



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

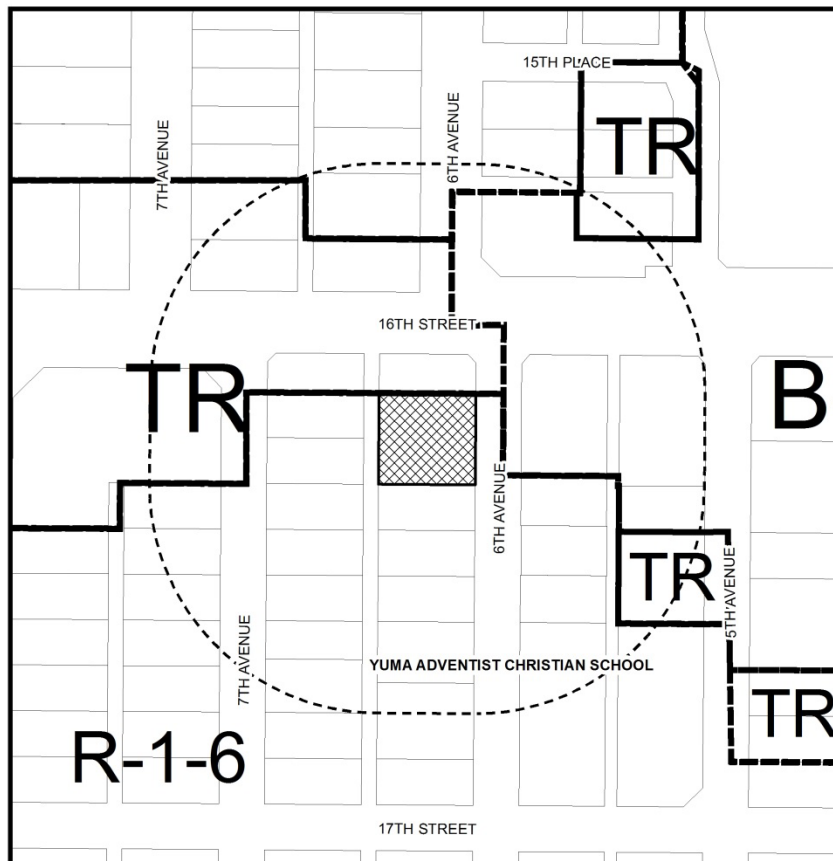
Hearing Date: August 14, 2017

Case Number: ZONE-18022-2017

Project Description/Location: This is a request by Jesus Ortiz to rezone approximately 14,802 square feet from the Low Density Residential (R-1-6) District to the Transitional (TR) District. The property is located at 1606 S. 6th Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-6)	Vacant Single-Family Residence	Mixed Use
North	Transitional (TR)	Vacant	Mixed Use
South	Low Density Residential (R-1-6)	Single-Family Residence	Low Density Residential
East	General Commercial (B-2)	Vacant	Commercial
West	Low Density Residential (R-1-6)	Single-Family Residence(s)	Mixed Use

Location Map



Prior site actions: Annexation: Ord. #565 (March 11, 1952); Subdivision: Holmes Addition (August 19, 1946).

Staff recommendation: Staff recommends **APPROVAL** of the rezoning for the property located at 1606 S. 6th Avenue from the Low Density Residential (R-1-6) District to the Transitional (TR) District, subject to the conditions shown in Attachment A, because it is in conformance with the General Plan.

Suggested Motion: Move to **APPROVE** the rezoning of the property located at 1606 S. 6th Avenue from the Low Density Residential (R-1-6) District to the Transitional (TR) 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 near the southwest corner of 6th Avenue and 16th Street. In 1953, the property was developed with a single-family residence and has historically been used for residential purposes. When development initially occurred, a neighboring residence served as a buffer between the subject property and 16th Street. A recent roadway expansion along 16th Street required the demolition of the buffering residence; resulting in a 5,000 sq.ft. remnant parcel. This roadway expansion has in turn altered the residential character of the subject property.

With this request the property owner would like to rezone the residential property to a zoning designation which would permit for minimally intense commercial uses. It is the intention of the property owner to convert the former residence into an insurance office. Following approval of a rezone, the property owner intends to renovate the existing structure, provide paved parking, landscape the site according to code, and complete any additional modifications that may be required. A 5' landscaped buffer shall be provided along the southern portion of the property line to serve as a buffer between the neighboring residence and a future parking area or structure. If financially feasible, the property owner intends to purchase the 5,000 sq.ft. remnant parcel along 16th Street, and redevelop the entire site with a new structure to be utilized for the insurance office. Any new construction will need to meet development standards required of the City of Yuma Code.

A neighborhood meeting was held at the subject property on June 19th; the meeting was not attended by any neighboring residents.

The request to rezone the property from the Low Density Residential (R-1-6) District to the Transitional (TR) District is in conformance with the General Plan.

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
6 th Avenue – Local Street	29 FT H/W ROW	30 FT H/W ROW	+1 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 Comments: None Received

Neighborhood Meeting Comments: See Attachment B

Proposed conditions delivered to applicant on: June 29, 2017

Final staff report delivered to applicant on: July 6, 2017

- ☒ Applicant agreed with all of the conditions of approval on: July 3, 2017
☐ 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
Conditions of Approval	Neighborhood Meeting Comments	Aerial Photo	Staff Research

Project Planner: Alyssa Linville, (928) 373-5000, Alyssa.Linville@yumaaz.gov
Principal Planner ext. 3037

Prepared By: 
Alyssa Linville, Principal Planner

Date: 07/06/17

Reviewed By: 
Bob Blevins, Principal Planner

Date: 7/6/17

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

Date: 7.6.17

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 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.

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

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.

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
NEIGHBORHOOD MEETING COMMENTS

Date Held: July 19, 2017

Location: On-Site (1606 S. 6th Avenue)

Attendees: Alyssa Linville, City of Yuma; Jesus Ortiz, Property Owner

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

- **THE NEIGHBORHOOD MEETING WAS NOT ATTENDED BY ANY OF THE SURROUNDING NEIGHBORS.**

665-26-330

103 102 101 600

665-26-352

665-34-133

665-34-132

1602

665-34-134

1603

665-34-137

1608

665-34-139

1612

665-34-141

1614

665-34-143

1616

665-34-154

665-34-045

B-2

1625

665-34-046

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665-34-047

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665-34-048

1651

665-34-049

665-34-040

665-34-041

665-34-161

1648

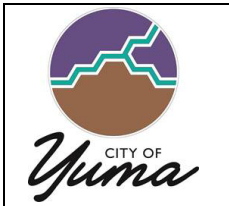
665-34-044

1667

SOUTH 6TH AVENUE

SOUTH 5TH AVENUE

ATTACHMENT D
STAFF RESEARCH



STAFF RESEARCH – REZONE

CASE #: ZONE-18022-2017
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:		Located near the southwest corner of 6 th Avenue and 16 th Street												
Parcel Number(s):		665-34-134												
Parcel Size(s):		14,802 sq.ft.												
Total Acreage:		.34												
Proposed Dwelling Units:		None												
Address:		1606 S. 6 th Avenue												
Applicant:		Jesus Ortiz												
Applicant's Agent:		N/A												
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	Use(s) on-site				General Plan Designation								
Site	Low Density Residential (R-1-6)	Vacant Single-Family Residence				Mixed Use								
North	Transitional (TR)	Vacant				Mixed Use								
South	Low Density Residential (R-1-6)	Single-Family Residence				Low Density Residential								
East	General Commercial (B-2)	Vacant				Commercial								
West	Low Density Residential (R-1-6)	Single-Family Residence(s)				Mixed Use								
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. #565 (March 11, 1952)									
General Plan Amendment	Yes		No		N/A									
Development Agreement	Yes		No		N/A									
Rezone	Yes		No		N/A									
Subdivision	Yes	X	No		Holmes Addition (August 19, 1946)									
Conditional Use Permit	Yes		No		N/A									
Pre-Development Meeting	Yes	X	No		February 28, 2017									
Design Review Commission	Yes		No		N/A									
Enforcement Actions	Yes		No		N/A									
Avigation Easement Recorded	Yes		No	X	Fee #									
Land Division Status:		Legal lot of record												
Irrigation District:		None												
Adjacent Irrigation Canals & Drains:		None												
Water Conversion: (5.83 ac ft/acre)		1.98 Acre Feet a Year												
Water Conversion Agreement Required		Yes		No	X									

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

Land Use Designation:	Mixed Use							
Noise Contour:	N/A	Overlay/Specific Area:		Yuma North End 16 th Street Redevelopment Area				
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
6 th Avenue - Local Street	29 FT H/W ROW	30 FT H/W ROW
Median Covenant	N/A	
Gateway Route	Scenic Route	Hazardous Cargo Route
		Truck Route
Bicycle Facilities Master Plan	N/A	
YCAT Transit System	Yellow Route 95	
Issues:	None	

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Joe Henry Optimist Park	Future: Joe Henry Optimist Park
Community Park:	Existing: Kennedy Memorial Park Complex	Future: Kennedy Memorial Park Complex
Linear Park:	Existing: East Main Canal Linear Park	Future: East Main Canal Linear Park
Issues:	None	

Housing Element:

Special Need Household:	N/A
Issues:	None

Redevelopment Element:

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

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes		No	X	
Renewable Energy Source	Yes		No	X	
Issues:					

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	
0		0	0.00	0	0.0	0	
Minimum							
0		0	0.00	0	0.0	0	
Fire Facilities Plan:	Existing: Fire Station No. 3			Future: Fire Station No. 3			
Water Facility Plan:	Source:	City	X	Private	Connection:	4" CA	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 8" VCP	
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:	None								

NOTIFICATION

- **Legal Ad Published:** The Sun (06/30/17)
- **300' Vicinity Mailing:** (06/05/17)
- **34 Commenting/Reviewing Agencies noticed:** (06/08/17)
- **Neighborhood Meeting:** (06/19/17)
- **Hearing Dates:** (08/14/17)
- **Comments Due:** (06/19/17)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	06/13/17	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	Yes	06/13/17	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	06/12/17	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	Yes	06/12/17	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	Yes	06/12/17			
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	06/13/17			X
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
JULY 24, 2017	See Staff Report Attachment
Prop. 207 Waiver Given to Applicant on:	Delivery Method:
July 24, 2017	In Person

PUBLIC COMMENTS RECEIVED:

INTERNAL AGENCY COMMENTS

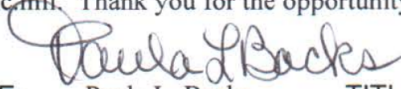
Conditions of approval must be written in the form of a formal condition for use in staff's report. Your conditions will be used verbatim. If you also have a comment, please indicate below.

☒ Condition(s)

☐ No Condition(s)

☒ Comment

Enter conditions here: The property is located beneath a flight path. It is requested that an avigation easement be recorded that recognizes the noise, interference, and vibrations that may be generated from 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: 6/13/2017

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
