



## REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

May 6, 2020

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

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

**TITLE:**Rezoning of Properties: Northwest corner of Arizona Avenue and 34<sup>th</sup> Street**SUMMARY RECOMMENDATION:**

Rezone approximately 18.34 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, for the properties located at the northwest corner of Arizona Avenue and 34<sup>th</sup> Street, Yuma, AZ. (Community Development/Community Planning) (Jay Simonton)

**REPORT:**

The subject properties are located at the northwest corner of 34<sup>th</sup> Street and Arizona Avenue. The properties consist of two parcels totaling 18.34 acres. With this request, the applicant is seeking to rezone the subject area to the Light Industrial (L-I) District with the intent of developing the property into a bus barn for the Yuma County Intergovernmental Public Transportation Authority. The property is located within the 70-75 dB noise contours, and will require a noise level reduction of 25 dB for any structures where the public will be received.

A lot tie and conditional use permit will be required prior to development of the facility.

A neighborhood meeting was held at the subject property on February 12, 2020; the meeting was not attended by any neighboring residents.

On March 23, 2020 the Planning and Zoning Commission voted to recommend APPROVAL (4-0) of the request to rezone approximately 18.34 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, for the property located at the northwest corner of Arizona Avenue and 34<sup>th</sup> Street, Yuma, AZ, subject to the following conditions:

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 request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
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.
4. Owner/developer shall dedicate, to the City of Yuma, via warranty deed or plat, 7 feet of right-of-way on Arizona Avenue, plus the underlying fee title for 33 feet from the centerline of the road.
5. Owner/developer shall dedicate, to the City of Yuma, via warranty deed or plat, 39 feet of existing canal easement along the 34<sup>th</sup> Street alignment.
6. 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.

**PUBLIC COMMENTS – EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:**

**QUESTIONS FOR STAFF**

None

**"Motion by Barbara Beam – Planning and Zoning Commissioner, second by Gregory Counts – Planning and Zoning Commissioner to APPROVE Case Number ZONE-29231-2020.**

**"Motion carried unanimously (4-0, with Chris Hamel – Planning and Zoning Commissioner absent)."**

**Planning Commission Staff Report - Attached**

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 type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip Rodriguez		4/3/2020	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		4/2/2020	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Alyssa Linville		3/26/2020		
WRITTEN/SUBMITTED BY:		DATE:		
Richard Munguia		3/26/2020		