

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

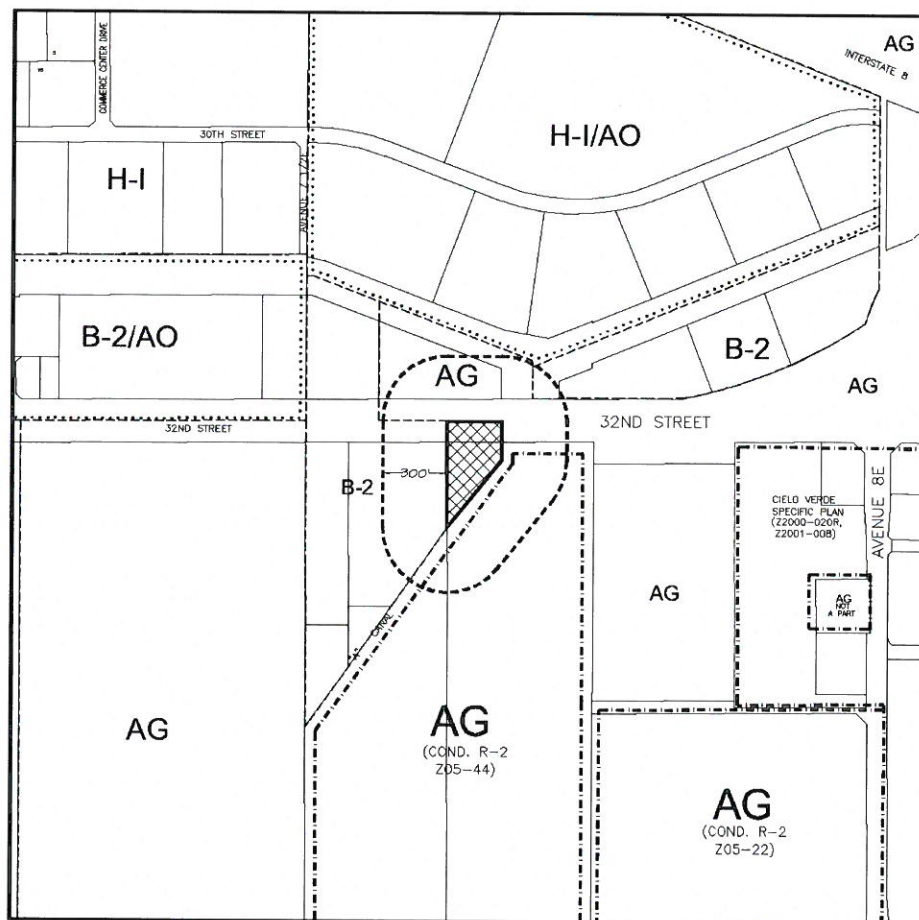
Hearing Date: January 22, 2007

Case Number: Z2006-030

Project Description/Location: Rezone approximately 1.4 acres from the Agriculture (AG) District to the General Commercial (B-2) District. The property is located at 7635 E. 32nd Street, Yuma, AZ.

	Existing Zoning	Existing Land Use	Land Use Designation
Site	Agriculture (AG)	Contractor Office/Storage	Commercial
North	Agriculture (AG)	Manufactured Home/RV Sales	Medium Density Residential
South	Conditional Medium Density Residential (R-2)	A Canal/Vacant	Medium Density Residential
East	Conditional Medium Density Residential (R-2)	A Canal/Vacant	Medium Density Residential
West	General Commercial (B-2)	Real Estate Sales Office/ Water Vending	Commercial

Location Map



Prior site actions: Annexation: #O99-29 (07/03/99); Development Agreement: #R99-46 (09/23/99); General Plan Amendment: #GP2002-008.

Staff recommendation: Staff recommends **APPROVAL** of the rezoning of the property from the Agriculture (AG) District to the General Commercial (B-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Motion to **APPROVE** the rezoning from the Agriculture (AG) District to the General Commercial (B-2) District, subject to the conditions shown in Attachment A, because the request is in compliance with the General Plan and would be compatible with surrounding land uses.

Staff Analysis: The subject property (APN 112-18-003B) was annexed in 1999 along with the contiguous property to the west (APN 112-18-004E). These properties were subject to a development agreement, in which the City of Yuma would support a commercial rezoning of both properties.

In 2002, a General Plan Amendment was approved to place the two properties in the Commercial Land Use Category. At about the same time, Rezoning Case #Z2002-011 proceeded to rezone APN 112-18-004E to General Commercial (B-2). The applicant assumed that the rezoning encompassed both parcels, which was not the case since the City of Yuma had not rezoned parcel APN 112-18-003B even though the development agreement supported it.

This rezoning request for APN 112-18-003B is being presented by the City of Yuma, on behalf of the property owners/lessees, in order to meet a requirement of the 1999 development agreement and to bring the property into compliance 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?

Yes

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

External Agency Comments: None

Proposed conditions delivered to applicant on: 01/03/07

Final staff report delivered to applicant on: 01/03/07

- ☒ Applicant agreed with all of the conditions of approval on: 01/03/07
☐ Applicant did not agree with the following conditions of approval:

Attachments

A	B
Staff Conditions of Approval	Aerial Photo

Project Planner: Bob Blevins, Senior Planner 373 -5189 Robert.Blevins@ci.yuma.az.us

Prepared By: 
Bob Blevins, Senior Planner

Date: 1/5/07

Reviewed By: 
Bruce R. Heckman, Principal Planner

Date: 1/5/07

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

Date: 1-4-07

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.

City Engineering Department Conditions, Paul Brooberg, City Engineer (928) 373-4500:

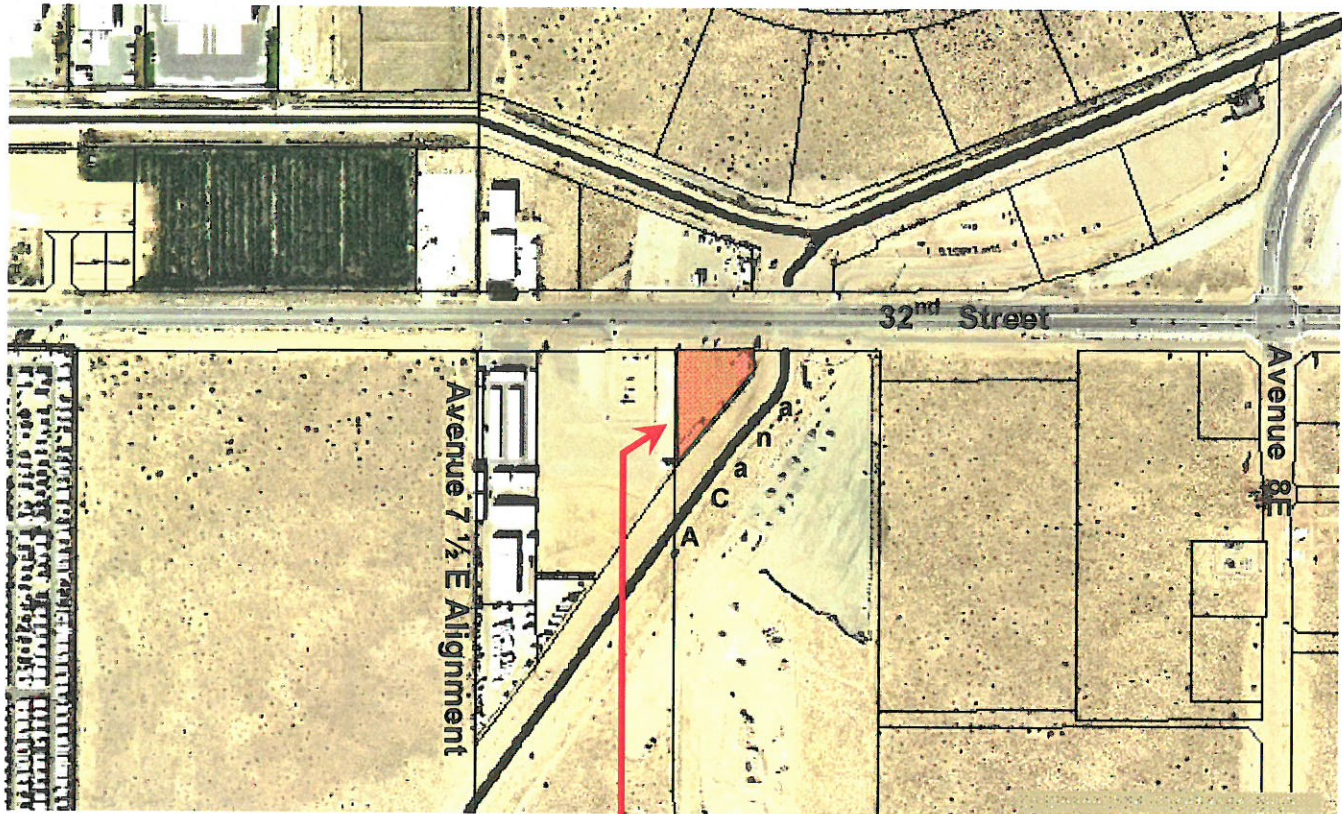
2. The Owner shall record a raised median covenant on the property acknowledging that medians may be constructed within 32nd Street adjacent to the property prior to recordation of the final plat.

Department Of Community Development Comments: Bob Blevins, Senior Planner, Community Planning (928) 373-5189:

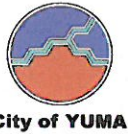
3. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a building permit or business license for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe, then the rezone shall be subject to A.R.S. 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
AERIAL PHOTO



Subject
Property



STAFF RESEARCH – REZONE

CASE #: Z2006-030

CASE PLANNER: BOB BLEVINS, SENIOR PLANNER

I. PROJECT DATA

Project Location:	7635 E. 32 nd Street										
Parcel Number:	112-18-003B										
Parcel Size:	60,243.48										
Total Acreage:	1.383										
Proposed Dwelling Units:	None										
Address:	7635 E. 32 nd Street										
Applicant:	Bernice Haile (owner); Charles Eckenroth (lessee)										
Applicant's Agent:	City of Yuma										
Land Use Conformity Matrix:	Conforms: Yes X No										
Zoning Overlay:	Public	AO	X	Auto	B&B	Historic	None				
	Airport	Noise Contours	65-70	70-75	75+	APZ1	APZ2	CLEAR ZONE			
	Existing Zoning		Existing Land Use				Land Use Designation				
Site	Agriculture (AG)		Contractor Office/Storage				Commercial				
North	Agriculture (AG)		Manufactured Home/RV Sales				Medium Density Residential				
South	Conditional Medium Density Residential (R-2)		A Canal/Vacant				Medium Density Residential				
East	Conditional Medium Density Residential (R-2)		A Canal/Vacant				Medium Density Residential				
West	General Commercial (B-2)		Real Estate Sales Office/ Water Vending				Commercial				

Prior Cases or Related Actions:

Type	Conforms			Cases, Actions or Agreements
Pre-Annexation Agreement	Yes	No		N/A
Annexation	Yes	X	No	O99-29 (07/03/99)
General Plan Amendment	Yes	X	No	GP2002-008
Development Agreement	Yes	X	No	R99-46 (09/23/99)
Rezone	Yes	No		N/A
Subdivision	Yes	No		N/A
Pre-Development Meeting	Yes	No		N/A
Enforcement Actions	Yes	No		N/A

Land Division Status:	Parcel is a legal lot of record										
Irrigation District:	Yuma Mesa Irrigation District										
Adjacent Irrigation Canals & Drains:	A Canal										
Water Conversion: (5.83 ac ft/acre)	N/A Highlight & F9 to compute field										
Water Conversion Agreement Required	Yes	No	X								

II. CITY OF YUMA GENERAL PLAN

Land Use Element/Joint Land Use Plan:

Land Use Designation:	Commercial		
Noise Contour:	None	Overlay/Specific Area:	Aesthetic Overlay
Issues:	None		

Transportation Element:

FACILITY PLANS

2005 Major Roadways Plan			Planned		Existing		Difference		Requested		
E. 32 nd Street – Expressway			80 FT H/W		100 FT H/W		+20 FT H/W		0 FT		
Gateway Route	X	Scenic Route		Hazardous Cargo Route				Truck Route	X		
1995 Bicycle Facility Plan				Bike Path – A Canal							
2002 Transit Plan				None							
Issues:				None							

Parks, Recreation and Open Space Element:

1999 Parks and Recreation Facility Plan	
Neighborhood Park:	Proposed at Avenue 7 ½ E and 36 th Street
Area Park	Proposed at Avenue 6 E and 40 th Street
Linear Park:	Proposed Linear Park and Equestrian Trail along A Canal
Issues:	None

Housing Element:

Special Need Household:	N/A
-------------------------	-----

Redevelopment Element:

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

Conservation & Environmental Element:

Historic District:	Brinley Avenue		Century Heights		Main Street		None	X	
Historic Buildings on Site:	Yes		No	X					

Public Services Element:

<u>Population Impacts</u> Residential - Projected Population per Census 2000: 2.8 persons per unit	Dwelling Units	Projected Population	Police Impact	Water Consumption		Wastewater Generation
	0	0	0.00	0	0.0	0
			Officers	GPD	AF	GPD

Police Impact per Standard of 1 officer for every 530 citizens; Water Consumption based on 300 gallons per day per person; Wastewater generation based on 100 gallons per day per person

1999 Fire Facilities Plan:		Served by		Fire Station #5; Future Fire Station 'E'						
Water Facility Plan:		Source:	City		Private	X	Connection:		None	
208 Sewer Facility Plan:		Treatment:		City		Septic	X	Private		
		Connection:		None						
Issues:		None								

Safety Element:

Flood Plain Designation:	B	Liquefaction Hazard Area:	Yes		No	X
Issues:	None					

Growth Areas Element:

Growth Area:	Ave B & 32 nd St		Old Town		Araby Rd & Interstate 8		None	X	
--------------	-----------------------------	--	----------	--	-------------------------	--	------	---	--

NOTIFICATION

- o Legal Ad Published – The Sun: 1/05/07
- o 300' Vicinity Mailing: 12/27/06 Hearing Date: 1/22/07
- o 34 Commenting/Reviewing Agencies noticed: 12/21/06

Comments due: 1/02/07

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments
Yuma County Airport Authority	NR			
Yuma County Engineering	NR			
Yuma County Public Works	NR			
Yuma County Water Users	YES	12/22/06	X	
Yuma County Planning & Zoning	NR			
Arizona Public Service	NR			
Adelphia Communications	NR			
Southwest Gas	NR			
Qwest Communications	NR			
Bureau of Land Management	NR			
YUHS District #70	NR			
Yuma Elementary School District #1	NR			
Crane School District #13	NR			
Arizona Department of Transportation	NR			
Yuma Irrigation District	NR			
Arizona Fish and Game	NR			
USDA – NRCS	NR			
United States Postal Service	NR			
Yuma Metropolitan Planning Org.	YES	12/29/06	X	
<i>City of Yuma Internal List (Conditions)</i>	Response Received	Date Received	"No Conditions"	Written Conditions/ Comments Attached
Bob Stull, City Administration	NR			
Daniel Rhodes, Police	YES	12/21/06	X	
Ron Ramirez, Parks	YES	12/27/06	X	
Damon Chango, Parks	NR			
Andrew McGarvie, Engineering	NR			
Will Osborne, Engineering	NR			
Art Castricone, Fire	NR			
Randall Crist, Building Safety	YES	12/21/06	X	
Greg Wilkinson, ITS	NR			
Paul Brooberg, Engineering	NR			
Fred Orcutt, Engineering	NR			
MCAS / C P & L Office	YES	12/29/06	X	
Kathleen Carroll, Utilities	YES	01/02/07	X	

PUBLIC COMMENTS RECEIVED: NONE