



## REQUEST FOR CITY COUNCIL ACTION

<b>MEETING DATE:</b>	June 1, 2016	<input type="checkbox"/> Motion
<b>DEPARTMENT:</b>	Community Development	<input type="checkbox"/> Resolution
<b>DIVISION:</b>	Community Planning	<input type="checkbox"/> Ordinance - Introduction
		<input checked="" type="checkbox"/> Ordinance - Adoption
		<input type="checkbox"/> Public Hearing

**TITLE:**

Rezoning of Property: Approximately 5.82 acres located at 5635 E. Gila Ridge Road

**SUMMARY RECOMMENDATION:**

Approve the rezone of 5.82 acres from the Agriculture (AG) District to the Light Industrial (L-I) District. The property is located at 5635 E. Gila Ridge Road (ZONE-13271-2016).

**REPORT:**

On April 25, 2016 the Planning and Zoning Commission voted to recommend APPROVAL (5-0; with Hamersley and Underhill absent) of the request to rezone 5.82 acres from the Agriculture (AG) District to the Light Industrial (L-I) District for the property located at 5635 E. Gila Ridge Road, Yuma, AZ subject to the following 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 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.
4. Owner shall dedicate a 29.00 foot no-build easement along the north property line, such that no buildings are constructed in the future Gila Ridge Road r-o-w. The owner shall have the right to utilize the no-build easement area for such things as landscaping, parking, and storm water retention, until such time that the property or portions thereof is purchased by the City of Yuma for right-of-way purposes. The City of Yuma Transportation Master Plan,

dated October 2014, calls this section of Gila Ridge road a collector street, requiring a full width of 80 feet. The existing width of Gila Ridge Road appears to be 51 feet as existing.

5. Following approval of the rezone, the property owner shall submit for a Conditional Use Permit to allow for offices in the Light Industrial (L-I) Zoning District.
6. 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.

#### **PUBLIC COMMENTS - EXCERPTS FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:**

##### **QUESTIONS FOR STAFF**

**“David Koopmann – Planning and Zoning Commissioner** asked if there was anything in the CIP (Capital Improvement Program) to expand Gila Ridge Road in the future.

**“Joshua Scott - City Engineer/Director of Engineering** said there was nothing currently in the CIP for the expansion of Gila Ridge Road. He stated the road has been identified in the Transportation Master Plan as a collector roadway, but there were underlying issues with ADOT and the City regarding ownership of Gila Ridge Road.

##### **APPLICANT / APPLICANT’S REPRESENTATIVE**

None

##### **PUBLIC COMMENT**

None

##### **MOTION**

**“Motion by Richard Sorenson – Planning and Zoning Commissioner, second by Lukas Abplanalp – Planning and Zoning Commissioner, to APPROVE Case Number ZONE-13721-2016.**

**“Motion carried (5-0) with Kim Hamersley – Planning and Zoning Commissioner and Clinton Underhill – Planning and Zoning Commissioner absent.’**

Planning Commission Staff Report – Attached

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?  <input type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		5/10/2016	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files for Steven W. Moore		5/10/2016	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		5/5/2016		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		4/26/2016		