



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

January 17, 2018

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:

Rezoning of Property: 632, 636, and 642 S. 4th Avenue

SUMMARY RECOMMENDATION:

Rezone two parcels totaling approximately 0.32 acres from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District. The property is located at 632, 636, and 642 S. 4th Avenue, Yuma, AZ (ZONE-19717-2017). (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

On November 27, 2017, the Planning and Zoning Commission voted to recommend **APPROVAL** of the request to rezone two parcels totaling approximately 0.32 acres from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District, 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 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.
4. Owner shall provide a 10' no-build easement across the 4th Avenue frontage (to be reserved for future right-of-way).

5. 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.

PUBLIC COMMENTS - EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

Robert Blevins, Principal Planner, summarized the staff report recommending **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION

“Motion by Alan Pruitt – Planning and Zoning Commissioner, second by Lukas Abplanalp – Planning and Zoning Commissioner, to APPROVE Case Number ZONE-19717-2017. Motion carried unanimously (4-0) with Tyrone Jones – Planning and Zoning Commissioner and Fred Dammeyer – Planning and Zoning Commissioner absent.”

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				
SIGNATURES	CITY ADMINISTRATOR:			DATE:
	Gregory K. Wilkinson			12/12/2017
	REVIEWED BY CITY ATTORNEY:			DATE:
	Richard W. Files			12/12/2017
	RECOMMENDED BY (DEPT/DIV HEAD):			DATE:
Laurie Lineberry			11/30/2017	
WRITTEN/SUBMITTED BY:			DATE:	
Robert M. Blevins			11/30/2017	