



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE**

Hearing Date: July 10, 2017

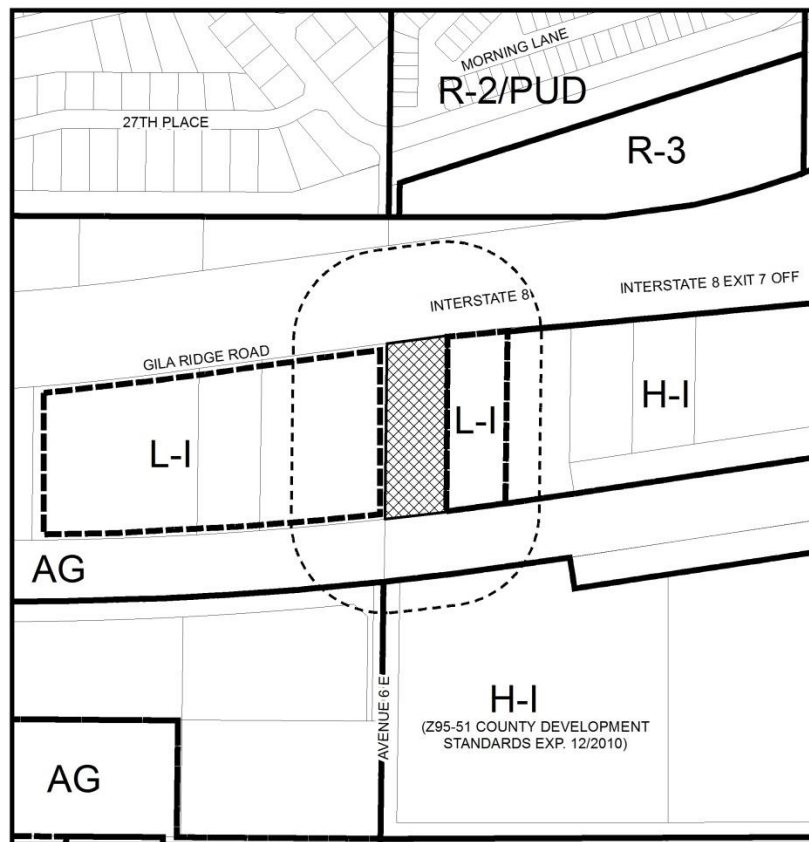
Case Number: ZONE-17957-2017

Project Description/Location:

This is a request by Jodie King, on behalf of William E. and Donalyn E. Green, to rezone approximately 2.49 acres from the Agriculture (AG) District to the Light Industrial (L-I) District. The property is located at 5875 E. Gila Ridge Road, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Portion of RV World	Industrial
North	Agriculture (AG)	Interstate 8	Industrial
South	Agriculture (AG)	Union Pacific Railroad	Industrial
East	Heavy Industrial (H-I)	Multi Tech	Industrial
West	Light Industrial (L-I)	Portion of RV World	Industrial

Location Map



Prior site actions: Annexation: Ord. #O99-029 (July 3, 1999); Pre-Development Meeting: PDM-16600-2017 (January 10, 2017)

Staff recommendation: Staff recommends **APPROVAL** of the rezoning for the property located at 5875 E. Gila Ridge Road from the Agriculture (AG) District to the Light Industrial (L-I) District, subject to the conditions shown in Attachment A, because it is in conformance with the General Plan.

Suggested Motion: Move to **APPROVE** the rezoning of the property located at 5875 E. Gila Ridge Road from the Agriculture (AG) District to the Light Industrial (L-I) District, subject to the conditions shown in Attachment A, because it is in conformance with the General Plan.

Staff Analysis: The subject property is located along Gila Ridge Road approximately 2,300 feet away from the Interstate 8 on/off ramps. It was subdivided into the Araby Eight Commercial Estates Subdivision prior to annexation into the City of Yuma. This property has never been rezoned, while other properties in the same subdivision have been rezoned Light Industrial and Heavy Industrial over time. This property has remained in the Agriculture (AG) zoning district since annexation.

The three parcels directly to the west of the subject property are also owned by the same property owners, and are all a part of RV World, which is a business that sells and services recreational vehicles. Those parcels were rezoned to Light Industrial (L-I) in 1999, with the conditions being met in approximately 2014.

According to the Yuma County Assessor's office, the subject property was sold to the current owners in 2005 with the current Agriculture (AG) zoning designation. At some point after the purchase, the current property owners expanded RV World onto the subject property. There are six existing buildings located over the four parcels which encompass RV World. There have been building permits issued for buildings located on this parcel, but previous staff reviews had not noticed that the subject property was not part of the original three parcels of RV World, and had erroneously approved expansion of buildings across property lines.

The applicant came back to do additional expansion, and it was noted that a lot tie was needed in order to continue to expand the buildings. During the lot tie submittal, staff realized the subject parcel had never been rezoned to Light Industrial (L-I), which has resulted in this rezone application.

It is the intent of the applicant to tie the lots together in order to expand existing buildings. The request to rezone the property to the Light Industrial (L-I) Zoning District is in conformance with the General Plan.

1. Does the proposed zoning district conform to the Land Use Element?

Yes

2. Are there any dedications or property easements identified by the Transportation Element?

Transportation Element	Planned	Existing	Difference	Requested
Gila Ridge Road – 2-Lane Collector	80 FT H/W ROW	53 FT F/W ROW	-27'	0'

* There is an existing 19' no-build easement on the property.

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

Yes

Public Comments Received: None Received.

External Agency Comments: See Attachment.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: 06/05/17


Final staff report delivered to applicant on: 06/20/17

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Applicant agreed with all of the conditions of approval on: June 21, 2017 by phone |
| <input type="checkbox"/> | Applicant did not agree with the following conditions of approval: (list #'s) |
| <input type="checkbox"/> | If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact. |

Attachments

A	B	C	D	E
Conditions of Approval	External Agency Comments	Site Photos	Aerial Photo	Staff Research

Project Planner: Richard Munguia, 373 -5000 Richard.Munguia@YumaAZ.gov
Assistant Planner x3070

Prepared By: 
Richard Munguia, Assistant Planner

Date: 6/22/17

Reviewed By: 
Alyssa Linville, Principal Planner

Date: 06/22/17

Approved By: 
Laurie L. Lineberry, AICP,
Community Development Director

Date: 6.22.17

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department Of Community Development Comments: Laurie Lineberry, Community Development Director (928) 373-5175:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted within thirty (30) calendar days of the effective date of approval of this zoning action and prior to the issuance of any building permit. In the event this condition is not completed within this time frame, the zoning action is null and void.
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.

Engineering, Andrew McGarvie, Engineering Manager, (928) 373-5000 x3044

4. The owner shall dedicate a 19-foot wide no-build easement along the north side of the property adjacent to the frontage road, such that a future 80-foot wide collector road per the City of Yuma Transportation Master Plan can be realized. The easement area can be utilized by the owner for existing uses, storm water retention, parking and/or other uses that do not involve a permanent vertical structure.

Community Planning, Richard Munguia, Assistant Planner, (928) 373-5000 x3070

5. The Owner shall complete a Lot Tie of parcels 697-24-004, 697-24-005, 697-24-006, and 197-04-011.
6. A Conditional Use Permit will be required for any expansion of retail sales.
7. With the exception of Condition 2, 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 or 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 § 9-462.01.

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
EXTERNAL AGENCY COMMENTS**

☒ Condition(s)

☐ No Condition(s)

☒ Comment

Enter conditions here: The property is beneath several flight paths. It is requested that an aviation easement be recorded that recognizes the noise, interference, and vibrations that may occur due to aviation activities performed at the nearby Marine Corps Air Station/Yuma International Airport aviation complex. Please email a copy of the recorded aviation easement to paula.backs@usmc.mil. Thank you for the opportunity to comment.

DATE: 8/1/2017 NAME: Paula L. Backs TITLE: Community Liaison Specialist
CITY DEPT: MCAS YUMA AZ
PHONE: (928) 269-2103
RETURN TO: Richard Munguia
Richard.Munguia@YumaAZ.gov

☒ COMMENT ☐ NO COMMENT

Enter comments below:

Any new access or changes to existing access from the State Highway System shall be obtained through the ADOT Encroachment Permit Process. This refers to driveway connections to East Gila Ridge Road.

DATE: 6/7/17 NAME: Isabell Garcia TITLE: Development Coordinator
AGENCY: ADOT Southwest District Office
PHONE: (928) 317-2159
RETURN TO: Richard Munguia
Richard.Munguia@YumaAZ.gov

**ATTACHMENT C
SITE PHOTOS**

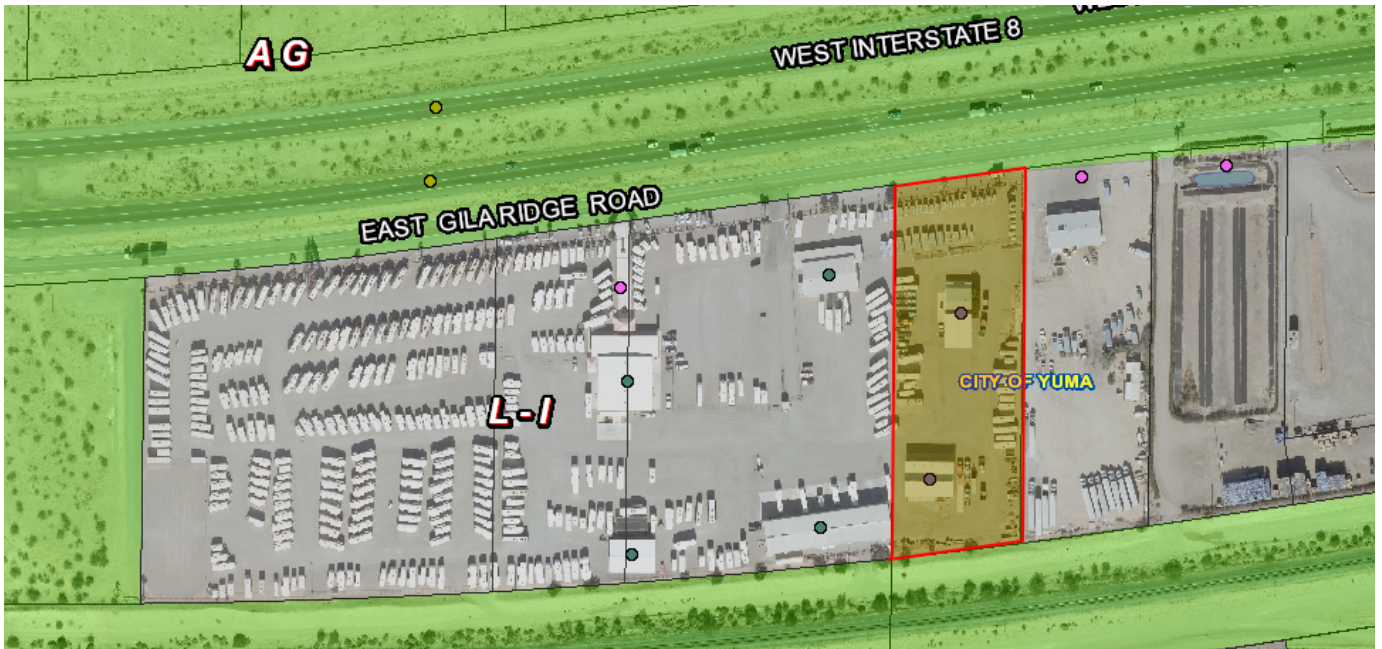
SITE OF RV WORLD LOOKING EAST



SUBJECT PROPERTY



ATTACHMENT D
AERIAL PHOTO



ATTACHMENT E
STAFF RESEARCH

**STAFF RESEARCH – REZONE****CASE #: ZONE-17957-2017**
CASE PLANNER: RICHARD MUNGUIA**I. PROJECT DATA**

Project Location:	Along Gila Ridge Road, east of the Avenue 6 E Alignment												
Parcel Number(s):	197-04-011												
Parcel Size(s):	108,029 sq.ft.												
Total Acreage:	2.48 acres												
Proposed Dwelling Units:	None												
Address:	5635 E. Gila Ridge Road												
Applicant:	William E. and Donalyn E. Green												
Applicant's Agent:	Jodie King												
Land Use Conformity Matrix:	Conforms:	Yes	X	No									
Zoning Overlay:	Public		AO		Auto		B&B		Historic		None	X	Airport
Noise Contours	65-70		70-75		75+		APZ1		APZ2		Clear Zone		

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Portion of RV World	Industrial
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West	Light Industrial (L-I)	Portion of RV World	Industrial

Prior Cases or Related Actions:

Type	Conforms				Cases, Actions or Agreements			
Pre-Annexation Agreement	Yes		No		N/A			
Annexation	Yes	X	No		Ord. #O99-029 (July 3, 1999)			
General Plan Amendment	Yes		No		N/A			
Development Agreement	Yes		No		N/A			
Rezone	Yes		No		N/A			
Subdivision	Yes		No		N/A			
Conditional Use Permit	Yes		No		N/A			
Pre-Development Meeting	Yes	X	No		PDM-16600-2017 (January 10, 2017)			
Design Review Commission	Yes		No		N/A			
Enforcement Actions	Yes		No		N/A			
Avigation Easement Recorded	Yes		No	X	Fee #		If no, add to Conditions of Approval	
Land Division Status:			Legal lot of record					
Irrigation District:			None					
Adjacent Irrigation Canals & Drains:			N/A					
Water Conversion: (5.83 ac ft/acre)			14.52 Acre Feet a Year					
Water Conversion Agreement Required		Yes		No	X			

II. CITY OF YUMA GENERAL PLAN**Land Use Element:**

Land Use Designation:		Industrial									
Noise Contour:		N/A		Overlay/Specific Area:			N/A				
Issues:		None									
Historic District:	Brinley Avenue		Century Heights			Main Street			None	X	

Historic Buildings on Site:	Yes		No	X	
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Transportation Element:

FACILITY PLANS

Transportation Master Plan	Planned	Existing
Gila Ridge Road – 2-Lane Collector	80 FT F/W ROW	60 FT F/W ROW
Median Covenant	None	
Gateway Route	Scenic Route	X
Hazardous Cargo Route		Truck Route

Bicycle Facilities Master Plan	None
YCAT Transit System	None
Issues:	None

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan	
Neighborhood Park:	Existing: Terrace View Park Future: Terrace View Park
Community Park:	Existing: None Future: None
Linear Park:	Existing: 'B' Canal Future: 'B' Canal
Issues:	None

Housing Element:

Special Need Household:	N/A
Issues:	None

Redevelopment Element:

Planned Redevelopment Area:	N/A
Adopted Redevelopment Plan:	North End: <input type="checkbox"/> Carver Park: <input type="checkbox"/> None: <input checked="" type="checkbox"/> X
Conforms:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Renewable Energy Source	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Issues:	None

Public Services Element:

Population Impacts Projected Population per Census 2010: 2.9 persons per unit 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	<table border="1"> <tr> <th>Dwelling Units</th> <th>Projected Population</th> <th>Police Impact</th> <th colspan="2">Water Consumption</th> <th>Wastewater Generation</th> </tr> <tr> <td>Maximum</td> <td></td> <td>Officers</td> <td>GPD</td> <td>AF</td> <td>GPD</td> </tr> <tr> <td>0</td> <td>0</td> <td>0.00</td> <td>0</td> <td>0.0</td> <td>0</td> </tr> <tr> <td>Minimum</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>0</td> <td>0</td> <td>0.00</td> <td>0</td> <td>0.0</td> <td>0</td> </tr> </table>	Dwelling Units	Projected Population	Police Impact	Water Consumption		Wastewater Generation	Maximum		Officers	GPD	AF	GPD	0	0	0.00	0	0.0	0	Minimum						0	0	0.00	0	0.0	0
Dwelling Units	Projected Population	Police Impact	Water Consumption		Wastewater Generation																										
Maximum		Officers	GPD	AF	GPD																										
0	0	0.00	0	0.0	0																										
Minimum																															
0	0	0.00	0	0.0	0																										
Fire Facilities Plan:	Existing: Station No. 5 Future: Station No. 5																														
Water Facility Plan:	Source: City <input checked="" type="checkbox"/> Private <input type="checkbox"/> Connection: 16" PVC																														
Sewer Facility Plan:	Treatment: City <input type="checkbox"/> Septic <input checked="" type="checkbox"/> Private <input type="checkbox"/> Connection: None																														
Issues:	None																														

Safety Element:

Flood Plain Designation:	Flood Zone X	Liquefaction Hazard Area:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> X
Issues:	None		

Growth Area Element:

Growth Area:	Araby Rd & Interstate 8	X	Arizona Ave & 16 th St	Avenue B & 32 nd St.
	North End		Pacific Ave & 8 th St	Estancia
Issues:	None			

NOTIFICATION

- **Legal Ad Published: The Sun** (06/12/17)
- **300' Vicinity Mailing:** (05/22/17)
- **34 Commenting/Reviewing Agencies noticed:** (05/25/17)
- **Neighborhood Meeting:** (N/A)
- **Hearing Dates:** (07/10/17)
- **Comments Due:** (06/05/17)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	X	05/26/17	X		
Yuma County Engineering	NR				
Yuma County Public Works	X	05/26/17	X		
Yuma County Water Users	X	05/30/17			
Yuma County Planning & Zoning	X	05/30/17	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.	X	06/07/17		X	
Yuma Irrigation District	X	05/30/17	X		
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Company	NR				
Western Area Power Administration	NR				
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	NR				
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	X	05/26/17	X		
Randy Crist, Building Safety	NR				
City Engineer	X	06/05/17		X	
Traffic Engineer	NR				
MCAS / C P & L Office	X	06/01/17		X	
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
N/A	See Staff Report Attachment
Prop. 207 Waiver Given to Applicant on:	Delivery Method:
June 19, 2017	U.S. Mail

PUBLIC COMMENTS RECEIVED: None