

**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING
CASE TYPE – GENERAL PLAN AMENDMENT
Case Planner: Erika Peterson**

Hearing Date: June 10, 2024

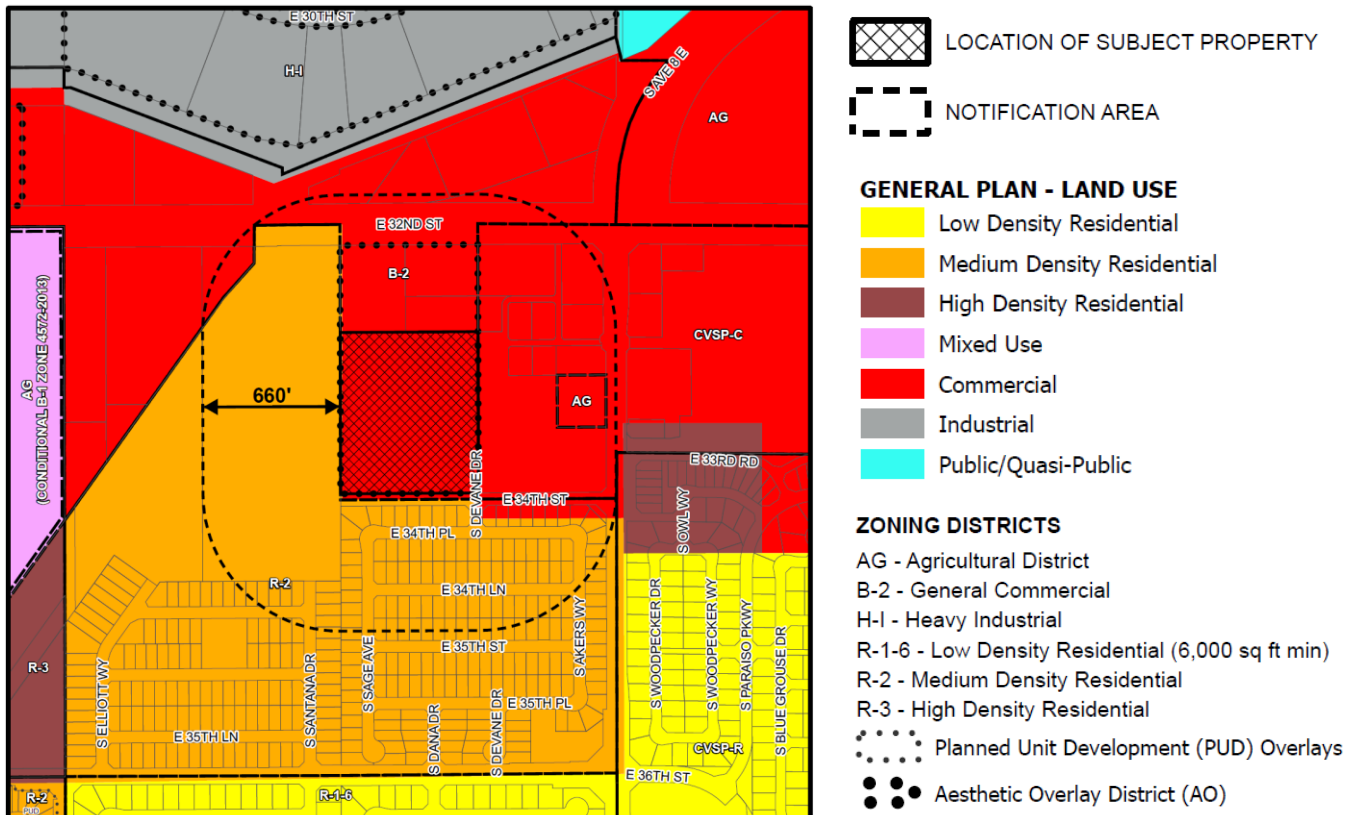
Case Number: GP-42445-2024

Project Description/Location:

This is a Minor General Plan Amendment request by Dahl, Robins & Associates, LLC, on behalf of Yuma Development One, LLC, to change the land use designation from Commercial to Medium Density Residential for approximately 11.78 acres, for the property located at the northwest corner of 34th Street and DeVane Drive, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	General Commercial/Aesthetic Overlay (B-2/AO)	Undeveloped	Commercial
North	General Commercial/Aesthetic Overlay (B-2/AO)	Undeveloped	Commercial
South	Medium Density Residential (R-2)	Single-family homes	Medium Density Residential
East	Cielo Verde Specific Plan-Commercial (CVSP-C)	Apartments	Commercial
West	Medium Density Residential (R-2)	Undeveloped	Medium Density Residential

Location Map



Prior site actions: Annexation: Ord. O99-29 (July 3, 1999); General Plan Amendment: GP-2005-014 Resolution R2005-125 (November 16, 2005) Minor Amendment to change land use designation from Medium Density Residential to Commercial; Rezone Z2006-12: Ord. O2006-59 (AG to B-2/AO) (February 27, 2008); Lot Split: LS2005-042 Yuma Development One Lot Split

Staff Recommendation: Staff recommends the Planning and Zoning Commission APPROVE the request to change the land use designation for approximately 11.78 acres from Commercial to Medium Density Residential.

Suggested Motion: Move to APPROVE the request to change the land use designation for 11.78 acres from Commercial to Medium Density Residential.

Staff Analysis: This is a Minor General Plan Amendment request by Dahl, Robins & Associates, LLC, on behalf of Yuma Development One, LLC, to change the land use designation from Commercial to Medium Density Residential for approximately 11.78 acres, for the property located at the northwest corner of 34th Street and DeVane Drive, Yuma, AZ.

The existing Commercial land use designation supports the following types of zoning: Transitional (TR), Planned Shopping Center (PSC), Limited Commercial (B-1), General Commercial (B-2), and Business Park (BP) districts.

The proposed Medium Density Residential land use designation supports the following types of zoning: Medium Density Residential (R-2), Medium Density Single-Family Residential (R-2-5), Recreation Vehicle Subdivision (RVS), Manufactured Housing Subdivision (MHS), Manufactured Housing Park (MHP) districts.

The applicant's intent in changing the land use designation is to pursue a rezoning of the site to Medium Density Residential (R-2) for the development of townhomes.

Density

The current land use designation of Commercial would allow the development of a commercial development.

The proposed Medium Density Residential land use designation would allow from 59 to 152 dwelling units. The proposed land use designation would allow the applicant to pursue a rezoning that would support a future townhome residential development.

Population

Information from the 2018-2022 American Community Survey provides data on population by housing unit type. The information results in an average household size for 2-4 units of 2.07 persons per dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Commercial:
Zero homes - Expected population: 0
- Medium Density Residential:
Minimum 59 homes – Expected population: 122
Maximum 152 homes – Expected population: 315

The 2020 Census identified that 20% of the population within the City of Yuma was between 5 and 17 years of age. Therefore, the expected school-age population is estimated at:

- Commercial:

- Zero homes – School Age: 0
- Medium Density Residential:
 - Minimum expected population: 122 – School Age: 24
 - Maximum expected population: 315 – School Age: 63

Transportation

The property is located on the northwest corner of E. 34th Street and DeVane Drive. Access to the property will be from the nearest roadway, 34th Street, a Local road, with a connection to Avenue 8E, a Collector road, and 32nd Street, a Principal Arterial. There is an existing bus stop at 32nd Street and Avenue 8E, for Gold Route – 8 and a bike path on 32nd Street and a proposed bike lane at Avenue 8E.

According to the City of Yuma Transportation Master Plan, Avenue 8E operates at a Level of Service (LOS) of C or above, meaning that there are stable conditions with movements somewhat restricted due to higher volumes but not objectionable to motorists. The Yuma Metropolitan Planning Organization identifies average annual daily traffic counts for 2023 as 4,362 vehicles on Avenue 8E between 32nd Street and 34th Street. Avenue 8E is 2-lane roadway identified in the Transportation Master Plan as a Collector roadway and 34th Street is identified as a Local roadway.

Housing

The Housing Element of the City of Yuma 2022 General Plan addresses the need to provide safe, decent, sanitary, and affordable housing for all residents. And specifically Objective 1.3 notes providing a variety of housing types:

Objective 1.3: Encourage a variety of housing types to meet all socioeconomic segments of the population, considering both full time and seasonal residents.

An Action Item of the Housing Element is to consider rezoning land for higher density residential development to promote additional rental and lower cost ownership options.

The General Plan amendment request is to provide a housing choice other than Low Density Residential single-family homes, which is the predominant housing option in the City of Yuma.

Public Services

It is a requirement of State Statute for a General Plan to identify public schools and other public buildings. The City of Yuma General Plan Public Services Element identifies the location of public/charter schools within the 3 school districts in the General Plan area. The request is located within the district boundaries of the Yuma Elementary School District One and the Yuma Union High School District.

According to the Yuma Elementary School District One Boundary Map, the elementary students in the subject area are within the boundary of Desert Mesa Elementary School located at 2350 S. Avenue 7 ½ E and junior high school students are within the boundary of Gila Vista Junior High School at 2245 S. Arizona Avenue.

According to the Yuma Union High School District, the high school students are within the boundary of Gila Ridge High School located at 7150 E. 24th Street.

Growth Areas

Araby Road - The Growth Areas chapter identifies those parts of the Planning Area ideal for a concentration of a variety of land uses, including higher densities and

intensities or uses. Equally essential is the need for growth to occur close to existing or planned public facilities and services.

The General Plan request is located within the Araby Road Growth Area. This growth area has a great deal of infrastructure, transportation, office and retail already in place. As well as a number of large undeveloped or under-developed parcels.

An increase in residents in this area would enhance and strengthen the existing commercial development and transportation network that already exists while opening up more prospects to create a walkable neighborhood. The YCAT bus system has fixed routes through this area, with bus stops at the southeast and northeast corner of 32nd Street and Avenue 8E intersections.

1. Does the proposed amendment impact any elements of the General Plan?

No. The elements of the General Plan will not be impacted by the proposed amendment.

Transportation Element:

FACILITY PLANS

Transportation Master Plan	Planned	Existing
32 nd Street – Principal Arterial 4 Lanes	50 FOOT HW	100 FOOT HW
Avenue 8E- Collector 2 Lanes	40 FOOT HW	49 FOOT HW
34 th Street- Local	29 FOOT HW	29 FOOT HW
Median Disclosure	Required	

2. Does the proposed amendment impact any of the facility plans?

No. The change in land use will not significantly impact any of the facility plans.

3. Is the proposed amendment in conflict with Council's prior actions?

Yes. The 2002 City of Yuma General Plan land use designation for this area is Commercial.

Scheduled Public Hearings:

- ☒ City of Yuma Planning and Zoning Commission: June 10, 2024
☐ City of Yuma City Council: July 17, 2024

Public Comments Received: None Received

Agency Comments: See Attachment A

Neighborhood Meeting Comments: See Attachment C

Final staff report delivered to applicant on: 5/30/2024

- ☐ Applicant agreed with staff's recommendation:
☐ Applicant did not agree with staff's recommendation:
☒ Final report was emailed to applicant and awaiting response.

Attachments

A	B	C	D	E
Agency Comments	Staff Worksheet	Neighborhood Meeting Comments	Neighbor Notification List	Aerial Photo

Prepared By: Erika Peterson

Date: 5/17/2024

Erika Peterson,
Associate Planner

Erika.Peterson@YumaAZ.Gov

(928) 373-5000, x1234

Reviewed By: Jennifer L. Albers

Date: 5/21/24

Jennifer L. Albers,
Assistant Director of Planning

Approved By: Alyssa Linville


Date: 05/30/2024

Alyssa Linville,
Director, Planning and Neighborhood Services

ATTACHMENT A
AGENCY COMMENTS

DATE:	4/22/2024	NAME:	Andrew McGarvie	TITLE:	Development Engineering Manager
AGENCY:	Engineering, City of Yuma			PHONE:	(328)373-5000, ext. 3044
<i>Enter comments below:</i>					
<p>Comment: Sent 4/22/2024 at 1:09 PM Erika,</p> <p>Since this is a GP, no conditions. However in the dialog, please note that there is a plat condition requiring the following:</p> <p>“The Owner/Developer shall design and construct the north half of the 34th street roadway improvements per City of Yuma construction standard 2-030 (Local two lane street) and street lights as appropriate across the frontage of Lot 1, when Lot 1 is partially or fully developed, and or when Julian Way is connected to 34th Street.”</p> <p>Thanks, Andrew</p>					

**ATTACHMENT B
STAFF WORKSHEET**

	STAFF RESEARCH – GENERAL PLAN AMENDMENT CASE #: GP-42445-2024 CASE PLANNER: ERIKA PETERSON
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I. PROJECT DATA

Project Location:				Northwest corner of 34 th Street and DeVane Drive													
Parcel Number(s):				698-40-021													
Parcel Size(s):				11.78 acres													
Total Acreage:				11.78													
Proposed Dwelling Units:				Maximum: 152				Minimum: 59									
Address:																	
Applicant:				Yuma Development One, LLC													
Applicant's Agent:				Christopher Robins - Dahl, Robins and Associates, Inc.													
Land Use Conformity Matrix:				Current Zoning District Conforms:				Yes				No		X			
Zoning Overlay:		Public		AO		Auto		B&B		Historic		Infill		None		X	
Airport		Noise Contours		65-70		70-75		75+		APZ1		APZ2		CLEAR ZONE			
		Existing Zoning				Current Use				General Plan Designation							
Site		General Commercial/Aesthetic Overlay (B-2/AO)				Undeveloped				Commercial							
North		General Commercial/Aesthetic Overlay (B-2/AO)				Undeveloped				Commercial							
South		Medium Density Residential (R-2)				Single-family homes				Medium Density Residential							
East		Cielo Verde Specific Plan-Commercial (CVSP-C)				Apartments				Commercial							
West		Medium Density Residential (R-2)				Undeveloped				Medium Density Residential							
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		Adopted 7/3/1999, Ord. O99-29											
General Plan Amendment		Yes		No		X		GP2005-014: R2005-125 (MDR to COMM)									
Development Agreement		Yes		No		N/A											
Rezone		Yes		No		X		Z2006-12: Ord O2006-59 (AG to B-2/AO)									
Subdivision		Yes		No		N/A											
Conditional Use Permit		Yes		No		N/A											
Pre-Development Meeting		Yes		X No		Date: 2/29/2024											
Enforcement Actions		Yes		No		N/A											
Land Division Status:				Legal lot of record													
Irrigation District:				None													
Adjacent Irrigation Canals & Drains:				None													
Water Conversion: (5.83 ac ft/acre)				68.68 Acre Feet a Year													
Water Conversion Agreement Required				Yes		No		X									

II. CITY OF YUMA GENERAL PLAN

Land Use Element:

Land Use Designation:	Commercial									
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	Gateway	Scenic	Hazard	Truck
32 nd St- Principal Arterial 4 Lanes	50 FT HW	100' HW				X
Avenue 8E- Collector 2 Lanes	40 FT HW	49' HW				
34 th Street- Local	29 FT HW	29' HW				
Bicycle Facilities Master Plan	32 nd Street- Bike path and Avenue 8E- Proposed bike lane					
YCAT Transit System	32 nd Street at Avenue 8E- Gold Route 8					
Issues:						

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Saguaro Park	Future: Saguaro Park
Community Park:	Existing: Kennedy Park	Future: East Mesa Park
Linear Park:	Existing: E. Main Canal Linear Park	Future: "A" Canal Linear Park
Issues:		

Housing Element:

Special Need Household:	N/A
Issues:	

Redevelopment Element:

Planned Redevelopment Area:	N/A									
Adopted Redevelopment Plan:	North End:			Carver Park:			None:	X		
Conforms:	Yes		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 Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan: Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person	Dwellings & Type		Projected	Police	Water		Wastewater
	<i>2-4 Units</i>		Population	Impact	Consumption		Generation
	Maximum	Per Unit		Officers	GPD	AF	GPD
	152	2.07	315	0.59	65,130	73.0	22,025
	Minimum						
	59	2.07	122	0.23	25,281	28.3	8,549
Fire Facilities Plan:	Existing: Fire Station No. 5				Future: Fire Station No. 7		
Water Facility Plan:	Source:	City	X	Private	Connection:	10" PVC on east side of parcel	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 8" PVC east side of parcel	
Issues:							

Safety Element:

Flood Plain Designation:	500 Year Flood			Liquefaction Hazard Area:	Yes		No	X	
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Issues:											
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:											

NOTIFICATION

- Legal Ad Published: The Sun 5/13/2024
- Display Ad Published: 5/13/2024
- 660' Vicinity Mailing: 3/19/2024
- 54 Commenting/Reviewing Agencies noticed: 3/12/2024

- Site Posted: 4/1/2024
- Neighborhood Meeting: 4/4/2024
- Hearing Dates: 6/10/2024 & 7/17/2024
- Comments Due: 5/11/2024

External List	Response Received	Date Received	"No Comment"	Written Comments
Yuma Metropolitan Planning Organization	NR			
(ARS)				
Yuma County Engineering	NR			
Yuma County Flood Control District	NR			
Yuma County Planning & Zoning (ARS)	NR			
Yuma County Public Works	YES	3/12/2024	X	
Yuma County Airport Authority	YES	3/13/2024	X	
Yuma County Chamber of Commerce	NR			
Yuma County Assessor	NR			
Greater Yuma Econ. Development Corp.	NR			
Yuma County School Superintendent	NR			
YUHS District #70 (ARS)	NR			
Yuma Elementary School District #1 (ARS)	NR			
Crane School District #13 (ARS)	NR			
City of San Luis (ARS)	NR			
City of Somerton (ARS)	NR			
Imperial County, California (ARS)	NR			
Qwest Communications (ARS)	NR			
Arizona Public Service (ARS)	NR			
Time Warner Cable (ARS)	NR			
Southwest Gas (ARS)	NR			
Arizona Department of Transportation	NR			
Arizona Game & Fish Dept.	NR			
Arizona Department of Commerce (ARS)	NR			
Arizona State Attorney General (ARS)	NR			
Arizona Dept. of Water Resources (ARS)	NR			
Arizona State Land Department (ARS)	NR			
MCAS / C P & L Office (ARS)	NR			
Bureau of Land Management (ARS)	NR			
US Border Patrol	NR			
US Postal Service	NR			
Quechan Tribal Office	NR			
Cocopah Indian Tribe	NR			
Yuma County Water Users' Association	YES	3/13/2024	X	
Yuma Irrigation District	NR			
Yuma Mesa Irrigation Drainage District	NR			
Unit B Irrigation District	NR			
Yuma County Association of Realtor's	NR			
Yuma County Contractor's Association	NR			
AZ Society of Military Engineers (ASME)	NR			
AZ Society of Civil Engineers (ASCE)	NR			

AZ Society of Professional Engineers (ASPE)	NR			
El Paso Natural Gas Co.	NR			
Western Area Power Administration	YES	3/13/2024	X	

<i>City of Yuma Internal List</i>	<i>Response Received</i>	<i>Date Received</i>	<i>“No Comment”</i>	<i>Written Comments</i>
Thomas Garrity, Police	NR			
Rod Hamilton, Police	NR			
Eric Urfer, Parks and Rec	NR			
David Wostenberg, City Engineer	NR			
Jerry Anaya, Traffic Engineer	NR			
Andrew McGarvie, Engineering	YES	4/22/2024		X
Kayla Franklin, Fire – Prevention	YES	3/13/2024	X	
Randall Crist, Building Safety	NR			
Jeremy McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

<i>Neighborhood Meeting</i>	<i>Comments Available</i>
April 4, 2024	See Attachment C
<i>Prop. 207 Waiver</i>	
Received by Owner’s signature on the application for this land use action request.	

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

Location: NWC of 34th Street and DeVane Drive

Date Held: April 4, 2024

Attendees:

Neighbor: Bob Kammann

Applicant and Agent: Bill Evans and Kevin Dahl

Staff: Erika Peterson

SUMMARY OF ATTENDEE'S COMMENTS RELATED TO THE PROJECT:

- The Applicant noted an approximate estimate of 75 units, providing minimum required amenities. Would like to rezone after the General Plan to Medium Density and with a PUD. Proposed development would be similar to the development in Desert Sky.
- Mr. Kammann noted that he was not opposed to the proposed project.

ATTACHMENT D
NEIGHBOR NOTIFICATION LIST

OWNER	ADDRESS				
3 LUVS INVESTMENTS LLC	3377 S 16TH AVE	YUMA	AZ	85365	
ARIZONA PUBLIC SERVICE COMPANY	PO BOX 53999, MS 9505	PHOENIX	AZ	85072-3940	
CELERINO A GALLARDO LLC	2253 S 43RD DR	YUMA	AZ	85364	
CIELO VERDE APARTMENTS LLC	1334 S 5TH AVE	YUMA	AZ	85364	
DHG LLC	PO BOX 2986	SOMERTON	AZ	85350	
DHG LLC	1670 W MAIN ST	SOMERTON	AZ	85350	
DPL LLC	300 W 22ND PL	YUMA	AZ	85364	
DPL LLC	300 W 22ND ST	YUMA	AZ	85364	
ECKARD TROY & CLAIRE	3967 E 41ST PL	YUMA	AZ	85365	
ELLIOTT CONSTRUCTION INC	340 PALLADIO PARKWAY STE 521	FOLSOM	CA	95630	
FUENTES GUILLERMINA	PO BOX 3402	SAN LUIS	AZ	85349	
GLEZ BUILDERS LLC	3668 S 18TH AVE	YUMA	AZ	85365	
HAILE RODNEY B	4695 E HIGHWAY 80	YUMA	AZ	85365	
JACOBSON COMPANIES INC AZ CORP	1334 S 5TH AVE	YUMA	AZ	85364	
JDSB HOLDINGS LLC	12691 S BAILEE DR	YUMA	AZ	85365	
KNAM & D CONSTRUCTION LLC	PO BOX 2865	SAN LUIS	AZ	85349	
LA VIDA SECA LLC	4575 W COVERED WAGON WAY	YUMA	AZ	85364	
LOPEZ FAMILY TRUST 9-16-2019	2009 W COUNTRY LN	YUMA	AZ	85364	
LOS ALAMOS BUILDERS LLC	PO BOX 3780	SAN LUIS	AZ	85349	
MARTIN JEFFREY T	PO BOX 1985	YUMA	AZ	85366	
ORTA RAYMOND & ANNETTE D	3176 E 43RD ST	YUMA	AZ	85365	
PALMS VILLA CONSTRUCTION LLC	3400 S AVENUE 7E	YUMA	AZ	85365	
PAR AUTOMOTIVE LLC	380 S 13TH AVE	YUMA	AZ	85364	
PRIORITY THREE INVESTMENTS LLC	4640 E PURPLE MOUNTAIN ST	YUMA	AZ	85365	
QUICK N CLEAN AZ-01 LLC	7291 E ADOBE DR STE 115	SCOTTSDALE	AZ	85255	
RIEDEL NIEVES G	PO BOX 1649	SAN LUIS	AZ	85349	
ROBLES ADALBERTO & MARIA	1103 W 37TH ST	YUMA	AZ	85364	
SANTANA 142 RE HOLDINGS AZ LLC	340 PALLADIO PKWY STE 521	FOLSOM	CA	95630	
TRIPLE A CONSTRUCTION LLC	4600 E PURPLE MOUNTAIN ST	YUMA	AZ	85365	
TROPIC ENTERPRISES LLC	3208 S AVE 8E	YUMA	AZ	85365	
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364	
YUMA DEVELOPMENT ONE AZ LLC	PO BOX 1417	FORT GIBSON	OK	74434	
ZAMORA MARLON	7959 E 34TH LN	YUMA	AZ	85365	

ATTACHMENT E
AERIAL PHOTO

