



City of San Luis

Planning & Zoning Department

Development Services • GIS • Building Safety • Code Enforcement

February 5, 2021

Najek K. Edais
Edais Engineering, Inc.
3075 S. Avenue 4E
Yuma, AZ 85365

Re: Subdivision Case No. 2020-0765P- La Esperanza Subdivision

City staff has reviewed the submittal of the preliminary plat for La Esperanza Subdivision and have the following comments:

City Engineer:

1. There is a discrepancy between the northern boundary of the subdivision as shown on the plat (and as previously shown on Barkley Lot Split No. 3), which appears to be intended to be the south right-of-way line of the East Main Canal, and the location of the East Main Canal Right-of-Way as shown on USBR right-of-way maps and as the canal is physically located. This discrepancy is about 28 feet (USBR distance of 540.3 feet from the C-1/4 Corner to the centerline of the canal right-of-way at 8th Avenue vs. 512.25 feet per Barkley Lot Split No. 3 and this plat and USBR Distance of 1083.4 from the W-1/4 Corner to the centerline of the r/w at 6th Avenue vs. about 1055.4 (1110.89 - 55' at angle) per Lot Split No. 3 and this plat.) It is understood that Edais Engineering is already aware of this.

This discrepancy is a legal question as to land ownership that needs to be resolved by the property owner (and confirmed by City legal.).

It appears that there are two possible resolutions to this discrepancy – (1) that the north boundary of the subdivision property was established by the survey measurements shown on the Barkley Lot Split No. 3 plat and subsequent warranty deed (Fee 2016-03242, where property was described simply as Parcel B of Lot Split Np. 3) and that the property as deeded overlaps with the East Main Canal right-of-way by about 28 feet; or (2) that the north boundary of the property was intended to be the south right-of-way line of the East Main Canal as shown on US Bureau of Reclamation right-of-way maps (as modified, or not, based on the as-built location of the canal), and thus the property boundary would need to be adjusted south about the 28 feet. It is noted that the East Main Canal right-of-way is believed to be held by the USBR as an easement and not in fee title and so there is an underlying fee title holder and the existence of the canal right-of-way does not automatically create a line of possession. The subdivision plat and improvement plans need to be revised as needed depending on how the discrepancy is resolved.

2. At about 600 feet east of 6th Avenue there is an area shown as “additional right-of-way from Yuma County Water Users’ Needed.” Revise to show encroachment license number as issued by the

YCWUA. As the canal right-of-way is an easement, dedication of the underlying property by the fee title holder to the City of San Luis will also be required.

3. Lot area table shows only lots 1-18 – add remaining lots.
4. Add street names to the subdivision plat. Show lot lines of Bienestar 5-A on the plat.
5. The perimeter wall of Bienestar Estates 5-A encroaches upon proposed lots 9, 20 and 21. This wall, which is effectively a line of possession, either needs to be relocated to the property line, or if it is property now claimed by the adjacent Bienestar 5-A lot owners, the subdivision boundary adjusted to match the wall.
6. Lot 38 includes a USBR powerline right-of-way across it. This right-of-way (including down guys outside of the right-of-way) are separated from the usable portion of the lot by the perimeter wall. As the area outside of the perimeter wall is not usable to the property owner, instead dedicate this property to the City of San Luis as additional street right-of-way.
7. Similarly, Lot 1 includes a powerline right-of-way across its east 20-feet but this right-of-way is shown within the perimeter wall, with the powerline crossing above the east side of the lot area. Either provide a license for encroachment for the wall being upon the right-of-way from the YCWUA or relocate the wall to the west side of the right-of-way and dedicate the land within the transmission line right-of-way to the City of San Luis as additional road right-of-way (Note that Bienestar 5A was developed with the transmission line right-of-way free of walls and the lot lines beginning west of the transmission line.)
8. Show survey monuments to be set per City of Yuma Standards be set for the subdivision boundary and the street centerlines.
9. Drafting error at County 22nd Street and 8th Avenue (survey monument misplaced, “found US?? Brass cap.”)
10. There is a sloped area shown to the northeast of lots 40-42 that, if not intended to be a part of the lots, needs to be dedicated to the City of San Luis as additional street right-of-way.
11. Show recording information for new right-of-way needed at the intersection of 6th Avenue and Union.
12. Add dimensions along centerline of 8th Avenue for distance to East Main Canal right-of-way.
13. Revise “Dedication” to include Tracts C and D (only Tracts A and B now listed.)
14. Submit title report and CC&R’s.

Public Works Department:

1. Parcel “D” is called out for retention basin but is not a retention basin.

Parks and Recreation Department:

1. Recommend asphalt instead of concrete pathway.
2. Remove all the bushes from the grass area. Use in narrow areas between retention
3. Recommend to change the backflow to Wilkins 975XL2 Type
4. Replace narrow green areas with rock and bushes between Retentions (A and C) (A and D). Use as buffer between street and walking path.
5. Request Landscape/irrigation info on retention D
6. Recommend replacing adjustable manifolds to orbit brand. (4 or 8 port)
7. Recommend to relocate tree further out from 8ft pathway.

Planning and Zoning Department:

1. Applicant must submit signed petitions for the creation of Improvement Districts as per Subdivision Regulations §3.17 to §3.17-7.
2. Fence height must comply with the height requirements within the front setbacks as per City Code §152.219.
3. Applicant must submit signed petitions for the creation of Improvement Districts as per Subdivision Regulations §3.17-5 to §3.17-7.
4. Bonds or Assurances shall be submitted in accordance with Subdivision Regulations Section 6.2
5. Comply with Subdivision Regulations Section 5.1.8.A- protective covenants.
6. Corner lots need to be at least 65 feet wide. (Lot 24)
7. Base on the configuration of the lots please provide a site plan for lots 22, 23, 28 and 44.
8. Please provide Driveway location for lot 23.
9. Please provide cross section of existing subdivision and lot 17-21 seems to be a gap between existing face and the proposed new fence. Will this be used as retaining wall?
10. Applicant must comply with all conditions on Ordinance No. 400.
11. Applicant must comply with Yuma County Water Users' Association letter dated January 28, 2021.

Please be advised that the comments made here are tentative in nature. Until all documentation, information, and drawings are submitted and approved in final form, and all permits for construction are approved and issued, the City of San Luis reserves the right to make further comments or require further information or submissions. Any construction which occurs prior to issuance of proper permits is occurring in contravention of the ordinances of the City, and is occurring at the risk of the Developer.

If you have any questions on these comments, please contact the Planning and Zoning Department at 928-341-8563.

Thank you,



Jose A. Guzman

Director of Planning and Zoning