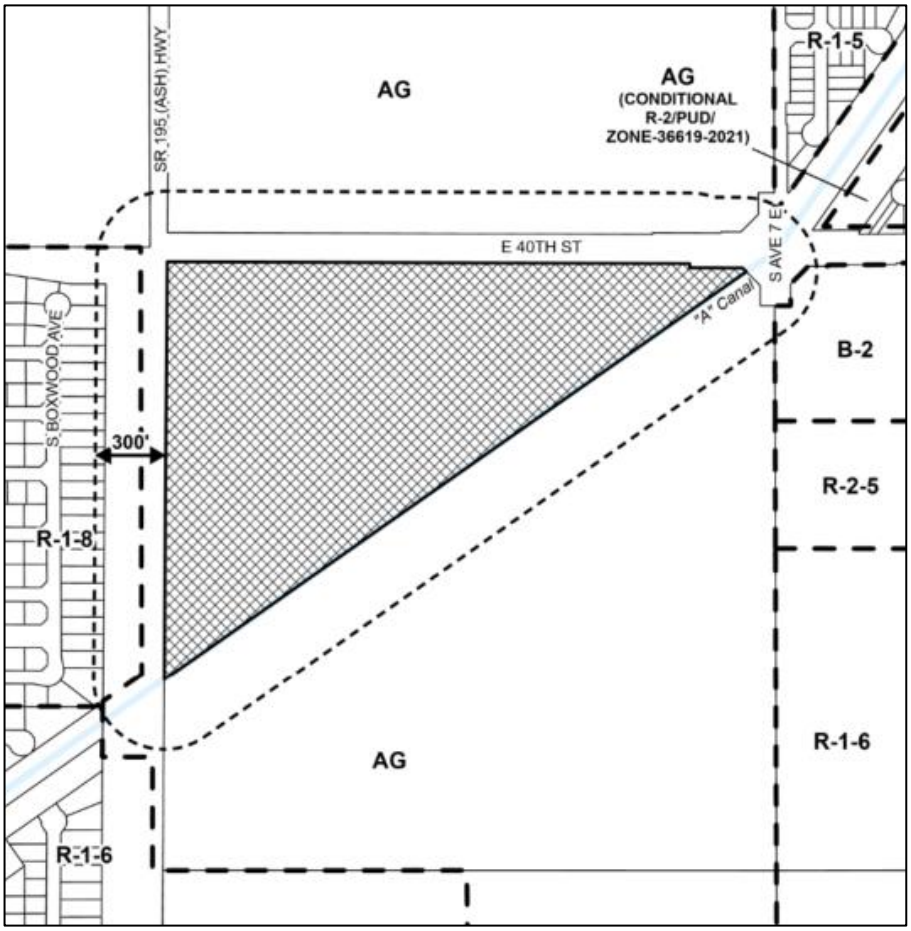
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: AMELIA DOMBY

Hearing Date: May 12, 2025 **Case Number:** ZONE-43816-2025

Project Description/ Location: This is a request by Dahl, Robins & Associates, on behalf of Brian L. Hall Living Trust, to rezone approximately 50.55 acres from the Agriculture (AG) District to the High Density Residential (R-3) District, for the property located at the southeast corner of State Route SR-195 and 40th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG) District	Undeveloped	High Density Residential
North	Agriculture (AG) District	Undeveloped	Suburban Density Residential
South	Agriculture (AG) District	Agriculture	Commercial/ Low Density Residential
East	Agriculture (AG) District	Agriculture	Commercial/ Low Density Residential
West	Low Density Residential (R-1-8) District	SR-195 Highway/ Single Family Homes	Low Density Residential

Location Map



Prior site actions: Annexation, Ordinance O97-81, effective January 2, 1998; General Plan Amendment (RDR to P/Q-P), R98-02, adopted January 21, 1998; Rezoning (AG to R-1-8/P), Ordinance O98-89, adopted December 16, 1998; Time Extension for Rezoning, Ordinance #O2001-10, adopted January 17, 2001, expired January 16, 2003; General Plan Amendment (P/Q-P to MDR), R2004-89, adopted December 13, 2004; Rezoning (AG to R-2), Z2005-007, withdrawn May 10, 2007; General Plan Amendment (MDR to HDR) R2025-011, adopted February 5, 2025.

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Agriculture (AG) District to the High Density Residential (R-3) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-43816-2025 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone approximately 50.55 acres from the Agriculture (AG) District to the High Density Residential (R-3) District for the property located at the southeast corner of State Route SR-195 and 40th Street, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject property is located at the southeast corner of State Route SR-195 and 40th Street. While currently undeveloped, the intended development for the subject area is a multi-family project.

Further specified in §154-07.03, the following are some of the development standards required of a development with the High Density Residential (R-3) District:

1. The maximum lot coverage in the High Density Residential (R-3) District shall not exceed 60% of the lot area;
2. A minimum front yard setback of 20 feet;
3. A minimum side yard setback of 5 feet;
4. A minimum rear yard setback of 10 feet;
5. A 50-foot maximum building height

In accordance with the current City codes and other applicable laws and principles, the developer will need to submit development plans to ensure the development standards for the High Density Residential (R-3) District are met including paved access, parking and landscaping.

The potential residential development could contain between 1,516 and 657 residential units based on the density limitation outlined in the General Plan. The request to rezone the property from the Agriculture (AG) District to the High Density Residential (R-3) District is in conformance with the Land Use Element of the General Plan.

1. Does the proposed zoning district conform to the Land Use Element? Yes.

Land Use Element:										
Land Use Designation:	High Density Residential									
Issues:	None									
Historic District:	Brinley Avenue		Century Heights		Main Street		None	X		
Historic Buildings on Site:	Yes		No	X						

2. Are there any dedications or property easements identified by the Transportation Element? Yes.

FACILITY PLANS						
Transportation Master Plan	**Planned**	**Existing**	**Gateway**	**Scenic**	**Hazard**	**Truck**
40th Street – Minor Arterial	50 FT HW	62 FT HW				X
SR-195 – Expressway 4 Lanes	80 FT HW	73 FT HW			X	X
Avenue 7E – Collector 2 Lanes	40 FT HW	65 FT HW				
Bicycle Facilities Master Plan	40th Street – Proposed bike lane, SR-195 (Cycling Permitted)					
YCAT Transit System	32nd Street at Araby Road – Orange Route 2 and Silver Route 9					
Issues:	Access to the property.					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan? Yes.

Parks, Recreation and Open Space Element:		
Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Saguaro Park	Future: Saguaro Park
Community Park:	Existing: Smucker Memorial Park	Future: East Mesa Park
Linear Park:	Existing: East Main Canal Linear Park	Future: "A" Canal Linear Park
Issues:	None	

Housing Element:	
Special Need Household:	N/A
Issues:	None

Redevelopment Element:								
Planned Redevelopment Area:	N/A							
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X		
Conforms:	Yes		No		N/A			

Conservation, Energy & Environmental Element:					
Impact on Air or Water Resources	Yes		No	X	
Renewable Energy Source	Yes		No	X	
Issues:	None				

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 *Multi-Family*		**Projected Population**	**Police Impact**	**Water Consumption**		**Wastewater Generation**
Maximum	Per Unit		**Officers**	**GPD**	**AF**	**GPD**
1517	1.6	2427	4.58	502,430	562.8	169,904
Minimum						
657	1.6	1051	1.98	217,598	243.8	73,584

Fire Facilities Plan:	Existing: Fire Station No. 5							Future: Fire Station No. 5							
Water Facility Plan:	Source:	City	X	Private		Connection:	30" transmission line on 40th St.								
Sewer Facility Plan:	Treatment:	City	X	Septic		Private		Connection: 36" sewer main on 40th Street							
Issues:	Connections to water and sewer are not available in this area. Line extensions from Avenue 7E to the site will be needed.														
Safety Element:															
Flood Plain Designation:	X			Liquefaction Hazard Area:		Yes		No	X						
Issues:	None														
Growth Area Element:															
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16th St			Avenue B & 32nd St.								
	North End			Pacific Ave & 8th St			Estancia			None	X				
Issues:	None														

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: See Attachment.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: 04/02/25

Final staff report delivered to applicant on: 04/18/25

[ ] Applicant agreed with all of the conditions of approval on: (enter date)
[ ] Applicant did not agree with the following conditions of approval: (list #'s)
[X] Emailed conditions of approval. The applicant is discussing with Engineering.

Attachments

A	B	C	D	E	F
Conditions of Approval	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Amelia Domby* **Date:** May 1, 2025

Amelia Domby
Principal Planner (928) 373-5000, x1234
Amelia.Domby@YumaAZ.gov

Reviewed By: Jennifer L. Albers **Date:** 5/2/25

Jennifer L. Albers
Assistant Director of Planning

Approved By: Alyssa Linville **Date:** 05/02/25

Alyssa Linville
Director, Planning and Neighborhood Services

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 Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.

2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Engineering: Andrew McGarvie, Engineering Manager, (928) 373-5000 ext. 3044

3. The Owner/Developer shall dedicate the south half right-of-way for 40th Street across the property frontage including the widening for the future bridge to cross the Area Service Highway (ASH) as follows:

    - The Owner/developer shall dedicate to the City of Yuma the fee title to the original 33 feet of south half right-of-way called out in the Yuma County Road Surveys for 40th Street, along the property frontage that was not purchased by the City of Yuma in Warranty Deed Fee # 2005-29535.

    - The Owner/developer shall dedicate via Warranty Deed to City of Yuma additional 40th Street right-of-way commencing at the Northwest corner of Assessor's Parcel Number (APN) 197-16-001, also being the point of intersection with the south right-of-way line of 40th Street and the east right-of-way line of the ASH highway; Thence South along the westerly property line also being the ASH highway right-of-way line a distance of 95.00 feet; Thence easterly along a line parallel to and 157.00 feet south of the North Section line of Section 16, a distance of 152.67 feet; Thence Northeasterly along a straight line, a distance of 651.42 feet to a point lying 62 feet south of the North section line of said Section 16, said point also lying on the north line of APN: 197-16-001; Thence Westerly along the North line of APN: 197-16-001 to the True Point of Beginning.

4. The Owner/developer shall dedicate a 1 ft non-access easement along the ASH and 40th street frontages except for approved access locations.

5. The Owner/developer shall construct sound attenuation walls along the ASH highway frontage as done similarly in the Ocotillo subdivisions, along the ASH Highway.

6. The Owner/Developer shall make a payment in lieu for design and construction of 40th Street roadway from 6¾E westward to the west edge of property frontage. 40th Street improvements to consist of two travel lanes located on the south side of the road including ABC, pavement, curb, gutter, sidewalk/walking path, streetlights and landscaping per City construction standards.

Community Planning, **Amelia Domby, Principal Planner, (928) 373-5000 x3034**

7. 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.

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
AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** 04/04/25
- **300' Vicinity Mailing:** 03/10/25
- **34 Commenting/Reviewing Agencies noticed:** 03/13/25
- **Site Posted on:** 04/21/25
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 04/28/25
- **Comments due:** 03/24/25

External List (Comments)	**Response Received**	**Date Received**	**"No Comment"**	**Written Comments**	**Comments Attached**
Yuma County Airport Authority	YES	03/17/25	X		
Yuma County Engineering	NR				
Yuma County Public Works	YES	03/13/25	X		
Yuma County Water Users' Assoc.	YES	03/17/25	X		
Yuma County Planning & Zoning	YES	03/13/25	X		
Yuma County Assessor	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.	NR				
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 Co.	NR				
Western Area Power Administration	YES	03/13/25	X		
Yuma Quechan Indian Tribe	YES	03/13/25	X		
City of Yuma Internal List (Conditions)	**Response Received**	**Date Received**	**"No Conditions"**	**Written Conditions**	**Comments Attached**
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	03/13/25	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	03/14/25			X
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C
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 subject parcel is located approximately 1.6 miles from the Barry M. Goldwater Range West (BMGR-W) northern boundary. It is requested that Avigation easement and Range Disclosure Statements be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, BMGR, and its associated flight paths. Please send a copy of the recorded easements to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE:	14 Mar 2025	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2103				
RETURN TO:	Amelia Domby Amelia.Domby@YumaAZ.gov				

ATTACHMENT D
NEIGHBOR NOTIFICATION LIST

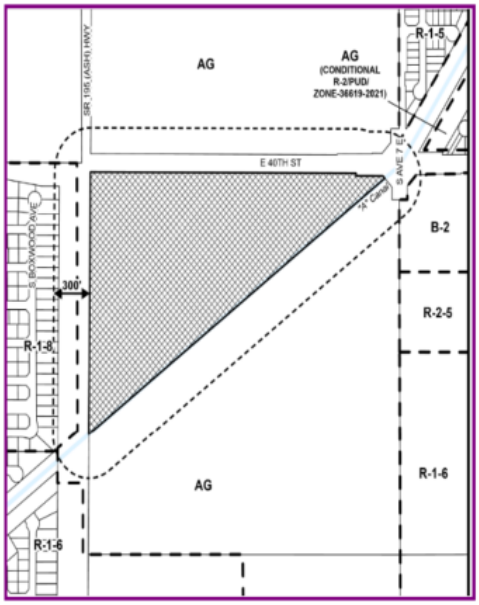
Property Owner	Mailing Address	City	State	ZIP
ADAME CARMEN	4135 S BOXWOOD AVE	YUMA	AZ	85365
ALVAREZ FERNANDO CECILIO & MARICELA	4183 S BOXWOOD AVE	YUMA	AZ	85365
BACALSO TEODORE C & ALICIA JT	4235 S BOXWOOD AVE	YUMA	AZ	85365
CAZARES JUAN	4057 S BOXWOOD AVE	YUMA	AZ	85365
CLANCY KEVIN B 1/2 &	4123 S BOXWOOD AVE	YUMA	AZ	85365
CURIEL FAVIAN G	4175 S BOXWOOD AVE	YUMA	AZ	85365
ESTRADA DAVID & LOPEZ YESICA GUADALUPE JT	4147 S BOXWOOD AVE	YUMA	AZ	85364
GAMBINO AUSTIN	4197 S BOXWOOD AVE	YUMA	AZ	85365
GAPASIN ROBERT A & ROSE L JT	4103 S BOXWOOD AVE	YUMA	AZ	85365
GARCIA OSCAR	4257 S BOXWOOD AVE	YUMA	AZ	85365
HALL BRIAN L LIVING TRUST 12-1-2005	3064 S AVENUE B	YUMA	AZ	85364
HALL BRIAN L TRUST 12-1-2005	3064 S AVENUE B	YUMA	AZ	85364
HERNANDEZ DEREK & TANIA JT	8555 STATION VILLAGE LN APT 3337	SAN DIEGO	CA	92108
HOAG ANGELA REVOCABLE TRUST 4-28-10	4075 S BOXWOOD AVE	YUMA	AZ	85365
LOPEZ JOSEPH & KRISTIAN	4169 S BOXWOOD AVE	YUMA	AZ	85365
LOZANO NICHOLAS J	4213 S BOXWOOD AVE	YUMA	AZ	85365
LUCERO ANGEL	4243 S BOXWOOD AVE	YUMA	AZ	85365
ORTIZ VISITACION	4041 BOXWOOD AVE	YUMA	AZ	85365
POORMAN LINDSAY J II	6431 OAKBROOK DR	WHITEHOUSE	OH	43571
RICHARDSON FAMILY TRUST 5-29-2019	10052 NORTE MESA DR	SPRING VALLEY	CA	91977
RODRIGUEZ EDGAR CABRERA	4081 S BOXWOOD AVE	YUMA	AZ	85365
RODRIGUEZ MIGUEL A & MARIA G CPROS	4111 S BOXWOOD AVE	YUMA	AZ	85365
RUIZ RUBEN B & BLANCA JT	4151 S BOXWOOD AVE	YUMA	AZ	85365
SIMPSON JORDAN	4269 S BOXWOOD AVE	YUMA	AZ	85365
SINGER JAMES E TRUST 9-2-2015	4063 S BOXWOOD AVE	YUMA	AZ	85365
WONG DANIEL F AZ LTD PART 7-1-95 ET AL	2857 PARADISE RD SP 3402	LAS VEGAS	NV	89109
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364

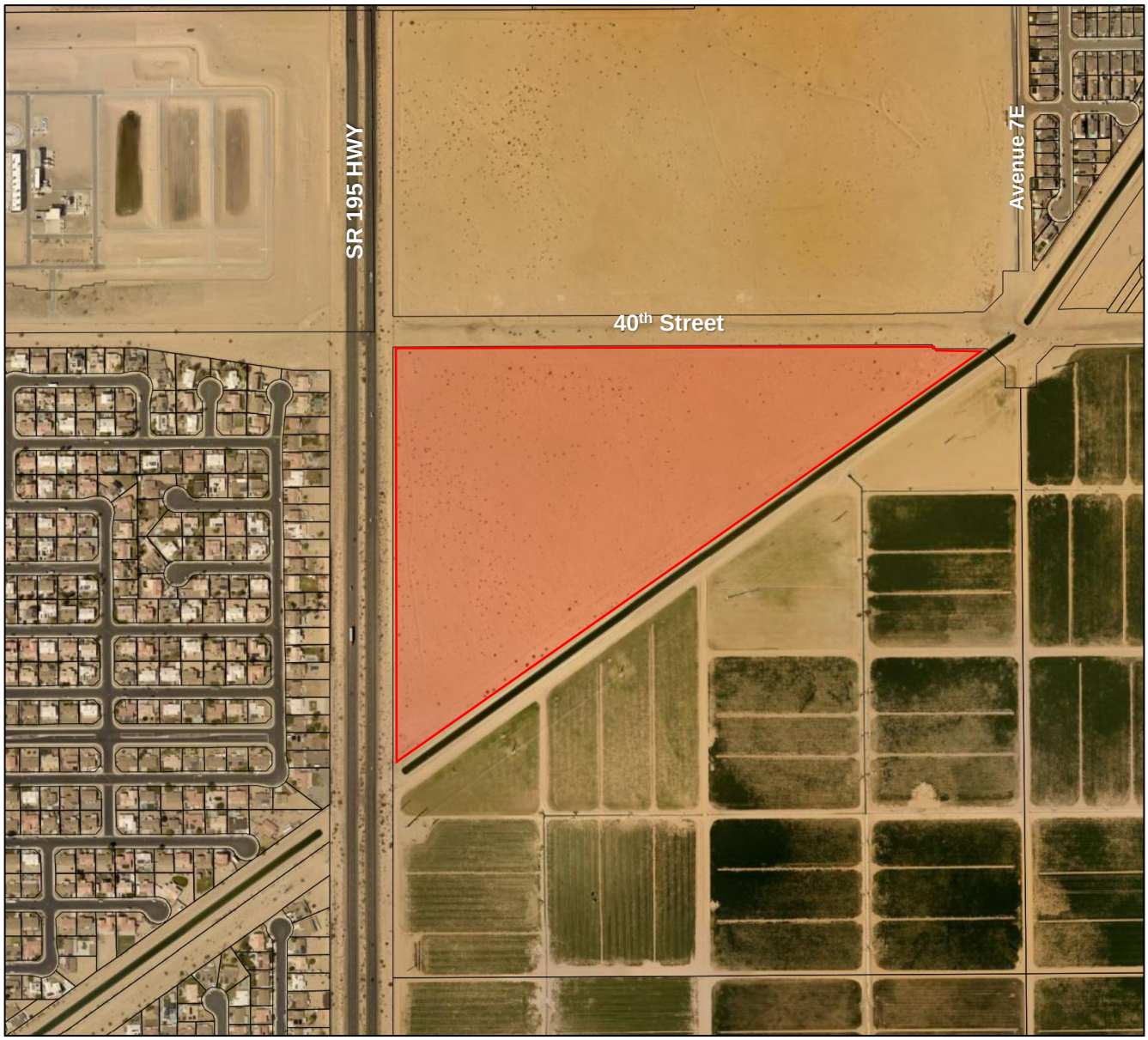
ATTACHMENT E
NEIGHBOR MAILING

This is a request by Dahl, Robins & Associates, on behalf of Brian L. Hall Living Trust, to rezone approximately 50.55 acres from the Agriculture (AG) District to the High Density Residential (R-3) District, for the property located at the southeast corner of State Route SR-195 and 40th Street, Yuma, AZ.

MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-43816-2025

PUBLIC HEARING
04/28/2025 @ 4:30 PM
City Hall Council Chambers
One City Plaza, Yuma, AZ.



Because you are a neighbor within 300' of southeast corner of State Route SR-195 and 40th Street, Yuma, AZ. You are invited to attend the meeting to voice your comments. If you have questions or wish to submit written comments, please contact Amelia Domby by phone at (928) 373-5000 ext. 3034 or by email at Amelia.Domby@YumaAz.gov

ATTACHMENT F
AERIAL PHOTO