

STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: ALYSSA LINVILLE

Hearing Date: June 10, 2019

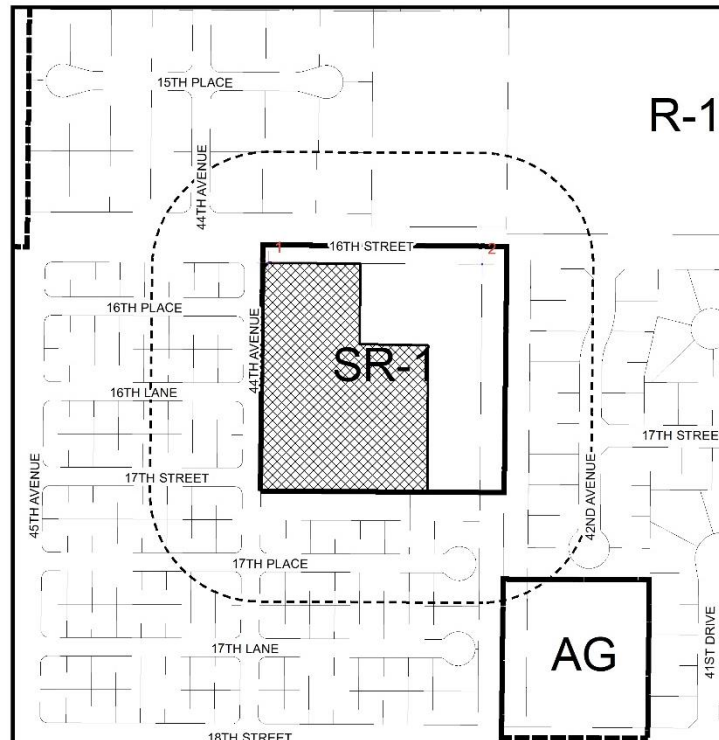
Case Number: ZONE-25834-2019

Project Description/Location:

This is a request by Saul Albor, Jr., on behalf of Trinity Christ Center Assembly of God, to rezone approximately 5.36 acres from the Suburban Ranch (SR-1) District to the Low Density Residential (R-1-6) District, for the property located at the southeast corner of W. 16th Street and S. 44th Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Suburban Ranch (SR-1)	Religious Institution	Low Density Residential
North	Low Density Residential (R-1-6)	Religious Institution; Single Family Residence(s)	Public/Quasi Public; Low Density Residential
South	Low Density Residential (R-1-6)	Single Family Residence(s)	Low Density Residential
East	Low Density Residential (R-1-6)	Single Family Residence(s)	Low Density Residential
West	Low Density Residential (R-1-6)	Single Family Residence(s)	Low Density Residential

Location Map



Prior site actions: Annexation: Ord. 1650 (October 10, 1977); Subdivision: Trinity Christian Lot Split (In Process)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Suburban Ranch (SR-1) District to the Low Density Residential (R-1-6) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-25834-2019 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 recommended approval to City Council for the request to rezone a portion of the property from the Suburban Ranch (SR-1) District to the Low Density Residential (R-1-6) District for the property located at the southeast corner of W. 16th Street and S. 44th Avenue, 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 W. 16th Street and S. 44th Avenue. Historically the property has been utilized for agricultural purposes; however, is currently unutilized in anticipation for future development. While the entire parcel is currently 8.36 acres, it is the intent of this application to only rezone a portion of the property, measuring approximately 5.36 acres.

The current zoning for the property is Suburban Ranch (SR-1) and permits the construction of single-family residences on a minimum one-acre parcel. It is the intent of the applicant however, to subdivide the property for the future construction of approximately 21 single-family dwellings. According to the applicant, it is the intent that such lots will range in size from 6,000 square feet to 8,000 square feet.

Further specified in §154-05.04, the following are some of the development standards required of a development with the Low Density Residential (R-1-6) District:

1. The maximum lot coverage in the Low Density Residential (R-1-6) District shall not exceed 35% of the lot area;
2. A minimum front yard setback of 20 feet;
3. A minimum side yard setback of 7 feet;
4. A minimum rear yard setback of 10 feet;
5. A maximum building height of 40 feet; and
6. A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

A neighborhood meeting was held on May 6, 2019 to discuss the proposed project with neighbors and property owners within the surrounding area. There was one neighbor in attendance for the neighboring meeting. This neighbor made comments in support of the request and was looking forward to seeing development occur on the vacant land.

The request to rezone the property from the Suburban Ranch (SR-1) District to the Low Density Residential (R-1-6) District is in conformance 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.

Transportation Element	Planned	Existing	Difference	Requested
16 th Street – 4-Lane Minor Arterial	50 FT H/W ROW	50 FT H/W ROW	0 FT	0 FT
44 th Avenue – Local Street	29 FT H/W ROW	25 FT H/W ROW	- 4 FT	4 FT

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 Received.

External Agency None Received.
Comments:

Neighborhood Meeting See Attachment B.
Comments:

Proposed conditions delivered to applicant on: May 20, 2019.

Final staff report delivered to applicant on: May 30, 2019.

<input checked="checked" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: May 24, 2019
<input type="checkbox"/>	Applicant did not agree with the following conditions of approval: (list #'s)
<input type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D
Conditions of Approval	Neighborhood Meeting Comments	Aerial Photo	Staff Research

Prepared By: 
Alyssa Linville,
Assistant Director
Community Development

Date: 05/28/19
Alyssa.Linville@yumaaz.gov (928)373-5000, ext. 3037

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

Date: 5-28-19

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.
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. 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.

Engineering, Augustin Cruz, Senior Civil Engineer, (928) 373-5182:

4. Owner shall dedicate, by warranty deed or plat, 4 feet of right-of-way along 44th Ave to meet the City of Yuma Standard of 29' half-width for a local street.
5. Owner shall dedicate, by warranty deed or plat, a 25 by 25 corner visibility triangle at the southeast corner of 44th Avenue and 16th Street according to City of Yuma Construction Standard 2-096.
6. Owner shall dedicate, by warranty deed or plat, a one-foot non-access easement along 16th Street frontage and along the 25 by 25 corner triangle.

Community Planning, Alyssa Linville, Assistant Director Community Development, (928) 373-5000, ext. 3037:

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
NEIGHBORHOOD MEETING COMMENTS

Date Held: May 6, 2019

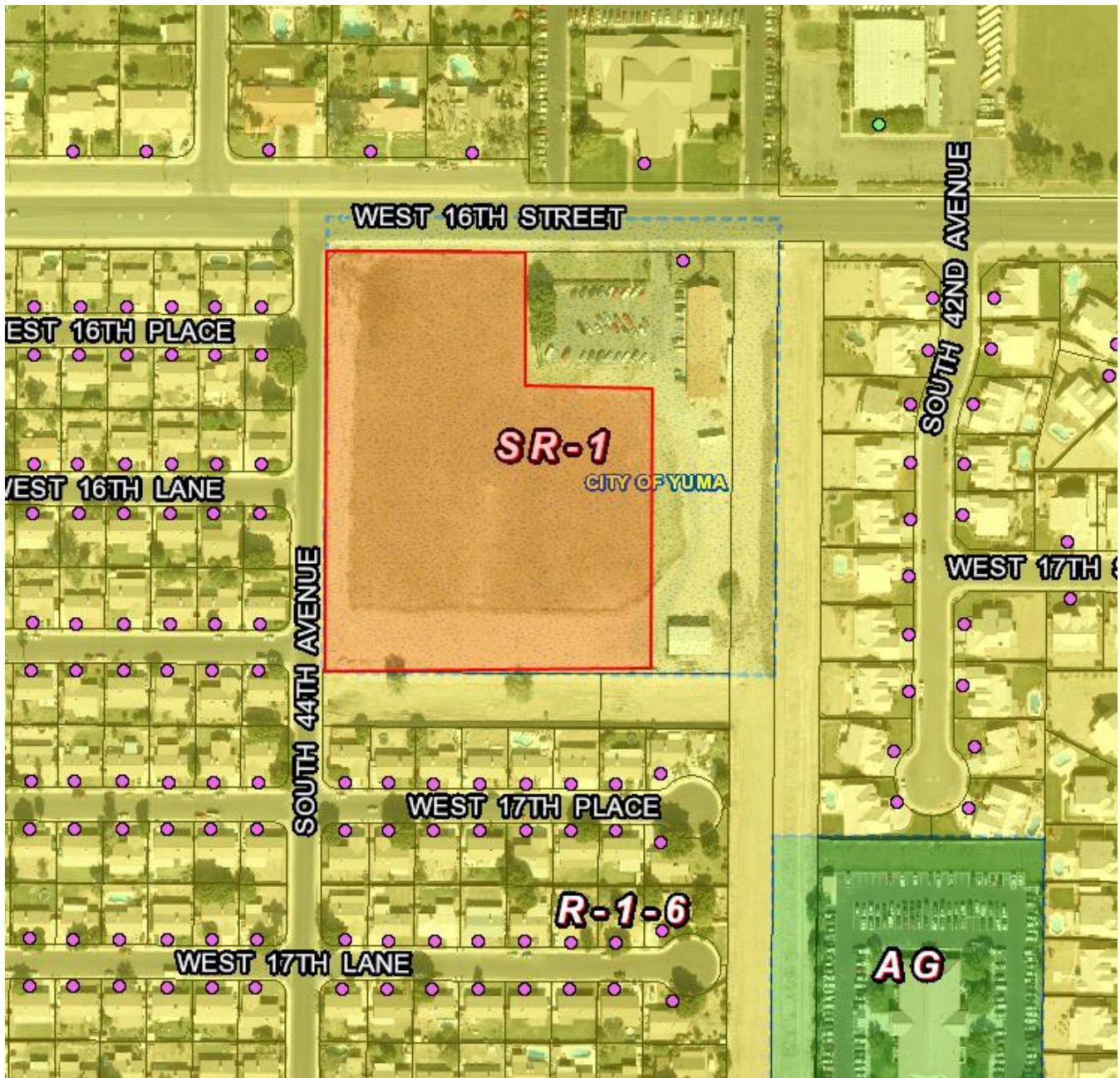
Location: On-Site

Attendees: Alyssa Linville, City of Yuma; Saul Albor Jr., Agent; one neighbor in attendance

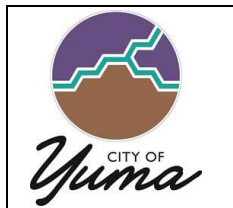
SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- **NEIGHBOR INQUIRED ABOUT THE INTENDED DEVELOPMENT FOR THE SITE. AGENT EXPLAINED THAT THE INTENDED DEVELOPMENT WOULD INCLUDE 21 SINGLE-FAMILY RESIDENTIAL HOMES.**
- **AGENT ALSO EXPLAINED THAT THEY ANTICIPATED A MAJORITY OF THE CONSTRUCTION TO INCLUDE TWO-STORY RESIDENCES, WHICH WOULD INCREASE THE REAR YARD AVAILABILITY.**
- **AGENT ALSO EXPLAINED THAT THESE NEW DWELLINGS MAY BE CONSTRUCTED IN A RANCH-STYLE MANNER, DIFFERENT THAN THE TYPICAL CONSTRUCTION WITHIN THE YUMA AREA.**

ATTACHMENT C
AERIAL PHOTO



ATTACHMENT E
STAFF RESEARCH



STAFF RESEARCH – REZONE

CASE #: ZONE-25834-2019
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:		Located at the southeast corner of W. 16 th Street and S. 44 th Avenue											
Parcel Number(s):		663-39-065											
Parcel Size(s):		Rezone area: 5.36 acres; Total parcel area: 8.36 acres											
Total Acreage:		5.36 acres											
Proposed Dwelling Units:		22											
Address:		4309 W. 16 th Street											
Applicant:		Trinity Christ Center Assembly of God											
Applicant's Agent:		Saul Albor, Jr.											
Land Use Conformity Matrix:		Conforms: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> X <input type="checkbox"/> No <input type="checkbox"/>											
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	Use(s) on-site			General Plan Designation								
Site	Suburban Ranch (SR-1)	Religious Institution			Low Density Residential								
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West	Low Density Residential (R-1-6)	Single Family Residence(s)			Low 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		No	Ord. 1650 (October 10, 1977)									
General Plan Amendment	Yes		No	N/A									
Development Agreement	Yes		No	N/A									
Rezone	Yes		No	N/A									
Subdivision	Yes	X	No	Trinity Christian Center Lot Split (In Process)									
Conditional Use Permit	Yes		No	N/A									
Pre-Development Meeting	Yes	X	No	August 21, 2018									
Design Review Commission	Yes		No	N/A									
Enforcement Actions	Yes		No	N/A									
Avigation Easement Recorded	Yes		No	X	Fee #								
Land Division Status:		Legal lot of record											
Irrigation District:		Yuma County Water User's Association											
Adjacent Irrigation Canals & Drains:		None											
Water Conversion: (5.83 ac ft/acre)		31.25 Acre Feet a Year											
Water Conversion Agreement Required		Yes	X	No									

II. CITY OF YUMA GENERAL PLAN

Land Use Element:																			
Land Use Designation:				Low Density Residential															
Issues:				None															
Historic District:		Brinley Avenue				Century Heights				Main Street				None		X			
Historic Buildings on Site:				Yes				No		X									
Transportation Element:																			
<u>FACILITY PLANS</u>																			
Transportation Master Plan				Planned					Existing										
16 th Street – 4-Lane Minor Arterial				50 FT H/W ROW					50 FT H/W ROW										
44 th Avenue – Local Street				29 FT H/W ROW					25 FT H/W ROW										
Median Covenant				Required along 16 th Street															
Gateway Route				Scenic Route				Hazardous Cargo Route				Truck Route		X					
Bicycle Facilities Master Plan				Proposed bike lane on 16 th Street															
YCAT Transit System				N/A															
Issues:				None															
Parks, Recreation and Open Space Element:																			
Parks and Recreation Facility Plan																			
Neighborhood Park:		Existing: Sunrise Optimist Park					Future: Sunrise Optimist Park Expansion												
Community Park:		Existing: Yuma Valley Park					Future: Yuma Valley Park												
Linear Park:		Existing: None					Future: Retention Basin 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				N/A							
Renewable Energy Source				Yes				No				N/A							
Issues:				None															
Public Services Element:																			
<u>Population Impacts</u> Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person				Dwellings & Type		Projected Population		Police Impact		Water Consumption		Wastewater Generation							
				<i>Single Family</i>				Officers		GPD		AF							
				Maximum	Per Unit														
				26	2.8	73		0.14		21,840		24.5							
				Minimum															
				5	2.8	14		0.03		4,200		4.7							
Fire Facilities Plan:		Existing: Fire Station No. 4					Future: Fire Station No. 4												
Water Facility Plan:		Source:		City		X		Private				Connection:		6" PVC					
Sewer Facility Plan:		Treatment:		City		X		Septic				Private							
Issues:				None															
Safety Element:																			
Flood Plain Designation:		Flood Zone X				Liquefaction Hazard Area:				Yes		X		No					

Issues:	None									
Growth Area Element:										
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 th St			Avenue B & 32 nd St.			
	North End		Pacific Ave & 8 th St			Estancia		None		X
Issues:	None									

NOTIFICATION

- Legal Ad Published: The Sun (05/17/19)
- 300' Vicinity Mailing: (04/22/19)
- 34 Commenting/Reviewing Agencies noticed: (04/25/19)

- Neighborhood Meeting: (05/06/19)
- Hearing Dates: (06/10/19)
- Comments Due: (05/06/19)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	04/30/19	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	Yes	04/26/19	X		
Yuma County Planning & Zoning	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.	Yes	04/25/19	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	Yes	04/26/19	X		
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Company	NR				
Western Area Power Administration	NR				
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	NR				
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	Yes	05/01/19		X	
Kayla Holiman, Fire	Yes	04/25/19	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	05/03/19			X
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
MAY 6, 2019 AT 5:00PM	See Staff Report Attachment
Prop. 207 Waiver	
Given to Applicant on June 10, 2019 in person.	

PUBLIC COMMENTS RECEIVED: NONE RECEIVED.

INTERNAL AGENCY COMMENTS

☒ Condition(s)

☐ No Condition(s)

☒ Comment

Enter conditions here: The subject property is located beneath a flight path. It is requested that an avigation easement be recorded that recognizes 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 and its associated flight paths. This avigation easement should also be recorded if rezoned residential for each parcel as developed/sold. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to comment

DATE: 3 May 2019 NAME: Mary Ellen Finch TITLE: Community Liaison Specialist
CITY DEPT: MCAS Yuma
PHONE: 928-269-2103
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

