



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

June 7, 2017

DEPARTMENT:

Community Development

DIVISION:

Community Planning

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

TITLE:

Rezoning of Property: 653 and 661 S. 5th Avenue

SUMMARY RECOMMENDATION:

Rezone approximately 0.32 acres from the General Commercial (B-2) District to the Low Density Residential (R-1-6) District. The properties are located at 653 and 661 S. 5th Avenue, Yuma, AZ (ZONE-17190-2017). (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

On May 08, 2017, the Planning and Zoning Commission voted to recommend **APPROVAL** of the request to rezone approximately 0.32 acres from the General Commercial (B-2) District to the Low Density Residential (R-1-6) District, 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. 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 - EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

Robert Blevins, Principal Planner, summarized the staff report recommending **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

Nicholas Ramos, 666 S. 6th Avenue, Yuma, AZ, explained that they were proposing alley access on the conceptual site plan due to the raised elevation on the property. He added they would like to make use of all City of Yuma Infill incentives and Redevelopment provisions the property is a part of. **Ramos** commented they were proposing single family residences on the property.

“Christopher Hamel – Chairman, Planning and Zoning Commission, commented it was nice to see property owners developing vacant sites.

PUBLIC COMMENT

None

MOTION

“Motion by Kim Hamersley – Planning and Zoning Commissioner, second by Tyrone Jones – Planning and Zoning Commissioner, to APPROVE Case Number ZONE-17190-2017. Motion carried unanimously (5-0).

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		5/31/2017	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		5/30/2017	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		5/22/2017		
WRITTEN/SUBMITTED BY:		DATE:		
Robert M. Blevins		5/22/2017		