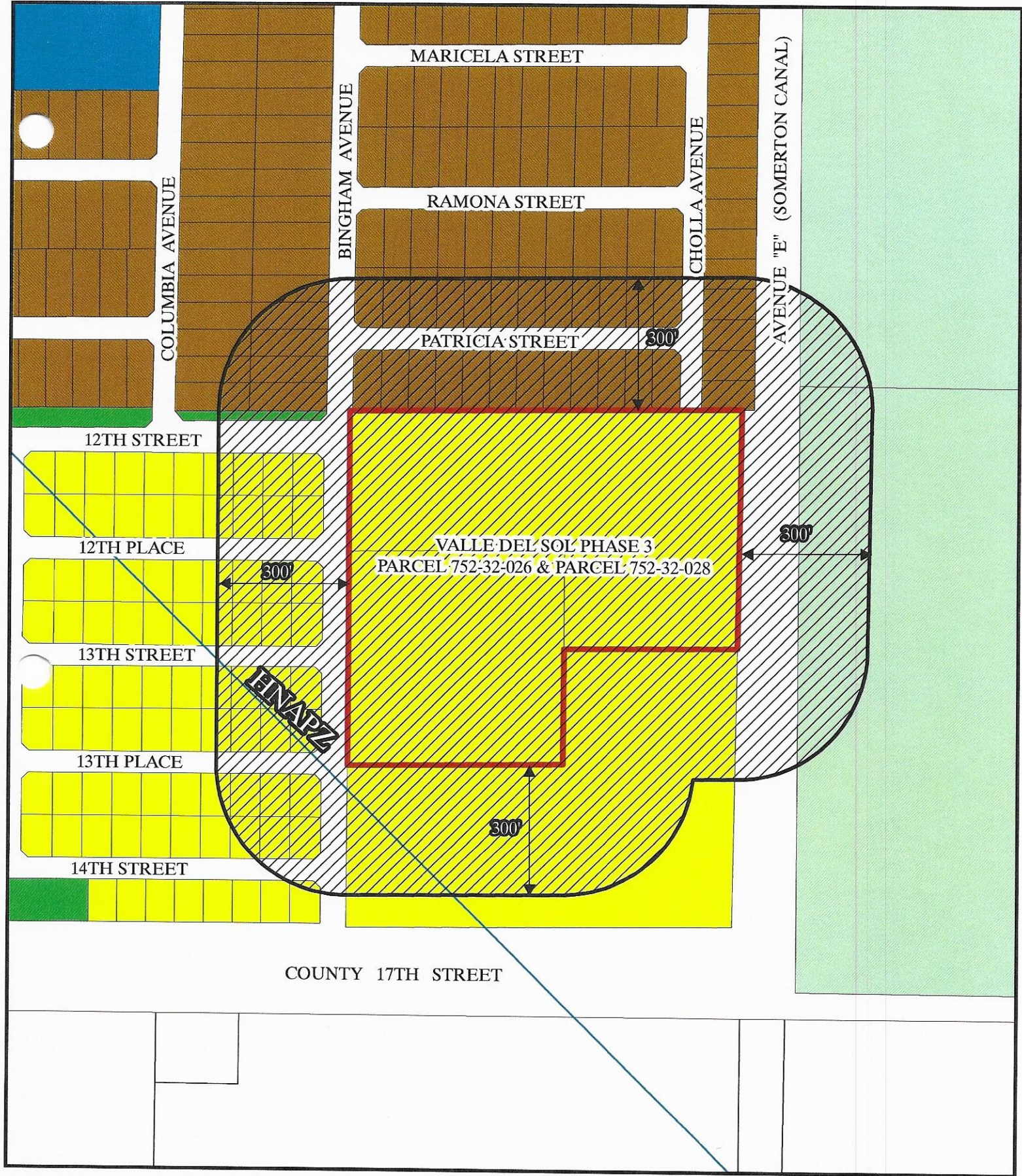


CITY OF SOMERTON
COMMUNITY DEVELOPMENT
143 N. STATE AVE
(928) 722-7399
SOMERTON, AZ 85350

LOCATION MAP
VALLE DEL SOL PHASE 3
PARCEL 752-32-026 & PARCEL 752-32-028



0 75 150 300 Feet



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

LEGEND

- | | |
|-------|------------------------------------|
| AG-20 | GOVERNMENT |
| R-1-6 | OS |
| R-1-8 | HIGH NOISE ACCIDENT POTENTIAL ZONE |



0 105 210 420
 Feet



EXHIBIT D

REQUEST FOR COMMENTS

Date: August 30, 2018

CASE NUMBER: Valle del Sol Phase 3 Preliminary Subdivision Plat PLN18-00014

CASE SUMMARY:

Vianey Vega of Vega & Vega Engineering, PLC on behalf of Linton Management, Inc. CA Corp. is requesting the subdivision of 14.85 acres of land at the northeast corner of Bingham Avenue and 12th Street, APN 752-32-026 and 752-320028, into 70 lots for a residential development in a Single-Family Residential-6 (R-1-6) Zoning District. These parcels are located inside the High Noise or Accident Potential Zone as that term is defined in A.R.S. § 28-8461.

PUBLIC HEARING: The Somerton Planning and Zoning Commission will hold a public hearing on September 17, 2018 at 6:00PM at the Somerton City hall, Council Chambers, 143 N. State Ave., Somerton, Arizona

COMMENTS DUE: Wednesday, September 12, 2018.

Your comments on this case will help us prepare an accurate and timely staff report. Your observations on this case will be inserted as is into the staff report with your name, agency, department, and telephone number, should the applicant have any questions.

Your comments are a public record and will be available to the public, media, and the applicant, in addition to the Board/Commission hearing this case. Please complete the section below and return via e-mail or Fax # (928) 627-3794.

For additional information please contact us at Community Development Department at (928) 722-7370 or at CarmenJ@cityofsomerton.com

Thank you,

Carmen Juarez
Community Development Department

Attachments:

.....
☒ COMMENT ☐ NO COMMENT

The subject parcels are located in the High Noise/Accident Potential Zone as defined by A.R.S. §28-8461 and pursuant to A.R.S. §28-8481 (F) and (P) no new residential development within a high noise or accident potential zone is allowed, unless the subject property had a building permit issued, had a residence constructed, or was approved for residential development in a "development plan" prior to December 31, 2000. If this is the case for this subdivision MCASY respectfully requests that 1. Measures to achieve an outdoor to indoor noise reduction level of 25 decibels be incorporated into the design and construction of new residences and 2. Aviation Disclosure Easements be recorded by the developer which will be in turn issued to each homeowner that recognizes 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 and its associated flight paths. In addition to being part of the HNAPZ this parcel is also located within 1/2 mile of an Approach/Departure Flight path. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil

DATE:	10 September 2018
AGENCY:	MCAS Yuma Community Planning and Liaison Office
PHONE:	928-269-2103 Mary Ellen Finch, Community Liaison Specialist <i>Mary Ellen Finch</i>
RETURN TO:	CarmenJ@cityofsomerton.com



UNITED STATES MARINE CORPS

MARINE CORPS AIR STATION YUMA

BOX 99100

YUMA, ARIZONA 85369-9100

5726

CP&L/SOM DC01-16

12 Dec 2016

Mrs. Carmen Juarez
Community Development Director
City of Somerton
110 N. State Avenue
Somerton, AZ 85350

Dear Mrs. Juarez:

We have received the request for a determination of compliance for approximately 14.85 acres of land to be zoned from Suburban Ranch (SR) to Single Family Residential-6 (R-1-6). The property is Valle Del Sol Phase 3, located at 12th Street and Bingham Avenue, Somerton, AZ.

The property is located within the high noise and accident potential zone (HNAPZ) of a military airport. Arizona Revised Statutes 28-8481 recognizes this area as being within the 65-70 dB DNL noise contour and thereby, no new residential development would be allowed unless a determination of compliance is made between the political subdivision and the military airport. The applicant wishes to develop the property into 65 new homes in a low density residential area. The property is in fill development surrounded by similar zoned residential development. The City of Somerton Community Development Department Director has determined that the property is consistent and compatible with the high noise and accident potential zone of a military airport as stated in her letter dated November 30, 2016.

The Marine Corps Air Station does not object to the approval of this request for the reasons stated in your letter. An aviation disclosure statement is required to be recorded that recognizes the noise, interference, and vibrations that may be generated from aviation activities performed at the nearby Marine Corps Air Station/Yuma International Airport aviation complex. Noise level reduction standards must be incorporated into the structures. No new residential development or expansion to this development will take place next to this property and east of Avenue E.

Please email a copy of the recorded aviation disclosure statement to paula.backs@usmc.mil. Thank you for the opportunity to comment.

Sincerely,

ROBERT D. MISEMER
Community Liaison Officer
By direction of the
Commanding Officer