

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

Hearing Date: May 14, 2018

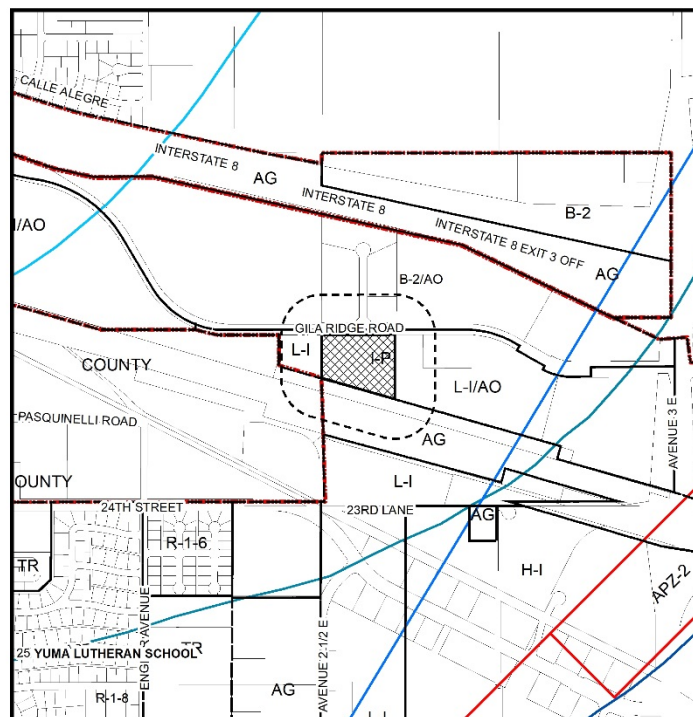
Case Number: ZONE-21484-2018

Project Description/Location:

This is a request by Paul Mondragon, on behalf of The Rock Church Yuma Inc., to rezone approximately 4.8 acres from the Industrial Park (I-P) District to the General Commercial (B-2) District, and maintain the existing Airport Overlay (AD) District, for the property located at 2555 East Gila Ridge Road, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Industrial Park/Airport Overlay (I-P/AD)	The Rock Church	Industrial
North	General Commercial /Aesthetic Overlay/Airport Overlay (B-2/AO/AD)	Bobby's Territorial Harley Davidson/Vacant Restaurant	Business Park
South	Agriculture/Airport Overlay (AG/AD)	Union Pacific Railroad	Industrial
East	Light Industrial/Aesthetic Overlay/Airport Overlay (L-I/AO/AD)	Gila Ridge Self-Storage	Industrial
West	Light Industrial/Airport Overlay (L-I/AD)	Fisher Wireless Services	Industrial

Location Map



Prior site actions: Annexation: Ord. #95-020 (July 7, 1995); Rezone: Ord. #095-014 (August 2, 1995; AG to L-I); Ord. #098-75 (September 30, 1998; L-I to I-P); Conditional Use Permit: CU95-10 (Allow BLM offices within L-I District), CUP-17601-2017 (Allow a religious institution in L-I District).

Staff recommendation: Staff recommends **APPROVAL** of the rezoning for the property located at 2555 East Gila Ridge Road from the Industrial Park (I-P) District to the General Commercial (B-2) District, and maintain the existing Airport Overlay (AD) District, subject to the conditions shown in Attachment A, because they are in conformance with the General Plan.

Suggested Motion: Move to **APPROVE** the rezoning of the property located at 2555 East Gila Ridge Road from the Industrial Park (I-P) District to the General Commercial (B-2) District, and maintain the existing Airport Overlay (AD) 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 within the Industrial Park (I-P) District. The 4.8 acre parcel was originally developed with a nearly 32,000 square foot structure that had been utilized as office and warehouse space. In 2017, the Rock Church requested and was granted a Conditional Use Permit for a religious institution within the I-P District. At the time of the Conditional Use Permit, the applicant had indicated the possibility of future tenant space; tenant space which would be utilized in accordance with the permitted uses as outlined in the I-P District. Permitted principal uses within this zoning district include: business, industrial or scientific research centers, assembling of fabrication of products or articles, and general offices, including medical and laboratories.

Currently, The Rock Church utilizes a majority of the building for their religious activities; including, space for worship, office, children's ministry, and the warehousing of clothing and food. It is the church's future intent to expand the worship space into an underutilizing warehousing area located within the building. However, until such time, the church would like to have the opportunity to lease this future worship space to commercial tenants. Therefore, in order to accommodate potential commercial tenants, the applicant is requesting to rezone the property to the General Commercial (B-2) District. Uses permitted within the B-2 District include: retail sales, general offices, child care services, health studios, and repair services. The property owner intends on dividing the warehouse space into two tenant suites.

At this point, the property owner has indicated two potential uses for the tenant suites, one is a yoga studio and another is a retail/warehousing space for a local hat company. The property owner is aware that any future tenant will be required to meet all development standards as deemed applicable; including standards outlined within the Airport Overlay (AD) District. For example, if the hat retailer intended on utilizing space for manufacturing, such manufacturing area would be limited to 40% of the tenant suite as detailed within the zoning code.

Adequate on-site parking will need to be evaluated with each new tenant. Currently, the parking on-site consists of a total of 153 paved and striped parking stalls. Based upon the existing religious use of the building, the parking requirement is as follows: one space for every 30 square feet of open assembly area where seats are not fixed, excluding platform and stage areas. Excluding the 576 square foot stage area, the parking requirement for the 4,056 square foot worship center is 135 parking spaces. Due to the fact that the church operates at full capacity on Sundays and various evenings during the week, there should be no conflict in parking with proposed

commercial tenants which will function during regular business hours (Monday-Friday). However, it must be noted that should an expansion of the worship center become a reality, additional paved and striped parking will need to be provided.

In 2016, the owner of the subject property leased a portion of the parking lot (50 parking spaces) to a nearby packing facility. This packing facility utilizes the parking strictly for day-time off-site employee parking between the months of November through April. This is a yearly lease that the church would like to continue as a source of revenue.

The request to rezone the property from the Industrial Park (I-P) District to the General Commercial (B-2) District, and maintain the existing Airport Overlay (AD) District is in conformance with the Land Use Element of the General Plan and the General Plan Zoning Conformity Matrix.

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?

No.

Transportation Element	Planned	Existing	Difference	Requested
Gila Ridge Road – 2-Lane Collector	40 FT H/W ROW	40 FT H/W ROW	0 FT	0 FT

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 See Attachment B.
Comments:

Neighborhood Meeting No Meeting Required.
Comments:

Proposed conditions delivered to applicant on: April 11, 2018.

Final staff report delivered to applicant on: April 23, 2018.

- ☒ Applicant agreed with all of the conditions of approval on: April 11, 2018.
- ☐ Applicant did not agree with the following conditions of approval: (list #'s)
- ☐ 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 Plan	Aerial Photo	Staff Research

Prepared By:
Alyssa Linville,
Principal Planner

Date: 04/13/18
(928)373-5000, ext. 3037
Alyssa.Linville@YumaAz.gov

Approved By:
Dan Symer, AICP,
Assistant Director Community Development

Date:

6/13/18

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

Date: 4.13.18

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 prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.

Community Planning: Alyssa Linville, Principal Planner, (928) 373-5000, ext. 3037

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
EXTERNAL AGENCY COMMENTS

☒ COMMENT ☐ NO COMMENT

Enter comments below:

It is understood the property owner wanted to use a portion of the property for small retail for manufacturing business and a Yoga studio. While the property is located within the 65-70 dB noise contour, this activity is allowed per ARS 28-8481 and the City of Yuma Zoning Ordinance. An avigation easement has been recorded. Therefore the Yuma County Airport does not object to the request.

DATE: 3/30/18 NAME: Gen Grosse TITLE: Property/Community Relations

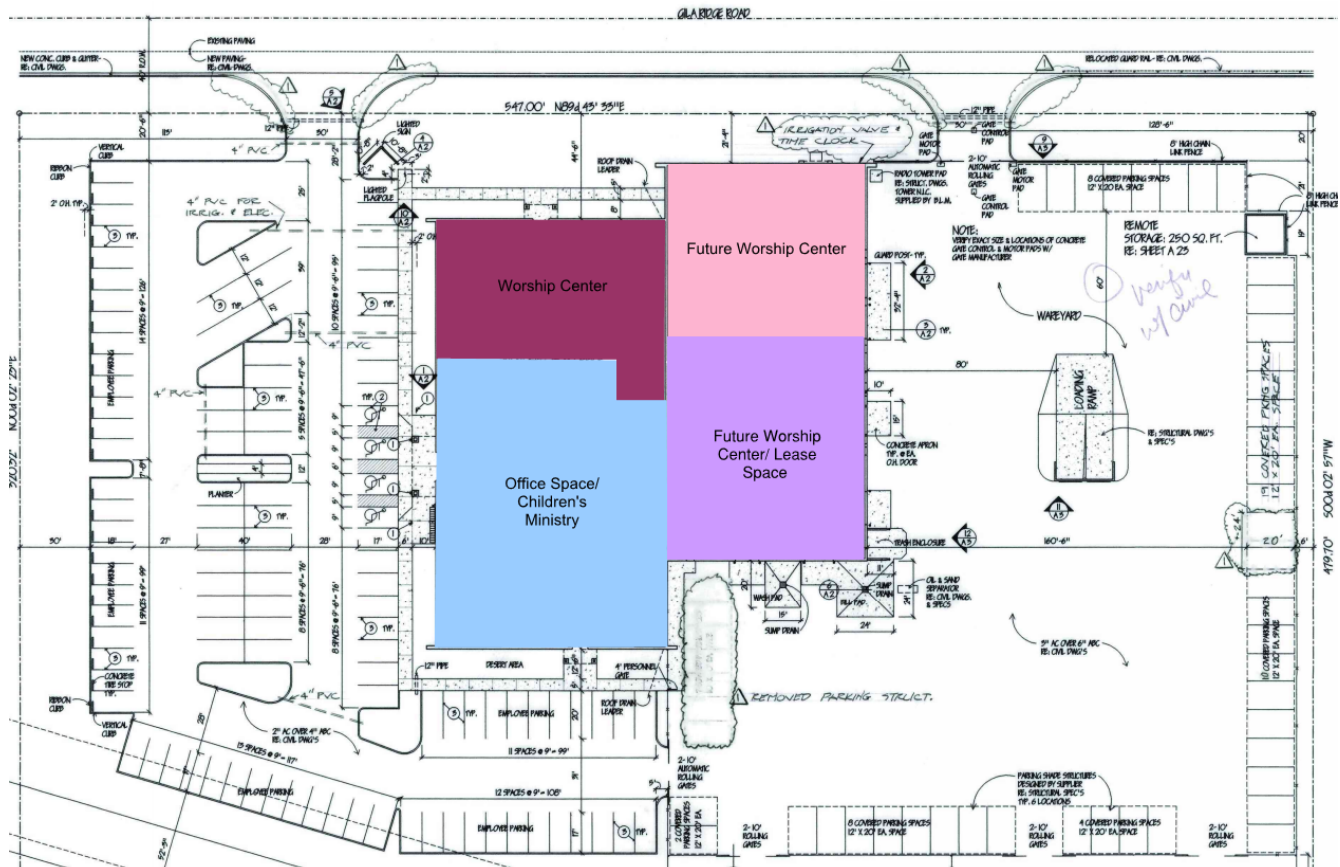
AGENCY: Yuma County Airport Authority

PHONE: (928) 726-5882

RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

ATTACHMENT C

SITE PLAN




- | |
|------------------------------------|
| Worship Center |
| Office Space/Children's Ministry |
| Future Worship Center/ Lease Space |
| Future Worship Center |

ATTACHMENT D
AERIAL PHOTO



ATTACHMENT E
STAFF RESEARCH

	STAFF RESEARCH – REZONE	
	CASE #: ZONE-21484-2018	
	CASE PLANNER: ALYSSA LINVILLE	

I. PROJECT DATA

Project Location:		Located along E. Gila Ridge Road, west of the S. Avenue 2 ½ E Alignment												
Parcel Number(s):		666-59-001												
Parcel Size(s):		212,572												
Total Acreage:		4.8												
Proposed Dwelling Units:		None												
Address:		2555 E. Gila Ridge Road												
Applicant:		Paul Mondragon												
Applicant's Agent:		The Rock Church Yuma INC.												
Land Use Conformity Matrix:		Conforms:		Yes	X	No								
Zoning Overlay:	Public		AO		Auto		B&B		Historic		Airport	X	None	
Noise Contours	65-70	X	70-75		75+		APZ1		APZ2		Clear Zone			

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Industrial Park/Airport Overlay (I-P/AD)	The Rock Church	Industrial
North	General Commercial /Aesthetic Overlay/Airport Overlay (B-2/AO/AD)	Bobby's Territorial Harley Davidson/Vacant Restaurant	Business Park
South	Agriculture/Airport Overlay (AG/AD)	Union Pacific Railroad	Industrial
East	Light Industrial/Aesthetic Overlay/Airport Overlay (L-I/AO/AD)	Gila Ridge Self-Storage	Industrial
West	Light Industrial/Airport Overlay (L-I/AD)	Fisher Wireless Services	Industrial

Prior Cases or Related Actions:					
<u>Type</u>	<u>Conforms</u>		<u>Cases, Actions or Agreements</u>		
Pre-Annexation Agreement	Yes	No	N/A		
Annexation	Yes	X No	Ord. #95-020 (July 7, 1995)		
General Plan Amendment	Yes	No	N/A		
Development Agreement	Yes	No	N/A		
Rezone	Yes	X No	Ord. #O95-014 (August 2, 1995; AG to L-I); Ord. #O98-75 (September 30, 1998; L-I to I-P)		
Subdivision	Yes	No	N/A		
Conditional Use Permit	Yes	X No	CU95-10 (Allow BLM offices within L-I District), CUP-17601-2017 (Allow a religious institution in L-I District)		
Pre-Development Meeting	Yes	No	N/A		
Design Review Commission	Yes	No	N/A		
Enforcement Actions	Yes	No	N/A		
Avigation Easement Recorded	Yes	X No	Fee # 2017-22819		
Land Division Status:	Legal lot of record.				
Irrigation District:	Yuma Irrigation and Drainage District (YIDD)				
Adjacent Irrigation Canals & Drains:	None				

Water Conversion: (5.83 ac ft/acre)	27.98 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:			65-70 dB		Overlay/Specific Area:			N/A				
Issues:			None									
Historic District:	Brinley Avenue			Century Heights			Main Street			None	X	
Historic Buildings on Site:		Yes		No	X							

Transportation Element:

FACILITY PLANS

Transportation Master Plan				Planned				Existing				
Gila Ridge Road – 2-Lane Collector				40 H/W ROW				40 H/W ROW				
Median Covenant				N/A								
Gateway Route			Scenic Route		X	Hazardous Cargo Route			Truck Route		X	
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: None	Future: None	
Community Park:	Existing: None	Future: None	
Linear Park:	Existing: None	Future: None	
Issues:	None		

Housing Element:

Special Need Household:	N/A							
Issues:	None							

Redevelopment Element:

Planned Redevelopment Area:	N/A							
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X		
Conforms:	Yes		No		N/A			

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes		No	X	
Renewable Energy Source	Yes		No	X	
Issues:	None				

Public Services Element:

Population Impacts Population projection per 2012-2016 American Community Survey 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		Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation
		<i>Non-residential</i>						
		Maximum	Per Unit		Officers	GPD	AF	GPD
		0	0	0	0.00	0	0.0	0
		Minimum						
0	0	0	0.00	0	0.0	0		
Fire Facilities Plan:		Existing: Fire Station #3				Future: Fire Station #3		
Water Facility Plan:		Source:	City	X	Private		Connection:	10" PVC
Sewer Facility Plan:		Treatment:	City	X	Septic		Private	Connection: 10" PVC

Issues:	None									
Safety Element:										
Flood Plain Designation:	Flood Zone 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:	N/A									

NOTIFICATION

- Legal Ad Published: The Sun (04/20/18)
- 300' Vicinity Mailing: (03/26/18)
- 34 Commenting/Reviewing Agencies noticed: (03/29/18)

- Neighborhood Meeting: (N/A)
- Hearing Dates: (05/14/18)
- Comments Due: (04/09/18)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	03/30/18		X	X
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	Yes	03/30/18	X		
Yuma County Planning & Zoning	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.	Yes	03/29/18	X		
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 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	Yes	03/30/18	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	03/30/18			X
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Neighborhood Meeting Comments Available
None Required	N/A
Prop. 207 Waiver Given to Applicant on:	Delivery Method:
May 14, 20180	In Person

ATTACHMENT B
INTERNAL AGENCY COMMENTS

Conditions of approval must be written in the form of a formal condition for use in staff's report. Your conditions will be used verbatim. If you also have a comment, please indicate below.

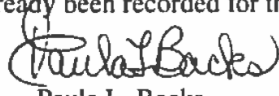
☐ Condition(s)

☒ No Condition(s)

☒ Comment

Enter conditions here: The property is located within the 65-70 dB noise contour. The property owner wants to use some of the property for small retail and manufacturing businesses and a Yoga Studio. Various retail and apparel manufacturing, as well as, indoor recreation services are allowed in this noise contour according the Arizona Revised Statutes 28-8481 and City of Yuma Zoning Ordinance, therefore, the Marine Corps Air Station does not object to the approval of this request. An avigation easement has already been recorded for the property. Thank you for the opportunity to comment.

DATE: 3/30/2018

NAME:  Paula L. Backs

TITLE: Community Liaison
Specialist

CITY DEPT: MCAS YUMA AZ

PHONE: (928) 269-2103

RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov
