



City of YUMA

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

Hearing Date: November 18, 2013

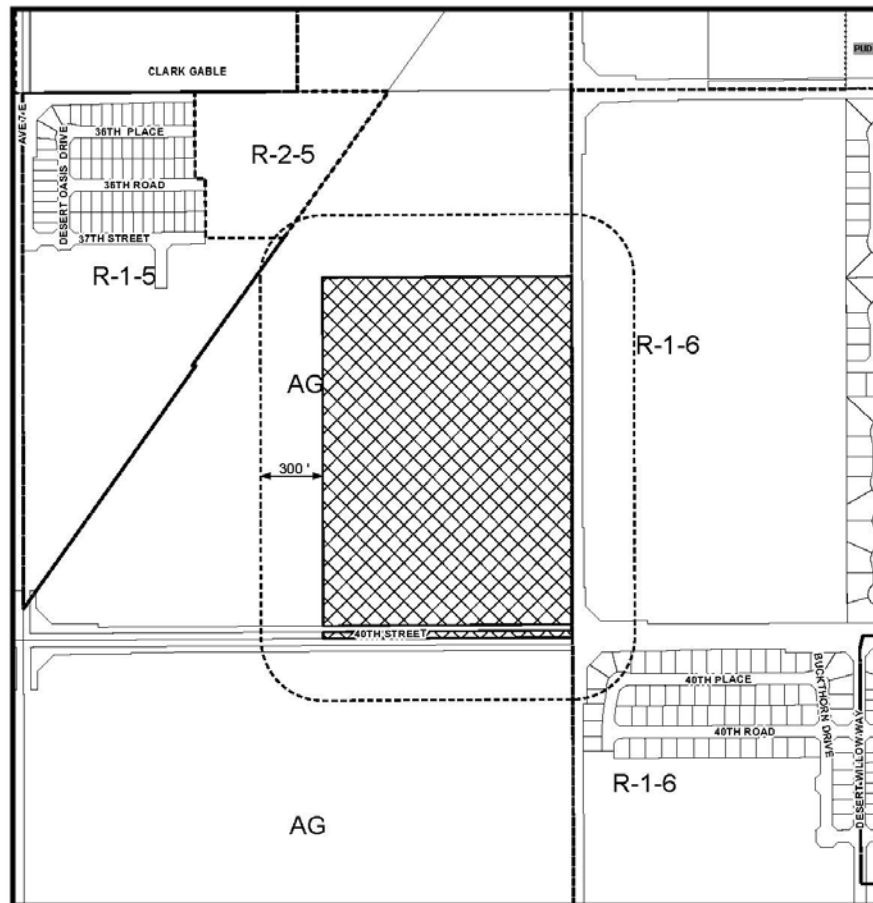
Case Number: ZONE-3919-2013

Project Description/Location:

Rezone approximately 46.56 acres from the Agriculture (AG) District to the Medium Density Residential/Planned Unit Development Overlay(R-2/PUD) District and Low Density Residential/Planned Unit Development Overlay (R-1-6/PUD) District. The property is located at the northwest corner of Avenue 7½ E and 40th Street, Yuma, AZ.

	Existing Zoning	Existing Land Use	Land Use Designation
Site	Agriculture (AG)	Undeveloped	Medium Density Residential
North	Agriculture (AG)	Undeveloped	Public / Quasi Public
South	Agriculture (AG)	Undeveloped	Low Density Residential
East	Low Density Residential (R-1-6)	Undeveloped	Low Density Residential
West	Agriculture (AG)	Undeveloped	Low Density Residential

Location Map



Prior site actions: Annexation: Ord.# O97-81 (January 2, 1998); General Plan Amendment: GP1997-004 – Res.# R98-02 (January 21, 1998); GP2004-08 – Res.# R2004-89 (December 13, 2004); and GP-2347-2012 - Res.# R2013-19 (March 20, 2013); Development Agreement: Res.# R99-40 (July 21, 1999), amended by Res.# R2001-42 (June 6, 2001), repealed by Res.# R2001-76 (November 7, 2001); and Rezone: Upon Annexation; Z97-26 – Ord.# O98-89 (December 16, 1998) (expired) and Ord.# 2001-10 (January 17, 2001) (expired); and Z2005-007 (withdrawn).

Staff recommendation:

Staff recommends APPROVAL of the rezoning of the property from the Agriculture (AG) District to the Medium Density Residential (R-2) District, subject to the conditions shown in Attachment A, because the request is in conformance with the General Plan; and,

DENIAL of the request to rezone the property to add the Planned Unit Development Overlay because the proposal does not meet the spirit of the law as intended through the Planned Unit Development Overlay District; and,

DENIAL of the request to rezone the property from the Agriculture (AG) District to the Low Density Residential (R-1-6) District because without the PUD to tie the R-1-6 to the R-2 property, this strip of land is not a buildable lot.

Suggested Motion:

Move to **APPROVE** the rezoning of the property, as requested, from the Agriculture (AG) District to the Medium Density Residential (R-2) District, subject to the conditions shown in Attachment A, because the request is in conformance with the General Plan, and, to **DENY** the rezoning of the property to add the Planned Unit Development (PUD) Overlay District, because the proposal does not meet the spirit of the law as intended through the Planned Unit Development Overlay District, and, to **DENY** the rezoning of the property from the Agriculture (AG) District to the Low Density Residential (R-1-6) District, because without the PUD to tie the R-1-6 to the R-2 property, this strip of land is not a buildable lot.

Staff Analysis: *Description of Site and Proposal*

The applicant proposes developing a portion of a larger parcel at the northwest corner of Avenue 7½ E and 40th Street into a single family townhome subdivision. Currently, the site is undeveloped desert land. The applicant is proposing a 332-unit single-family townhome subdivision on approximately 46.56 acres, and states that, “development of this property will be in a single phase and start in the late fall of 2013.”

The applicant is requesting two zoning districts: the Medium Density Residential/Planned Unit Development Overlay (R-2/PUD) District for approximately 44.63 acres where the homes are proposed to be constructed, and the Low Density Residential/Planned Unit Development Overlay (R-1-6/PUD) District for the other 1.93 acres on the west side of the property where the developer proposes a 50' wide swath of land for a meandering walking path. This 50-foot wide swath of land currently contains an irrigation canal that the developer built in order to irrigate land to the south of this proposed project.

The City of Yuma General Plan designates the larger 44.63 acre area as Medium Density Residential and the request to rezone that portion of the property to the Medium Density Residential (R-2) District is in conformance with the General Plan. The City of Yuma General Plan designates the smaller 1.93 acre area as Low

Density Residential and the request to rezone that portion of the property to Low Density Residential (R-1-6) District is in conformance with the General Plan.

Density

The Planned Unit Development Overlay (PUD) District states, "the average lot area per dwelling unit, including common area but excluding area occupied by public or private streets, shall not be less than that required by the zoning district regulations otherwise applicable to the site (City Code §154-14-07(C)(4))."

Because the R-2 District requires a minimum lot size of 4,500 square feet (with a maximum of 72 small lots per 160 acres) for a small lot single-family subdivision, the developer would be permitted 82 additional units with the PUD, than would be permitted with the R-2 District alone. The developer is treating the R-1-6 swath like it is R-2 with the PUD Overlay with regard to density.

The proposed development encompasses 46.56 acres for the entire development, including the streets. The common area and lots total approximately 34.4 acres. Taking 34.4 acres and dividing by the proposed 332 units, as shown on the site plan (Attachment B), yields an average lot area of 4,513 square feet. Therefore, the proposed development meets the required minimum average lot area of 4500 square feet (under the PUD) per dwelling unit, based on the underlying zoning of R-2.

If the land proposed for this development were to be developed under the R-1-6 or R-2 Districts alone, the developer would be able to build a maximum of 250 units (236 units from the R-2 area and 14 units from the R-1-6 area). A landscaped retention basin would be required for R-2 District development as well as the R-1-6 development. With the PUD Overlay, the developer is permitted to build a total of 332 units, or 82 additional units (25% of the entire project). The PUD Overlay results in a much denser development than the R-2 District alone provides.

Development Standards

"Planned Unit Developments are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of residential areas than generally is possible under conventional zoning regulations." (City Code §154-14.07 (A)).

The proposed development with the PUD overlay would allow the following dimensional variations:

- An increase in number of 4,500 square foot lots from 72 lots to 332 lots.
- A decrease in minimum lot size from 4,500 to 3,300 square feet.
- A decrease in minimum lot width from 50' to 30'.
- Staggered front yard setbacks of 15' and 20' (20' is the minimum standard).
- A reduction in side yard setbacks from 7' on each side to zero feet on each side.
- An increase in maximum lot coverage from 35% to 70%. The increase in lot coverage allows the future homeowners to add patios and/or sheds.

Amenities

"PUDs are further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, **a higher level of urban amenities** and preservation of natural scenic qualities of open spaces." (City Code §154-14.07 (A)).

The applicant has offered the following amenities for the proposed PUD:

1. A 50' wide meandering walking path on the west side of the entire subdivision. This is the irrigation canal area which is proposed for R-1-6 zoning and totals approximately 1.93 acres. The meandering walking path will be landscaped, have benches, and connect to the future linear park along the "A" Canal.
2. A central retention basin that has grass instead of gravel. This area totals 5.38 acres.
3. Multiple 10'-wide walking paths/connectors running midblock, connecting to the central retention basin, and one that connects the central retention basin to the meandering walking path.
4. Each residential lot is proposed to have front yard irrigation installed, bermuda grass and a tree planted at the time of construction of a home on the lot, prior to the Certificate of Occupancy being issued.

These amenities proposed by the applicant do not meet the required '***higher level of urban amenities***', as identified in the Purpose statement of the PUD ordinance, which states in full:

"Planned unit developments (PUDs) are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of residential areas than generally is possible under conventional zoning regulations. PUDs are further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of urban amenities and preservation of natural scenic qualities of open spaces." (City Code §154-14.07 (A))

An examination of the four amenities proposed by the developer reflect that three of the four are required for reasons other than being amenities:

1. **A 50' wide meandering walking path on the west side of the entire subdivision containing 1.93 acres.**

The original staff review of the preliminary PUD design revealed too many proposed dwelling units based on the number of acres within the project. Instead of redesigning the project with fewer dwelling units, the developer increased the land area for the project, adding the 1.93-acre swath to the west of the original project area. In order for the additional land to be considered an amenity, staff required a walking path and landscaping.

The developer then proposed to develop this "amenity" after 90% (298 lots) of the lots in the PUD had been sold. For several reasons, staff

opposes the PUD Overlay, and requests that if the Planning and Zoning Commission recommends the PUD Overlay, the recommending motion requires this amenity be installed and completed by the time 50% (166 lots) of the Final Inspections have been completed for the PUD development.

2. A 5.38-acre central retention basin that has grass instead of gravel.

The 5.38-acre basin is a storm water requirement for this project – PUD or not. The developer states that the landscaping in the basin will consist of trees and shrubs placed according to code, but because the bottom of the basin will have grass instead of gravel, the developer considers the basin to be an amenity. Without additional enhancements, the central retention basin is not an amenity; rather, it is a necessity and a requirement for stormwater retention. Staff has recommended the following minimum list of additional features which would turn the required basin into an amenity:

- Four ramadas for shade and open space enjoyment
- A walking path and landscaping along the periphery of the basin
- Four drinking fountains along the walking path
- Four benches along the walking path
- Lighting along all walking paths throughout the development
- Mile markers along all walking paths throughout the development to indicate distances traveled
- Several BBQs, picnic tables, a swing set/jungle gym play apparatus.

3. Multiple 10'-wide walking paths running midblock.

The proposed 10'-wide 'walking paths' are required utility easements. The developer agreed to add crushed rock to turn the utility easements into walking paths, calling them an amenity. Staff's position is that if the developer agreed to add landscaping and benches along these 10'-wide walking paths, the utility easements could qualify as an amenity under the "higher level of urban amenities" standard required for PUD's by City Ordinance.

4. Front yard irrigation, grass and a 15-gallon tree for each house.

This is considered an amenity and would need to be installed prior to the final inspection for each unit and prior to each new owner taking control of the property. The timing on this landscaping is important.

The table below illustrates amenities approved for PUD's that have been approved by the City over the last 15 years. The developments are listed according to the number of units, starting with the smallest number of units.

Development Name	Units	Acres	Amenities									
			Clubhouse / Rec Center	Pool	Ramada / Gazebo	Playground Equipment	Guest Parking	Walking Paths	Benches / Trash Cans	Colored Driveways	Private Rec Area	Public Rec Area
South Avenue B * (2007)	33	5.5				1			3		X	
Ocotillo Unit No. 5 (2007)	73	12.8				2		X	8	X		X
Las Brisas (2001)	99	35	X	X			5				X	
Sunset Terraces (2007)	113	18.8	X	X	3						X	
La Quinta (2001 & 2004)	104	25.8	X	X			X				X	
Sierra Montana * (2007)	203	36	X	X			120				X	
Sunset Mountain Villas (2005)	269	40			4						X	
Smoketree	332	46.5						X	X		X	

* indicates the development was approved, but has not been built.

Dwelling Unit Design and Massing Plan

The developer proposes four different floor plans and two different garage roof designs. The units will include a combination of asphalt and tile roofing with the air conditioning units on the rear roofs. The elevations for these floor plans are available in Attachment E. The units are identical to the units this developer is building in the Sunset Mountain Villas subdivision.

The massing plan illustrates the arrangement of the units with the staggered setbacks, the interconnected walking paths, the central retention basin, and the linear walking path. The massing plan is provided in Attachment C.

Future Improvements

The Traffic Engineer has commented that prior to the submission of the preliminary plat, a Traffic Impact Analysis (TIA) will be required to be submitted and approved by the Traffic Engineer/Public Works Department. The TIA must be performed by a registered Civil Engineer in the State of Arizona, with significant experience in Traffic Engineering and Transportation Planning. The TIA must address trip generation of the proposed development, distribution of traffic onto adjacent street network, analysis of level of service of affected roadways and intersections, and recommended measures, if necessary, to mitigate traffic impacts. Such measures may include offsite improvements such as traffic signal installation, and roadway and intersection widening.

The Deputy Building Official has commented that the plans for the townhouses are required to be designed by an Arizona Registrant. The Street Superintendent has commented that the project needs to use xeriscaping in the public rights-of-way and the xeriscaping and irrigation must meet City standards.

Conclusion

The proposed Planned Unit Development Overlay (PUD) District permits an increase in density far beyond what would be allowed under the underlying zoning district. This increase in density is financially beneficial to the developer. The tradeoff for the increased density is that the developer must provide “**a higher level of urban amenities**” and preservation of natural scenic qualities of open spaces” for the benefit of the residents of the PUD. As proposed by the applicant, this PUD proposal simply does not meet, and is not intended to meet, the express intent found within the purpose section of the City Code provision.

1. Does the proposed zoning district conform to the Land Use Element?

Yes, for the R-2 and R-1-6.

2. Are there any dedications or property easements identified by the Transportation Element?

No Right of way dedications will be addressed during the subdivision preliminary plat phase.

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 Comments:

See Attachment F.
No Meeting Required.

Neighborhood Meeting Comments:

Proposed conditions delivered to applicant on: September 30, 2013

Final staff report delivered to applicant on: October 7, 2013

<input checked="" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: October 9, 2013
<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
Staff Conditions of Approval – R-2 Rezone Only	Site Plan	Massing Plan and Developer Proposed Amenities	Street Massing Plan
E	F	G	
Elevation Plans	External Agency Comments	Aerial Photo	

Project Planner: Joy Everett, Senior Planner 373 -5000 #3034 Joy.Everett@YumaAZ.gov


Prepared By:
Joy Everett, Senior Planner

Date: 11/12/13


Reviewed By:
Bobette Bauermann, Principal Planner

Date: 11/14/13


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

Date: 11-12-13

ATTACHMENT A
CONDITIONS OF APPROVAL – R-2 REZONE ONLY

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 within ten (10) calendar days of Planning and Zoning Commission approval of this zoning action. In the event this condition is not completed within this time frame, the zoning action is null and void.
3. The Owner shall record an 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. The Avigation Easement shall be submitted within ten (10) calendar days of Planning and Zoning Commission approval of this zoning action. In the event this condition is not completed within this time frame, the zoning action is null and void.

Public Works Comments: Paul Brooberg, Principal Engineer, (928) 373-4505:

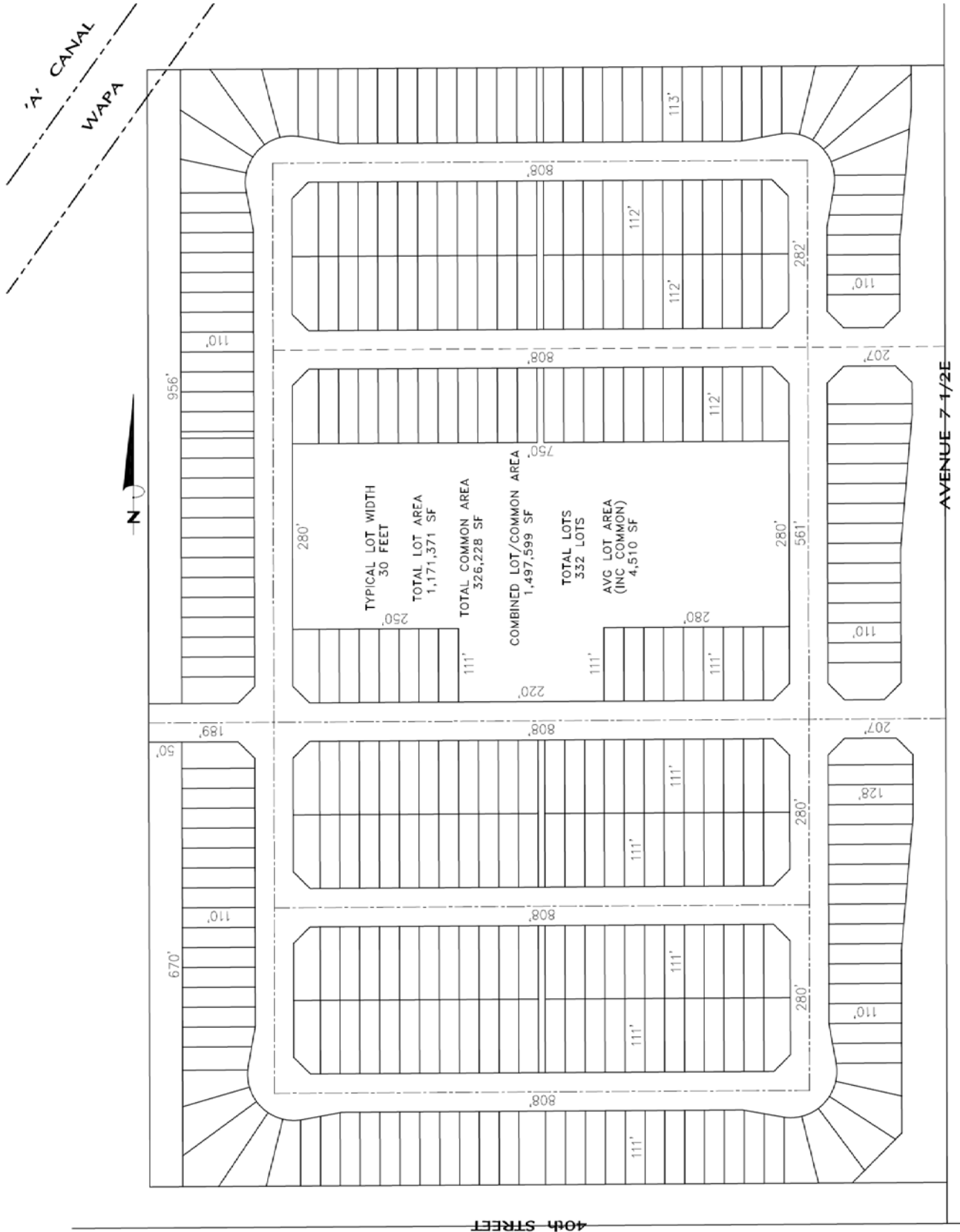
4. The Owner shall dedicate any underlying ownership of the existing 40th Street right-of-way and additional right-of-way along the parent parcel to the City of Yuma (City), so that the City realizes a full 62-foot half-width right-of-way and flares for 40th Street, as specified in Figure 3 of the MRP. Dedication shall be by plat or warranty deed.
5. The Owner shall dedicate 36th Street right-of-way along the parent parcel, so that the City realizes a full 50-foot half-width right-of-way and flares for 36th Street, as specified in Figure 3 of the MRP. Dedication shall be by plat or warranty deed.
6. The Owner shall dedicate Avenue 7½E right-of-way along the parent parcel, so that the City realizes a full 50-foot half-width right-of-way and flares for Avenue 7½E, as specified in Figure 3 of the MRP. Dedication shall be by plat or warranty deed.
7. The Owner shall dedicate its underlying ownership of the United States Department of the Interior - Bureau of Reclamation "A" canal right-of-way adjacent to the parent parcel to the City of Yuma. Dedication shall be by plat or warranty deed.

Community Planning Comments: Joy Everett, Senior Planner, (928) 373-5000 x3034:

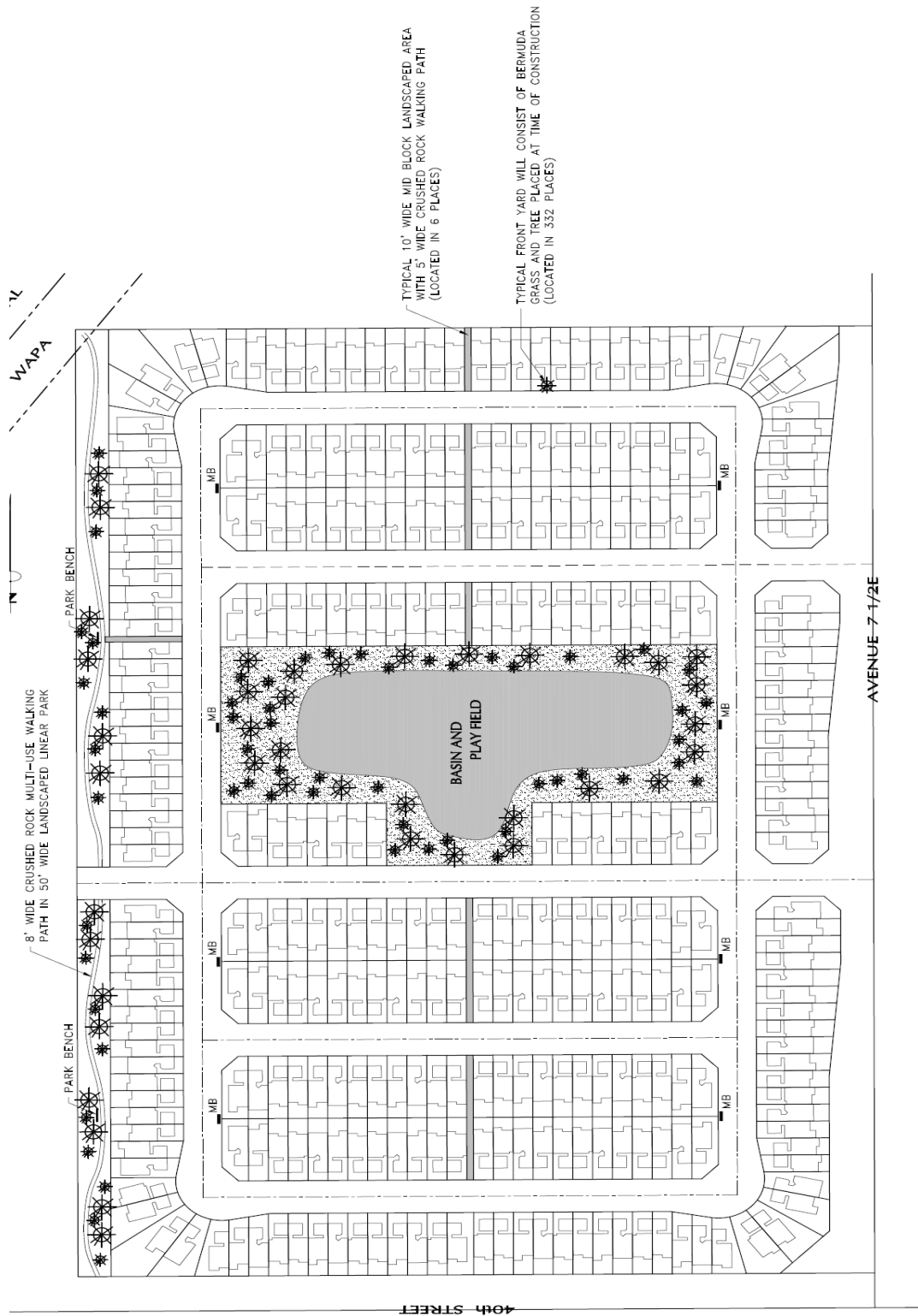
8. The Owner shall complete a Lot Split of the parent parcel to ensure that each lot only has one zoning district.
9. With the exception of Condition 2, each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance 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.

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.

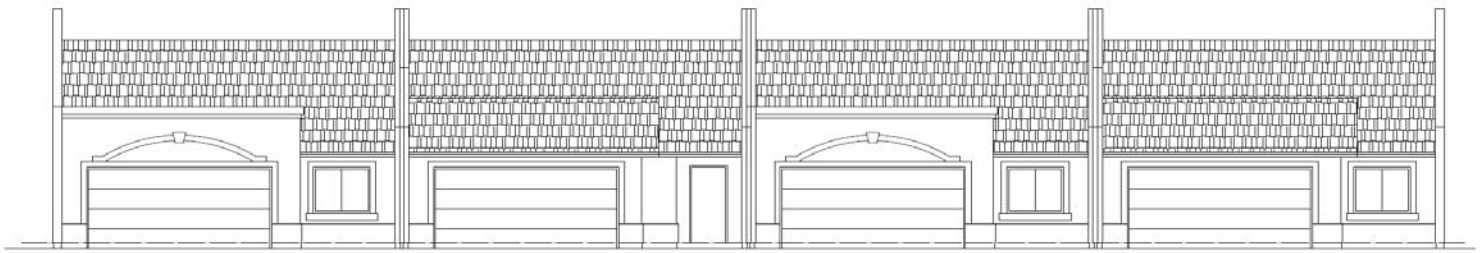
ATTACHMENT B SITE PLAN



ATTACHMENT C **MASSING PLAN & DEVELOPER-PROPOSED AMENITIES**



ATTACHMENT D
STREET MASSING PLAN



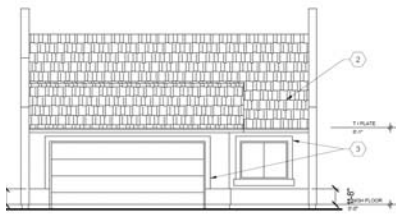
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Front Elevation Option B

1280_PLAN
Front Elevation Option A

1316_PLAN
Front Elevation Option B

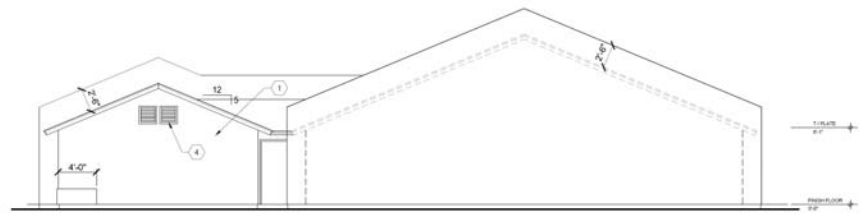
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Front Elevation Option A

ATTACHMENT E ELEVATION PLANS



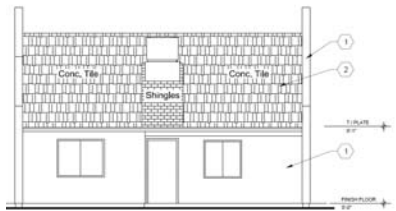
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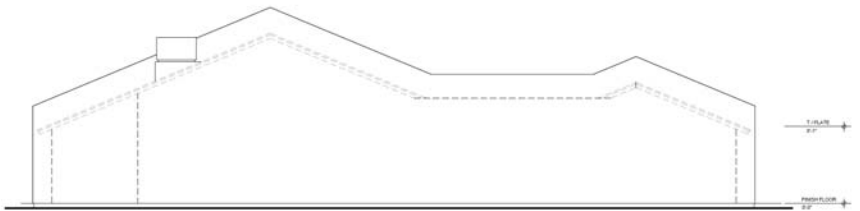
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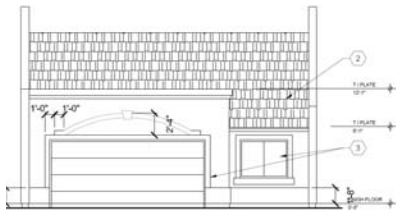
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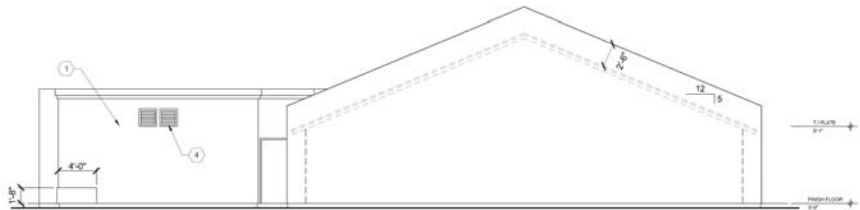
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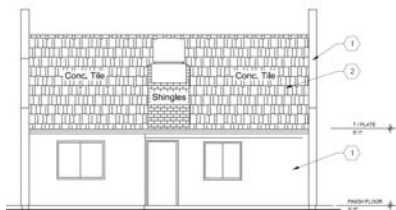
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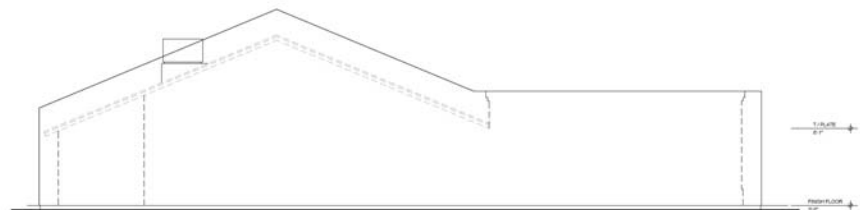
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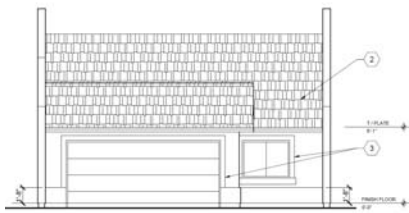
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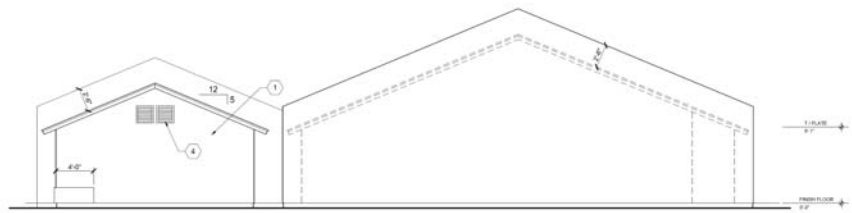
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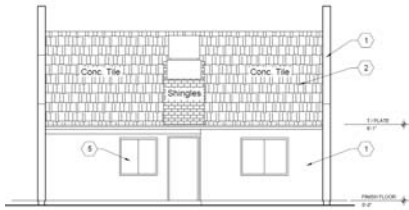
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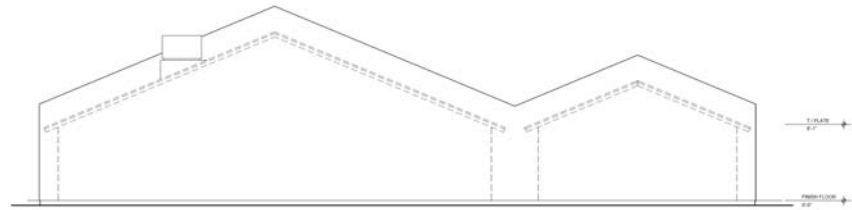
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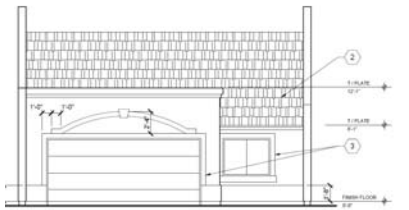
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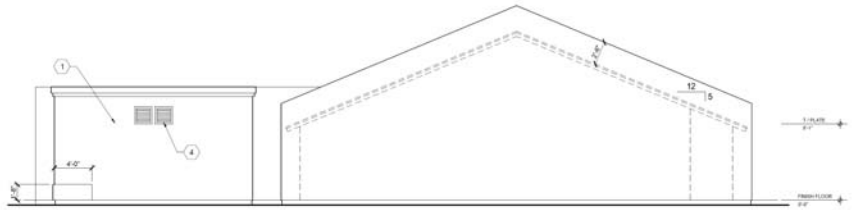
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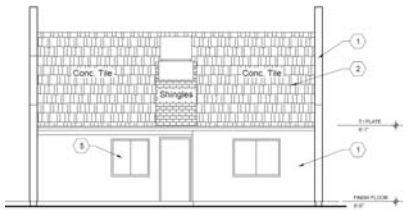
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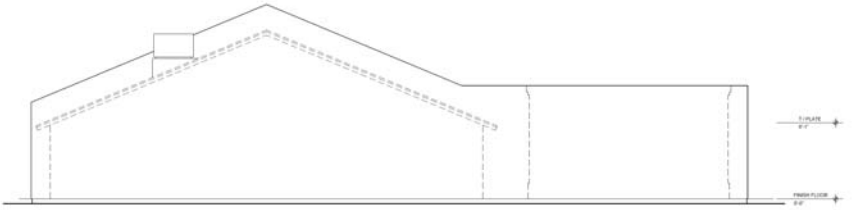
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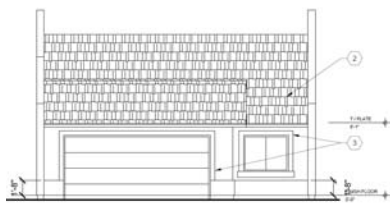
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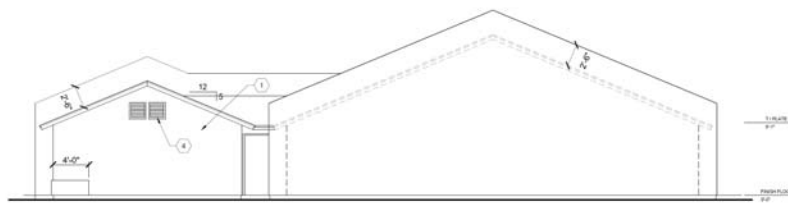
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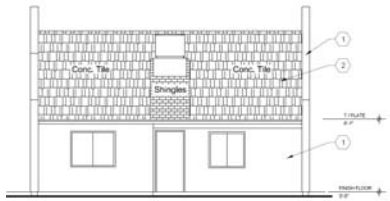
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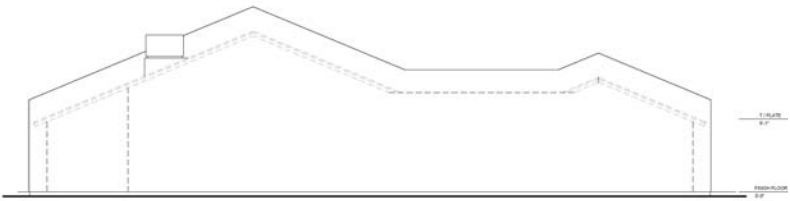
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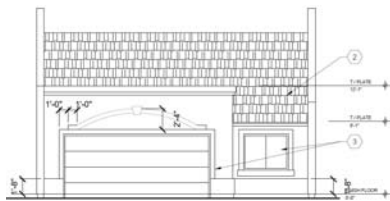
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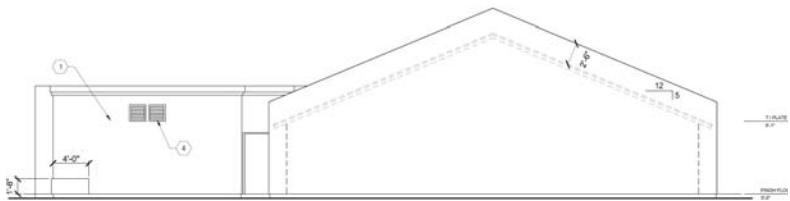
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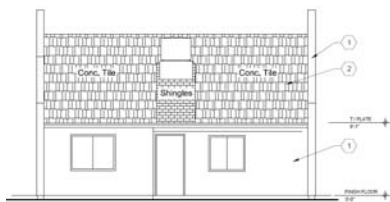
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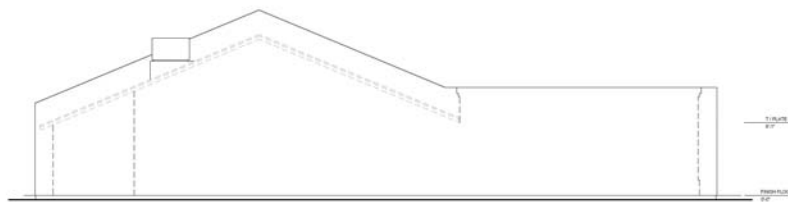
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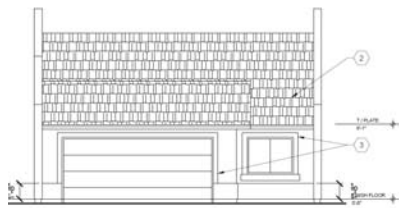
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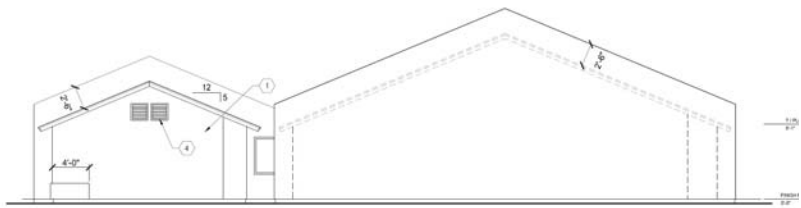
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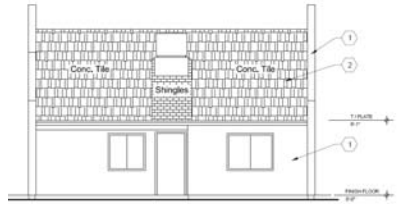
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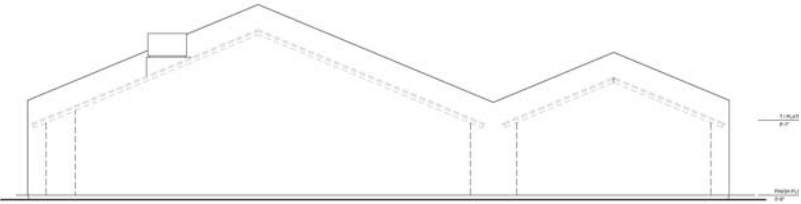
1 Right Side Elevation

SCALE: 3/16"=1'-0"



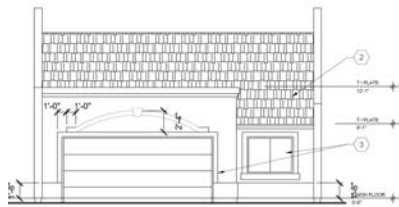
1 Rear Elevation

SCALE: 3/16"=1'-0"



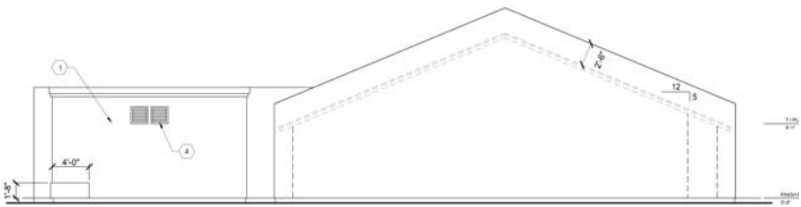
1 Left Side Elevation

SCALE: 3/16"=1'-0"



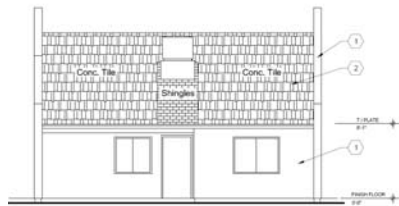
1 Front Elevation

SCALE: 3/16"=1'-0"



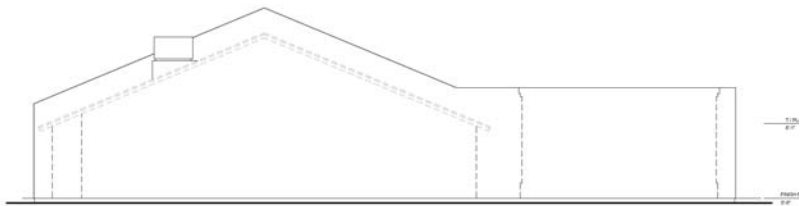
1 Right Side Elevation

SCALE: 3/16"=1'-0"



1 Rear Elevation

SCALE: 3/16"=1'-0"



1 Left Side Elevation

SCALE: 3/16"=1'-0"

**ATTACHMENT F
EXTERNAL AGENCY COMMENTS**

☒ COMMENT ☐ NO COMMENT

Enter comments below:

ADOT Yuma District does not object to a zoning change at this location. We do request the opportunity to review and comment on a traffic impact analysis (TIA) for any specific plat or other proposal at the site. The TIA would allow the Department the opportunity to assess the affects the increased traffic from the proposed development would have on the I-8 @ Araby Road & Ave 8 1/2E Interchanges. Thank you.

DATE: 8/15/13 NAME: Isabell Garcia TITLE: Development Coordinator
AGENCY: ADOT Yuma District
PHONE: (928) 317-2159
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov

☒ COMMENT ☐ NO COMMENT

Enter comments below:

It appears there are provisions for local road improvements to either East 40th Street or South Avenue 7 1/2 E. This would appear to be needed given the added density to the area if the proposed application was approved and developed.

DATE: 8/14/13 NAME: C. Bahr TITLE: Planner II
AGENCY: Yuma County DDS - Planning and Zoning Division
PHONE: 928-817-5000
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov

☒ COMMENT ☐ NO COMMENT

Enter comments below:

Should a project be developed as a result of this proposed land use change action, YCIPTA (Yuma County Intergovernmental Public Transportation Authority) would request consideration towards the establishment of a bus stop on 40th Street, farside from the intersection on Avenue 7 1/2 E. The bus stop developed should conform to ADOT standards with includes a pole with a YCAT bus stop sign, plus provision for placement of a bus bench and/or shelter.

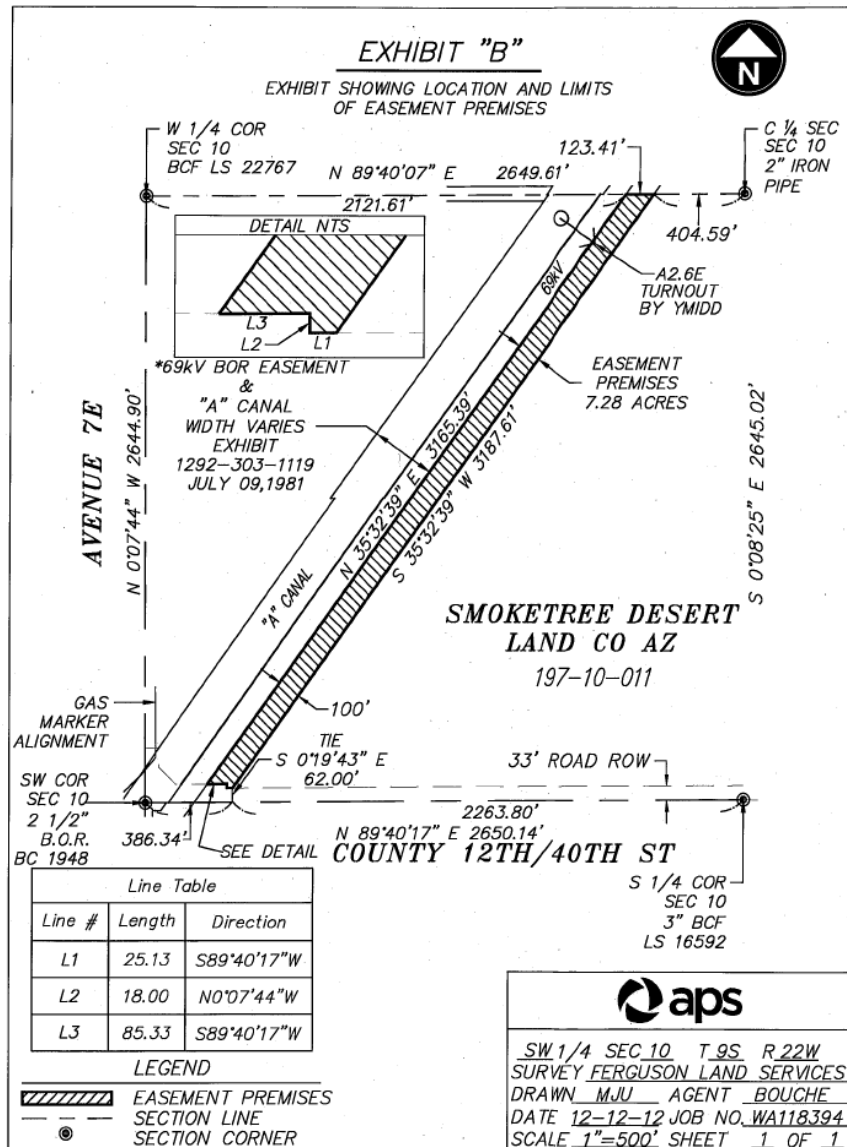
DATE: 8/16/13 NAME: John Andoh TITLE: Transit Director
AGENCY: YCIPTA
PHONE: 928.539.7076 ext 237
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov

☒ COMMENT ☐ NO COMMENT

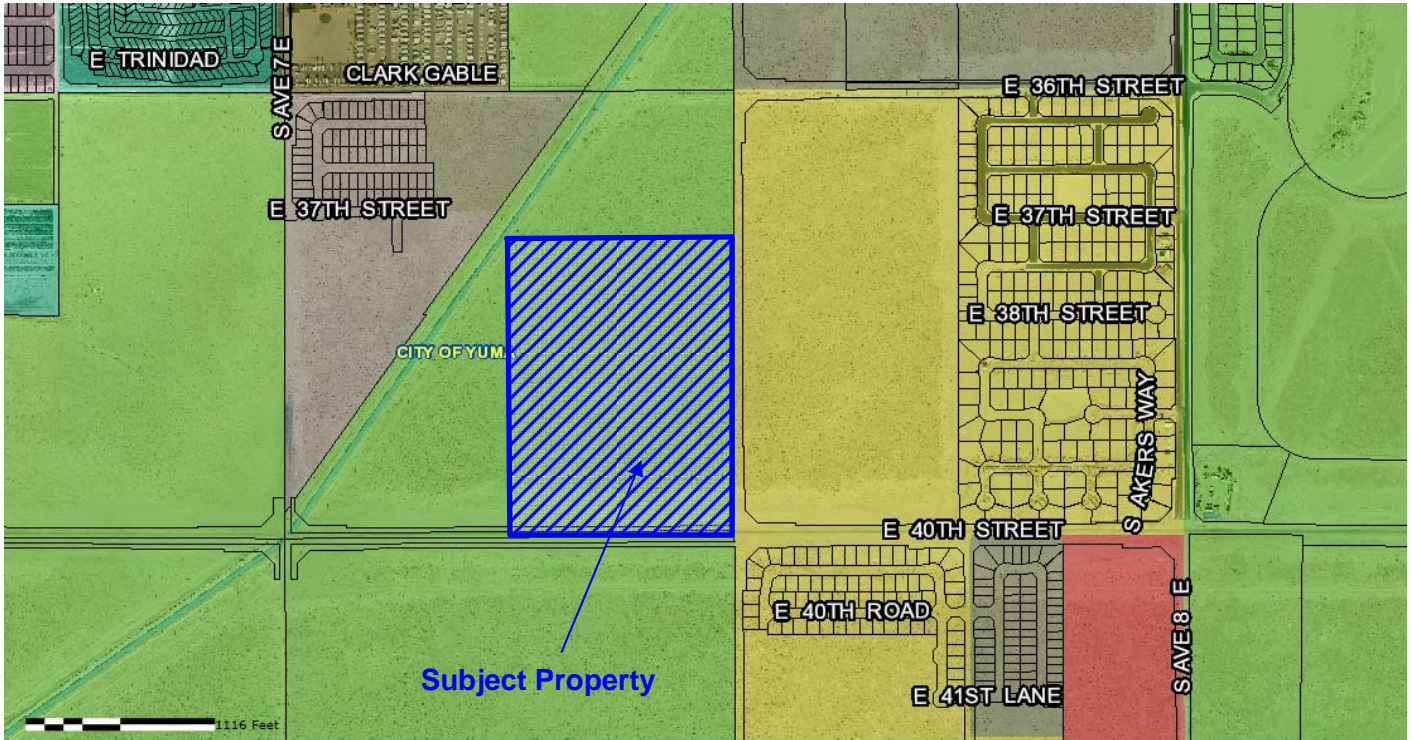
Enter comments below:

Arizona Public Service Company has an existing CEC to acquire right of way and install a 230,000 volt transmission line in the vicinity of this proposed development, more specifically off the NW corner of the shown development area adjacent to and southeasterly of the existing WAPA 69,000 volt line that runs along the existing canal. APS is currently appraising, surveying and preparing easement documents to submit to Smoketree Desert and other land owners for this line. This transmission line right of way is proposed to be 100' wide. No housing structures are allowed within this easement. Smoketree Desert has been notified and is aware of this new electric line.

DATE: 8/9/13 NAME: Mike Bouche TITLE: Senior Land Agent
 AGENCY: Arizona Public Service Company
 PHONE: 602-371-7033
 RETURN TO: Joy Everett
 Joy.Everett@YumaAZ.gov



ATTACHMENT G
AERIAL PHOTO





City of YUMA

STAFF RESEARCH – REZONE

CASE #: ZONE-3919-2013
CASE PLANNER: JOY EVERETT

I. PROJECT DATA

Project Location:				Northwest corner of 40 th Street and Avenue 7½ E											
Parcel Number(s):				197-10-011											
Parcel Size(s):				Approximately 2,028,153 square feet											
Total Acreage:				46.56											
Proposed Dwelling Units:				332											
Address:				N/A											
Applicant:				Smoketree Desert Land, LLC											
Applicant's Agent:				Dahl, Robins & Associates											
Land Use Conformity Matrix:				Conforms:		Yes	X	No							
Zoning Overlay:		Public		AO		Auto		B&B		Historic		None	X	Airport	
	Noise Contours	65-70		70-75		75+		APZ1		APZ2		Clear Zone			

	Existing Zoning	Existing Land Use	Planned Land Use
Site	Agriculture (AG)	Undeveloped	Medium Density Residential
North	Agriculture (AG)	Undeveloped	Public / Quasi Public
South	Agriculture (AG)	Undeveloped	Low Density Residential
East	Low Density Residential (R-1-6)	Undeveloped	Low Density Residential
West	Agriculture (AG)	Undeveloped	Low Density Residential

Prior Cases or Related Actions:

Type	Conforms				Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No		N/A
Annexation	Yes	X	No		Ord.# O97-81 (January 2, 1998)
General Plan Amendment	Yes	X	No		GP1997-004 – Res.# R98-02 (January 21, 1998); GP2004-08 – Res.# R2004-89 (December 13, 2004); and GP-2347-2012 - Res.# R2013-19 (March 20, 2013).
Development Agreement	Yes	X	No		Res.# R99-40 (July 21, 1999) – Fee# 1999-22961, amended by Res.# R2001-42 (June 6, 2001), repealed by Res.# R2001-76 (November 7, 2001).
Rezone	Yes	X	No		Upon Annexation; Z97-26 – Ord.# O98-89 (December 16, 1998) (expired) and Ord.# 2001-10 (January 17, 2001) (expired); and Z2005-007 (withdrawn).
Subdivision	Yes		No		N/A
Conditional Use Permit	Yes		No		N/A
Pre-Development Meeting	Yes	X	No		October 18, 2012
Design Review Commission	Yes		No		N/A
Enforcement Actions	Yes		No		N/A
Avigation Easement Recorded	Yes		No	X	Fee # If no, add to Conditions of Approval
Land Division Status:	Parcel is not a legal lot of record				
Irrigation District:	Yuma Mesa Irrigation and Drainage District				
Adjacent Irrigation Canals & Drains:	'A' Canal				
Water Conversion: (5.83 ac ft/acre)	271.44 Acre Feet a Year		Highlight & F9 to compute field		
Water Conversion Agreement Required	Yes		No	X	

II. CITY OF YUMA GENERAL PLAN**Land Use Element:**

Land Use Designation:			Medium Density Residential										
Noise Contour:			N/A		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**

Major Roadways Plan	Planned	Existing
Avenue 7½E – Minor Arterial	50 FT H/W	0 FT H/W
40 th Street – Principal Arterial	62 FT H/W	62 FT H/W
Median Covenant	Required for both Avenue 7½E and 40 th Street	
Gateway Route	Scenic Route	Hazardous Cargo Route
		Truck Route X – 40 th Street
Bicycle Facilities Master Plan	Proposed Bike Lanes along 40 th Street	
YCAT Transit System	Orange Route 2 stop at 32 nd Street and Avenue 8E	
Issues:	None	

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Saguaro Park	Future: Near Avenue 7½E and 44 th Street
Area Park	Existing: Kennedy Park	Future: Yuma East Area Park
Linear Park:	Existing: East Main Canal Linear Park	Future: "A" Canal Linear Park
Issues:	None	

Housing Element:

Special Need Household:	N/A
Issues:	N/A

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 Projected Population per Census 2010: 2.9 persons per unit 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					
	Population	Impact	Consumption		Generation
Maximum		Officers	GPD	AF	GPD
600	1,740	3.28	522,000	584.8	174,000
Minimum					
232	673	1.27	201,840	226.1	67,280
Fire Facilities Plan:	Existing: Fire Station # 5		Future: Fire Station # 7		
Water Facility Plan:	Source:	City	X	Private	Connection: 30" Polyvinylchloride Pipe in 40 th Street

Sewer Facility Plan:	Treatment:	City	X	Septic		Private		Connection: 30" Polyvinylchloride Pipe in 40 th Street
Issues:	None							
Safety Element:								
Flood Plain Designation:	Zone X			Liquefaction Hazard Area:		Yes		No X
Issues:	None							
Growth Area Element:								
Growth Area:	Araby Rd & Interstate 8	X	Arizona Ave & 16 th St			Avenue B & 32 nd St.		
	North End		Pacific Ave & 8 th St			Estancia		None
Issues:	None							

NOTIFICATION

- **Legal Ad Published: The Sun** 10/04/13
- **300' Vicinity Mailing:** 09/30/13
- **34 Commenting/Reviewing Agencies noticed:** 08/08/13
- **Neighborhood Meeting:** N/A
- **Hearing Dates:** 11/18/13
- **Comments Due:** 08/19/13

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	08/09/13	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	Yes	08/15/13	X		
Yuma County Planning & Zoning	Yes	08/14/13		X	X
Arizona Public Service	Yes	08/09/13		X	X
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	08/15/13		X	X
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	Yes	08/12/13	X		
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Company	NR				
YCIPTA	Yes	08/16/13		X	X
Western Area Power Administration	NR				
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
R.J. Chapman, Police	Yes	08/09/13	X		
Ron Ramirez, Parks	NR				
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kent Thompson, Fire	Yes	08/09/13	X		
Kerry Beecher, Building Safety	NR				
Alan Kircher, Building Safety	Yes	08/13/13			X
Laurie Neinast, ITS	NR				
Paul Brooberg, Engineering	Yes	08/09/13		X	X
Dan Sanders, Engineering	Yes	08/09/13			X
MCAS / C P & L Office	Yes	08/19/13		X	X
Jay Simonton, Utilities	Yes	08/12/13	X		
Joel Olea, Public Works	NR				
Mark Stewart, Streets	Yes	08/21/13			X

Neighborhood Meeting	Comments Available
None Required	See Attachment F
Prop. 207 Waiver Given to Applicant on:	Delivery Method:
July 15, 2013	U.S. Mail

PUBLIC COMMENTS RECEIVED: NONE RECEIVED.

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: Comment Only. Plans for townhouses require design by an Arizona Registrant.

DATE: 8-13-13 NAME: Alan Kircher TITLE: Deputy Building Official
CITY DEPT: DCD / Building Safety
PHONE: 928-373-5169
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov

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:

Comment-

As the subject property is a part of a larger parent parcel, the following conditions related to approval of the requested rezoning address the entire parent parcel.

Conditions-

1. The Major Roadways Plan of 2005 (MRP), as amended, designates 40th Street adjacent to the parent parcel as a Principal Arterial Street. As a condition of the requested rezoning, the Owner shall dedicate any underlying ownership of the existing 40th Street right-of-way and additional right-of-way along the parent parcel to the City of Yuma (City), so that the City realizes a full 62-foot half-width right-of-way and flares for 40th Street, as specified in Figure 3 of the MRP. Dedication shall be by warranty deed.
2. The Major Roadways Plan of 2005 (MRP), as amended, designates 36th Street adjacent to the parent parcel as a Minor Arterial Street. As a condition of the requested rezoning, the Owner shall dedicate 36th Street right-of-way along the parent parcel, so that the City realizes a full 50-foot half-width right-of-way and flares for 36th Street, as specified in Figure 3 of the MRP. Dedication shall be by warranty deed.
3. The Major Roadways Plan of 2005 (MRP), as amended, designates Avenue 7½E adjacent to the parent parcel as a Minor Arterial Street. As a condition of the requested rezoning, the Owner shall dedicate Avenue 7½E right-of-way along the parent parcel, so that the City realizes a full 50-foot half-width right-of-way and flares for Avenue 7½E, as specified in Figure 3 of the MRP. Dedication shall be by warranty deed.
4. As a condition of the requested rezoning, the Owner shall dedicate its underlying ownership of the United States Department of the Interior - Bureau of Reclamation "A" canal right-of-way adjacent to the parent parcel to the City of Yuma. Dedication shall be by warranty deed.

DATE: 8/9/2013 NAME: Paul Brooberg TITLE:
CITY DEPT: Public Works
PHONE: 4505
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov

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: Prior to submission of the Preliminary Plat, a Traffic Impact Analysis (TIA) will be required to be submitted and approved by the Traffic Engineer/Public Works Department. TIA must be performed by a registered Civil Engineer in the State of Arizona, with significant experience in Traffic Engineering and Transportation Planning. TIA must address trip generation of proposed development, distribution of traffic onto adjacent street network, analysis of level of service of affected roadways and intersections, and recommended measures, if necessary, to mitigate traffic impacts. Such measures may include offsite improvements such as traffic signal installation, and roadway and intersection widening.

DATE: 8-9-13 NAME: Lewis (Dan) SANDERS TITLE: Traffic Engineer
CITY DEPT: Public Works
PHONE: 373-4509
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov

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 beneath several flight paths. An avigation easement is requested to be recorded, if not already recorded, that recognizes the noise, interference, and vibrations that may occur due to aviation activities performed at the nearby Marine Corps Air Station/Yuma International Airport aviation complex. Please email a copy of the recorded avigation easement to paula.backs@usmc.mil. Thank you for the opportunity to comment.

DATE: 8/19/2013 NAME: Paula L. Backs TITLE: Community Liaison Specialist
CITY DEPT: MCAS YUMA AZ
PHONE: (928) 269-2103
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov

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: 1. Xeriscape landscape for the entire project. Use the plant palate agreed upon by DCD and Streets.

2. Remove all medians that are not within a major intersection

3. If medians are required use stamp concrete in the bull nose areas and one quarter inch minus gravel in the remaining area.

4. Remove all RPM'S replace with street striping. Intermediate reflector buttons can remain.

5. All irrigation lines will need to be sleeved that cross into roadways

DATE: 8-21-13 NAME: Mark Stewart TITLE: Street Superintendent
CITY DEPT: Public Work
PHONE: 373-4500
RETURN TO: Joy Everett
Joy.Everett@YumaAZ.gov