



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: ZENIA FIVEASH

Hearing Date: June 24, 2024

Case Number: ZONE-42650-2024

Project Description/ Location: This is a request by Braulio Martinez, Jr., on behalf of Braulio Martinez, Sr., to rezone one parcel, approximately .17 acres, from the Low Density Residential (R-1-6) to the Medium Density Residential (R-2) District, for the property located at 2050 S.10th Avenue, Yuma, AZ.

| | Existing Zoning | Use(s) on-site | General Plan Designation |
|--------------|---|-------------------------|---------------------------------|
| Site | Low Density Residential (R-1-6) District | Single-Family Residence | Low Density Residential |
| North | Low Density Residential (R-1-6) District | Single-Family Residence | Low Density Residential |
| South | Low Density Residential (R-1-6) District | Single-Family Residence | Low Density Residential |
| East | Low Density Residential (R-1-6) District | Single-Family Residence | Low Density Residential |
| West | Medium Density Residential (R-2) District | Duplexes | Medium Density Residential |

Location Map



Prior site actions: Annexation: Ordinance 672, (July 21, 1956); Subdivision: Atmar Subdivision No. 2 (August 5, 1952)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-42650-2024 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone the property from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District for the property located at 2050 S. 10th Avenue, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject property is approximately 62 feet wide and 125 feet in depth, with frontage on S. 10th Avenue. This lot has a single family home.

The applicant is requesting to rezone the property from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District. The property owner is requesting this rezone with the intention to develop another dwelling unit on the existing property. The applicant intends to demolish the existing pool and construct a second detached dwelling unit at the rear of the property. The access and parking to the new dwelling will be from 10th Avenue along the north side of the property.

The subject property is located within the area of the City that was subdivided in the 1952. This neighborhood is a mix of residential homes, multi-family homes and commercial business uses.

The property is bordered by single-family homes to the east, north and south and duplexes on the west. This request is in conformance with the Land Use Element of the General Plan.

1. Does the proposed zoning district conform to the Land Use Element? No

| | | | | | | | | | |
|-----------------------------|----------------|-----|-----------------|----------------------------|-------------|--|------|---|--|
| Land Use Element: | | | | | | | | | |
| Land Use Designation: | | | | Medium Density Residential | | | | | |
| Issues: | | | | None | | | | | |
| Historic District: | Brinley Avenue | | Century Heights | | Main Street | | None | X | |
| Historic Buildings on Site: | | Yes | No | X | | | | | |

2. Are there any dedications or property easements identified by the Transportation Element? No

| | | | | | | |
|----------------------------|---------|----------|---------|--------|--------|-------|
| FACILITY PLANS | | | | | | |
| Transportation Master Plan | Planned | Existing | Gateway | Scenic | Hazard | Truck |

| | | | | | | |
|--------------------------------------|-----------------------------------|------------------|--|--|--|--|
| 10 th Avenue – Local Road | 30 FT H/W ROW | 30 FT H/W ROW | | | | |
| 22 nd Street – Local Road | 30 FT H/W ROW | 30 FT H/W ROW | | | | |
| Bicycle Facilities Master Plan | 10th Avenue – Existing Bike Route | | | | | |
| YCAT Transit System | Purple Route 6/6A | | | | | |
| Issues: | None | | | | | |

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

| | | | | | | | | | |
|---|-------------------------------------|------|---|-----------------------------------|-----------------------------------|------------------------------|---------------------------------|------|------------------------------|
| Parks, Recreation and Open Space Element: | | | | | | | | | |
| Parks and Recreation Facility Plan | | | | | | | | | |
| Neighborhood Park: | Existing: Sanguinetti Memorial Park | | | | Future: Sanguinetti Memorial Park | | | | |
| Community Park: | Existing: Smucker Memorial Park | | | | Future: Smucker Memorial Park | | | | |
| Linear Park: | Existing: East Main Canal | | | | Future: East Main Canal | | | | |
| Issues: | None | | | | | | | | |
| Housing Element: | | | | | | | | | |
| Special Need Household: | N/A | | | | | | | | |
| Issues: | None | | | | | | | | |
| Redevelopment Element: | | | | | | | | | |
| Planned Redevelopment Area: | None | | | | | | | | |
| Adopted Redevelopment Plan: | North End: | | Carver Park: | | None: | X | | | |
| Conforms: | Yes | | No | | | | | | |
| Conservation, Energy & Environmental Element: | | | | | | | | | |
| Impact on Air or Water Resources | Yes | | No | X | | | | | |
| Renewable Energy Source | Yes | | No | X | | | | | |
| Issues: | | | | | | | | | |
| Public Services Element: | | | | | | | | | |
| <u>Population Impacts</u> Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person | | | Dwellings & Type <i>2-4 Units</i> | | Projected Population | Police Impact | Water Consumption | | Wastewater Generation |
| | | | Maximum | Per Unit | | Officers | GPD | AF | GPD |
| | | | 2 | 2.07 | 4 | 0.01 | 857 | 1.0 | 290 |
| | | | Minimum | | | | | | |
| | | | 1 | 2.07 | 2 | 0.00 | 428 | 0.5 | 145 |
| Fire Facilities Plan: | Existing: Fire Station No. 2 | | | | Future: Fire Station No. 2 | | | | |
| Water Facility Plan: | Source: | City | X | Private | Connection: | 6" Water - Alley | | | |
| Sewer Facility Plan: | Treatment: | City | X | Septic | Private | Connection: 6" Sewer - Alley | | | |
| Issues: | None | | | | | | | | |
| Safety Element: | | | | | | | | | |
| Flood Plain Designation: | X | | | | Liquefaction Hazard Area: | Yes | | No | X |
| Issues: | None | | | | | | | | |
| Growth Area Element: | | | | | | | | | |
| Growth Area: | Araby Rd & Interstate 8 | | | Arizona Ave & 16 th St | | | Avenue B & 32 nd St. | | |
| | North End | | Pacific Ave & 8 th St | | | Estancia | | None | X |
| Issues: | | | | | | | | | |

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/No The property was subdivided for single family homes in 1952. But since then the area has been identified for Medium Density development in the General Plan.

Public Comments Received

| | | | | | | | | | | | |
|---|-------------|---|-----|--|----------------------|--|--------|--|-------|--|--|
| Name: | Glen Wagner | | | | Contact Information: | | | | | | |
| Method of Contact: | Phone | X | FAX | | Email | | Letter | | Other | | |
| Mr. Wagner had no concerns with the rezone. He just wanted additional information about the rezone. | | | | | | | | | | | |

Neighborhood Meeting Comments:

See Attachment C

Proposed conditions delivered to applicant on: May 23, 2024

Final staff report delivered to applicant on: May 29, 2024

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Applicant agreed with all of the conditions of approval on: May 23, 2024 |
| <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 | F |
|------------------------|----------------------|-------------------------------|----------------------------|-------------------|--------------|
| Conditions of Approval | Agency Notifications | Neighborhood Meeting Comments | Neighbor Notification List | Neighbor Postcard | Aerial Photo |

Prepared By: *Zenia Fiveash*

Date: May 29, 2024

Zenia Fiveash
Assistant Planner
Zenia.Fiveash@yumaaz.gov

(928) 373-5000, x3040

Reviewed By: *Jennifer L. Albers*

Date: 5/29/24

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 06/13/2024

Alyssa Linville
Director, Planning and Neighborhood Services

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 Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Community Planning, Zenia Fiveash, Assistant Planner, (928) 373-5000 x3040

3. 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, Certificate of Occupancy or City of Yuma 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
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 5/31/24
- **300' Vicinity Mailing:** 5/06/24
- **34 Commenting/Reviewing Agencies noticed:** 5/09/24
- **Site Posted on:** 5/08/24
- **Neighborhood Meeting:** 5/15/24
- **Hearing Date:** 6/24/24
- **Comments Due:** 5/20/24

| External List (Comments) | Response Received | Date Received | "No Comment" | Written Comments | Comments Attached |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority | Yes | | X | | |
| Yuma County Engineering | NR | | | | |
| Yuma County Public Works | Yes | | X | | |
| Yuma County Water Users' Assoc. | Yes | | X | | |
| Yuma County Planning & Zoning | NR | | | | |
| Yuma County Assessor | NR | | | | |
| 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. | NR | | | | |
| Yuma Irrigation District | NR | | | | |
| Arizona Fish and Game | NR | | | | |
| USDA – NRCS | NR | | | | |
| United States Postal Service | NR | | | | |
| Yuma Metropolitan Planning Org. | NR | | | | |
| El Paso Natural Gas Co. | NR | | | | |
| Western Area Power Administration | Yes | | X | | |
| City of Yuma Internal List (Conditions) | Response Received | Date Received | "No Conditions" | Written Conditions | Comments Attached |
| Police | NR | | | | |
| Parks & Recreation | NR | | | | |
| Development Engineer | NR | | | | |
| Fire | Yes | | X | | |
| Building Safety | NR | | | | |
| City Engineer | NR | | | | |
| Traffic Engineer | NR | | | | |
| MCAS / C P & L Office | NR | | | | |
| Utilities | NR | | | | |
| Public Works | NR | | | | |
| Streets | NR | | | | |

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

Date Held: 5/15/24

Location: 2050 S. 10th Avenue

Attendees:

Neighbors: Fernando Esparza & Jimmy Fiser

Applicant: Braulio Martinez, Sr. & Braulio Martinez, Jr

Staff: Zenia Fiveash

SUMMARY OF ATTENDEE(S)' COMMENTS RELATED TO THE PROJECT:

- Fernando Esparza – He had concerns about adequate parking only.
- Jimmy Fiser – He had concerns about adequate parking only.

**ATTACHMENT D
NEIGHBOR NOTIFICATION LIST**

| Property Owner | Mailing Address | City/State/Zip Code | | |
|--|----------------------|---------------------|----|-------|
| ACEVEDO GERARDO C & | 2068 S 9TH AVE | YUMA | AZ | 85364 |
| ARELLANO CRISTAL | 2075 S 10TH AVE | YUMA | AZ | 85364 |
| AVILA MARCUS | 2056 S 10TH AVE | YUMA | AZ | 85364 |
| BALB TRUST 12-22-2017 | 1915 S 39TH ST #73 | MESA | AZ | 85206 |
| CAMINO OTERO REAL ESTATE INVESTMENTS LLC | 340 W 32ND ST #504 | YUMA | AZ | 85364 |
| CARLITOS TRUST 11-5-2021 | 2050 S 9TH AVE | YUMA | AZ | 85364 |
| CASTILLO LILLIAN G | 2049 S 11TH AVE | YUMA | AZ | 85364 |
| CHAVEZ MARCUS | 2039 S 11TH AVE | YUMA | AZ | 85364 |
| CORRAL PEDRO & DANIA | PO BOX 779 | SOMERTON | AZ | 85350 |
| DRAVEN LIVIER VALDEZ | 2100 S 11TH AVE | YUMA | AZ | 85364 |
| ENOCKSON KARL L & MARY L 1999 TR 7-13-99 | PO BOX 3572 | MANHATTAN BEACH | CA | 90266 |
| ENOCKSON KARL L & MARY LOUISE 1999 TRUST 7-13-1999 | PO BOX 3572 | MANHATTAN BEACH | CA | 90266 |
| FAZZ SERGIO & JUANITA | 2044 S 9TH AVE | YUMA | AZ | 85364 |
| FIGUEROA DIANA | PO BOX 462 | YUMA | AZ | 85366 |
| FISER SUSAN P | 2057 S 10TH AVE | YUMA | AZ | 85364 |
| FLORENCE DENNIS J & LINDA S | 2038 S 10TH AVE | YUMA | AZ | 85364 |
| FRANCO RODOLFO & TERESA JT | 2045 S 10TH AVE | YUMA | AZ | 85364 |
| GARCIA JACQUELINE | 2026 S 10TH AVE | YUMA | AZ | 85364 |
| GARIBAY TRUST 3-12-2020 | 4113 W 17TH PL | YUMA | AZ | 85364 |
| JOE & FRAN COLOMBO LLC | 1147 LOSTINDA ST | EL CAJON | CA | 92019 |
| LANDEROS RAMON | 2020 S 11TH AVE | YUMA | AZ | 85364 |
| LE DOANH DUC | 5660 W MANZANITA DR | GLENDALE | AZ | 85302 |
| LEE FAMILY TRUST UTA 1-12-05 | 3877 E KING RANCH DR | YUMA | AZ | 85365 |
| LEE LORREINE | 2045 S 11TH AVE | YUMA | AZ | 85364 |
| LOPEZ JUAN PEDRO TORRES | 2021 S 10TH AVE | YUMA | AZ | 85364 |
| MANFREDI ROBERT WARREN | 400 S MAIN ST | YUMA | AZ | 85364 |
| MARTINEZ BRAULIO M SR TRUST 12-21-2018 | 14043 HILLSIDE DR | JAMUL | CA | 91935 |
| MARTINEZ PABLO | 14105 S 4TH AVE EXT | YUMA | AZ | 85365 |
| MAXWELL REVOCABLE TRUST 3-26-79 | 2208 E 27TH ST | YUMA | AZ | 85365 |
| MEZA FERNANDO A ESPARZA | 2032 S 10TH AVE | YUMA | AZ | 85364 |
| OLEA JESUS G | 2020 S 10TH AVE | YUMA | AZ | 85364 |
| PEREZ BENJAMIN & MARIA G JT | 1061 S HEREFORD | YUMA | AZ | 85364 |
| PEREZ DIDIER | 2063 S 10TH AVE | YUMA | AZ | 85364 |
| PEREZ MAYRA L | 2032 S 9TH AVE | YUMA | AZ | 85364 |
| PHAN PHUONG D | 3851 W 25TH LN | YUMA | AZ | 85364 |
| PIMBLE MICHAEL F | 2033 S 10TH AVE | YUMA | AZ | 85364 |
| RANGEL RAMIRO HECTOR & MIREYA | 2044 S 10TH AVE | YUMA | AZ | 85364 |
| REYES MERCEDES S | 2074 S 10TH AVE | YUMA | AZ | |
| SHEETZ DARRELL L & IDA MARIE JT | 2077 S 11TH AVE | YUMA | AZ | 85364 |
| SHINN IAN T | 2069 S 10TH AVE | YUMA | AZ | 85364 |
| SHIPP MARIA R | 645 S 9TH AVE | YUMA | AZ | 85364 |
| T3AZ LLC | 5840 E 27TH PL | YUMA | AZ | 85365 |

| | | | | |
|---|---------------------|----------|----|-------|
| TRUJILLO ALFREDO TRUST 12-20- 2001 | 13474 PIERCE STREET | SALINAS | CA | 93906 |
| VALDEZ CYRA | 2062 S 9TH AVE | YUMA | AZ | 85364 |
| VELAZQUEZ ROSARIO C | 2039 S 10TH AVE | YUMA | AZ | 85364 |
| VILLAPUDUA ENRIQUE ESPINOZA & DELIA V JT | 2062 S 10TH AVE | YUMA | AZ | 85364 |
| WAGNER GLEN E | 2027 S 10TH AVE | YUMA | AZ | 85364 |
| WARM PROPERTIES CA LLC | PO BOX 1452 | LA JOLLA | CA | 92038 |

**ATTACHMENT E
NEIGHBOR MAILING**

This is a request by Braulio Martinez, Jr., on behalf of Braulio Martinez, Sr., to rezone one parcel, approximately .17 acres, from the Low Density Residential (R-1-6) to the Medium Density Residential (R-2) District, for the property located at 2050 S.10th Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42650-2024**

NEIGHBORHOOD MEETING
05/15/2024 @ 5PM
ON-SITE

PUBLIC HEARING
06/24/2023 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 2050 S. 10th Avenue, Yuma, AZ, you are invited to attend these meetings to voice your comments. If you have questions or wish to submit written comments, please contact Zenia Fiveash by phone at (928) 373-5000 ext. 3040 or by email at Zenia.Fiveash@YumaAz.gov

ATTACHMENT F
AERIAL PHOTO

