



CITY OF  
*Yuma*

# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

April 17, 2019

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

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

**TITLE:**

Rezoning of Property: Southeast corner of S. Araby Road and E. 32<sup>nd</sup> Street

**SUMMARY RECOMMENDATION:**

Rezone a 4.87 acre parcel from the General Commercial (B-2) District to the Low Density Residential (R-1-6) District, for the property located at the southeast corner of S. Araby Road and E. 32<sup>nd</sup> Street, Yuma, AZ (ZONE-24682-2019) (Community Development/Community Planning) (Laurie Lineberry)

**REPORT:**

On March 11, 2019, the Planning and Zoning Commission voted to recommend **APPROVAL** of the request to rezone a 4.87 acre parcel 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 prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.
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.

**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**

**Craig Colvin, 6105 E. Alyssa Lane, Yuma, AZ**, was available for questions.

**Christopher Hamel – Chairman, Planning and Zoning Commission** asked if the access point to this property would be off of 32<sup>nd</sup> Street. **Colvin** said no and explained there was a 1 foot non-access easement along 32<sup>nd</sup> Street that would not allow an entrance. **Colvin** said there would be access to this property off of Crossing Avenue.

**PUBLIC COMMENT**

None

**MOTION**

**“Motion by Gregory Counts – Planning and Zoning Commissioner, second by Vinod Mohindra – Planning and Zoning Commissioner, to APPROVE Case Number ZONE-24682-2019. Motion carried unanimously (5-0, with Dammeyer absent and one vacancy).”**

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:			
	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> </ol>			
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 <input type="checkbox"/> Document to be codified				
SIGNATURES	CITY ADMINISTRATOR:			DATE:
	Gregory K. Wilkinson			3/27/2019
	REVIEWED BY CITY ATTORNEY:			DATE:
	Richard W. Files			3/26/2019
	RECOMMENDED BY (DEPT/DIV HEAD):			DATE:
Laurie Lineberry			3/15/2019	
WRITTEN/SUBMITTED BY:			DATE:	
Robert M. Blevins			3/15/2019	