



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

November 20, 2019

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:Rezoning of Property: Southeast corner of Avenue 3E and the 38th Street alignment**SUMMARY RECOMMENDATION:**

Rezone approximately 19.31 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, while maintaining the existing Airport Overlay (AD) District, for the properties located at the southeast corner of Avenue 3E and the 38th Street alignment. (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

The rezone request contains four parcels located at the southeast corner of Avenue 3E and the 38th street alignment. Historically, a majority of the area was used for the housing of equine and accessory equestrian facilities. In its entirety, the subject area is approximately 19.31 acres in size. The intent of this rezone is to allow the development of an industrial subdivision.

The principal purposes of the Light Industrial (L-I) Zoning District are to accommodate light industrial uses which are not likely to create conditions of smoke, noise, odor or dust to the detriment of adjoining properties; to ensure accessibility to major transportation routes for the movement of materials, products and employees; and to protect industrial districts from incompatible uses of land by prohibiting the use of such areas for new residential development. Uses permitted within the district include assembling or fabrication of products, warehousing of products or materials, offices with adjacent storage yards for construction contractors, and automotive repair.

While there are a variety of uses permitted within the proposed Light Industrial (L-I) District, there may be limitations on specific uses as the property is located within the 70/75 dB noise contour of the Airport Overlay (AD) District. The Airport Overlay (AD) District will also require additional sound attenuation to be incorporated into the design and construction of all new buildings.

Following the subdividing of the properties, all resulting parcels will be required to meet all development standards as specified in the City of Yuma's Zoning Code. These development requirements include paved parking, access, setbacks, height limitations, landscaping, and lighting.

The request to rezone the property from the Agriculture (AG) District to the Light Industrial (L-I) District is in conformance with the General Plan.

On October 14, 2019, the Planning and Zoning Commission voted to recommend APPROVAL (4-0, with Dammeyer, Mohindra, and Ott absent) of the request to rezone approximately 19.31 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, while maintaining the existing Airport Overlay (AD) District, for the properties located at the southeast corner of Avenue 3E and the 38th Street alignment, Yuma, AZ.

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

QUESTIONS FOR STAFF:

NONE

QUESTIONS FOR APPLICANT:

NONE

PUBLIC COMMENTS:

“Glenn Gimbut, 1534 N. 9th Avenue, San Luis Arizona, said he was representing Sam Day and said they were in support of this request. **Gimbut** requested dust control on this property if development did not begin within the next six months.

MOTION:

“Motion by Shara Whitehead – Planning and Zoning Commissioner second by Gregory Counts – Planning and Zoning Commissioner to APPROVE Case Number ZONE-27148-2019.

“Motion carried unanimously (4-0, with Fred Dammeyer – Planning and Zoning Commissioner, Vinod Mohindra – Planning and Zoning Commissioner, and Tiffany Ott – 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 checked="" 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:	
	John D. Simonton		10/30/2019	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		10/29/2019	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		10/17/2019		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		10/16/2019		