



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

December 4, 2019

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:Rezoning of Property: Avenue 7E and 44th Street**SUMMARY RECOMMENDATION:**

Rezoning of approximately 455.88 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6) District, the Medium Density Single-Family Residential (R-2-5) District, and the General Commercial (B-2) District, for the properties located at the northeast corner, southeast corner, and southwest corner of Avenue 7E and 44th Street, Yuma, AZ. (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

The subject properties are located at the northeast corner, southeast corner, and southwest corner of Avenue 7E and 44th Street. While currently undeveloped, the intended development for the area includes a variety of low and medium density housing subdivisions featuring centralized basins and an area park, a site for a future school, and an area for commercial development. A General Plan Amendment was approved on October 16, 2019 amending the land use designation so as to support the proposed rezoning.

This potential residential development is limited to a maximum of 2,224 dwelling units as agreed upon within a recently adopted settlement agreement, between the City of Yuma and the applicant. The development standards for the residential zoning designations will still apply. Below, are some of the development standards which apply to the Low Density Residential (R-1-6) District and the Medium Density Single-Family Residential (R-2-5) District:

Low Density Residential (R-1-6) District:

1. The maximum lot coverage in the Low Density Residential (R-1-40) 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.

Medium Density Single-Family Residential (R-2-5) District:

1. The maximum lot coverage in the Medium Density Single-Family Residential (R-2-5) District shall not exceed 45% of the lot area;
2. A minimum front yard setback of 15-20 feet;
3. A minimum side yard setback of 5 or 9 feet;
4. A minimum rear yard setback of 10 feet;
5. A maximum building height of 40 feet;
6. A 15-gallon street tree and accompanying irrigation system; and
7. A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

As part of this proposed residential development, the property owner intends on addressing on-site retention requirements through the installation of centralized basins and a local area park; a 10-acre park site to be dedicated to the City of Yuma as required within the previously mentioned settlement agreement during the time of platting. The agreement also indicates that the 10-acre park site may be utilized for retention/detention purposes. The following comment was made by the Parks and Recreation Department regarding the location of the future park:

Parks and Recreation and Community Development staff recommend that the park be built along a major roadway (Avenue 7E). The park will be used heavily by people outside of the subdivision, similar to how the park at Ocotillo is used. The design of the park is approximately 10 acres with most of it proposed to be open green space. The open green space will be used primarily for soccer, football practice, and games. Three times a week the park at Ocotillo is packed with kids and adults (mostly from outside the neighborhood) playing soccer. If this proposed park is located in the middle of the subdivision, this would bring heavy traffic and parking issues internal to the neighborhood.

The proposed commercial zoning is approximately 12 acres and would support of a variety of potential commercial uses. Such uses include, the retail sale of goods and services, restaurants, religious institutions, grocery stores, and child care services. Upon development of this commercial site, all City of Yuma development standards will need to be adhered to. These development requirements include paved parking, access, setbacks, landscaping, and lighting.

Upon the platting of the subsequent development, right-of-way dedications will need to be addressed for those new and existing roadways/alignments. Below is a list of the dedications that will need to be addressed at such time:

1. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 40 feet half-width right-of-way along Avenue 7E, as required for a collector street as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction standards.
2. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 50 feet half-width right-of-way along 48th Street, as required for a minor collector street as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction standards.
3. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 40 feet half-width right-of-way along 44th Street, as required for a collector street as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction standards.

4. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 40 feet half-width right-of-way along Avenue 7 ½ E, as required for a collector street as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction standards.
5. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 50 feet half-width right-of-way along 40th Street, as required for a minor collector street as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction standards.
6. Owner/developer shall dedicate to the City of Yuma, via plat, all required corner visibility triangles in all major and local intersections as specified in City of Yuma Construction Standard 3-005 (dimensions of corner triangle vary depending on type of intersection).
7. A one-foot non-access easement shall be dedicated, via plat, to the City of Yuma, along all collector street and minor arterial street frontages and along all corner triangles as specified in City of Yuma Construction Standard 3-005.
8. Owner/developer shall dedicate to the City of Yuma, via plat, additional right of way for a bridge crossing on 48th Street similar to what was dedicated on Ocotillo Unit 4B.
9. Owner/developer shall dedicate to the City of Yuma, via plat, additional right of way for turn lanes as required for collector streets and minor arterial streets as specified in City of Yuma Construction Standard 2-050.

In addition to the future dedication requirements, the City of Yuma also received a comment from the Arizona Department of Transportation (ADOT) requesting that a Traffic Impact Analysis (TIA) be completed to assess the potential impact that this future development may have on area roadways. A copy of this comment can be seen on Attachment B. Similar to the dedication requirements, this comment will also need to be addressed in the near future. It is staff's recommendation that this TIA be completed prior to the design and/or platting of the subdivision.

The proposed mixed-use development featuring a variety of single-family housing options, a school site, a park and open space, and a commercial development component, will provide future residents within the area ease of access to goods and services. The request to rezone the properties from the Agriculture (AG) District to the Low Density Residential (R-1-6) District, the Medium Density Single-Family Residential (R-2-5) District, and the General Commercial (B-2) District is in conformance with the General Plan.

On October 28, 2019, the Planning and Zoning Commission voted to recommend APPROVAL (5-0, with Dammeyer and Whitehead absent) of the request to rezone approximately 455.88 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6) District, the Medium Density Single-Family Residential (R-2-5) District, and the General Commercial (B-2) District, for the properties located at the northeast corner, southeast corner, and southwest corner of Avenue 7E and 44th Street, Yuma, AZ.

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

QUESTIONS FOR STAFF:

NONE

QUESTIONS FOR APPLICANT:

“John Weil, 3064 S. Avenue B, Yuma, AZ, said this request was pursuant to a Settlement Agreement.

“Weil explained his understanding of the development agreement to the Commission.

“Weil said there were neighbor concerns about an increase in density and explained that it would be minimal.

“Weil said this proposal would be similar to the surrounding Hall developments.

“Weil added the potential residential development was limited to five dwellings per acre.

“Vinod Mohindra – Planning and Zoning Commissioner asked for clarification on where the proposed park would be located.

“Weil said an exact location has not been identified.

“Weil explained the park would be used as a retention basin and the discussion was ongoing.

“Tiffany Ott – Planning and Zoning Commissioner asked if this property was currently utilized for agriculture purposes.

“Weil said it was currently being farmed and explained there were irrigation ditch failures.

“Weil said it was gradually in the process of being put back into agriculture production.

PUBLIC COMMENTS:

NONE

MOTION:

“Motion by Gregory Counts – Planning and Zoning Commissioner, second by Mohindra to APPROVE Case Number ZONE-27555-2019.

“Motion carried unanimously (5-0, with Fred Dammeyer – Planning and Zoning Commissioner and Shara Whitehead – 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:	
	Philip Rodriguez		11/13/2019	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		11/12/2019	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		11/4/2019		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		10/31/2019		