



# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

June 20, 2018

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

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

**TITLE:**

Rezoning of Property: 2555 E. Gila Ridge Road

**SUMMARY RECOMMENDATION:**

Rezone approximately 4.8 acres from the Industrial Park (I-P) District to the General Commercial (B-2) District, for the property located at 2555 E. Gila Ridge Road. (Community Development/Community Planning) (Laurie Lineberry).

**REPORT:**

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 underutilized 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 daytime 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.

On May 14, 2018 the Planning and Zoning Commission voted to recommend APPROVAL (4-0, with Jones absent) of the request to rezone approximately 4.8 acres from the Industrial Park (I-P) District to the General Commercial (B-2) District, for the property located at 2555 E. Gila Ridge Road, Yuma, AZ, 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 - EXCERPTS FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:**

**QUESTIONS FOR STAFF:**  
**NONE**

**PUBLIC COMMENTS:**  
**NONE**

**MOTION:**

**“Motion by Fred Dammeyer – Planning and Zoning Commissioner, second by Tiffany Ott – Planning and Zoning Commissioner, to APPROVE Case Number ZONE-21484-2018.**

**“Motion carried unanimously (4-0), with Tyrone Jones – Planning and Zoning Commissioner absent.’**

**PLANNING COMMISSION STAFF REPORT – ATTACHED**

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:			
	1. 2. 3. 4. 5.  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		5/30/2018	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		5/29/2018	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		5/21/2018		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		5/21/2018		