

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

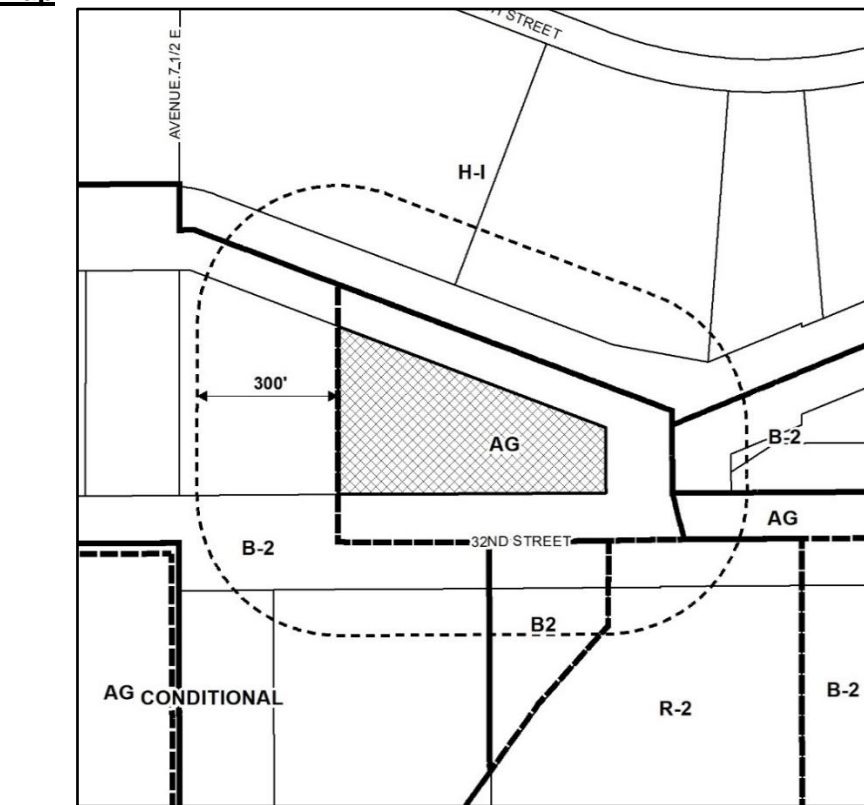
Hearing Date: April 27, 2020

Case Number: ZONE-27421-2019

Project Description/Location: This is a request by Core Engineering Group, on behalf of Susan Lee Bettaile Trust, to rezone 3.25 acres from the Agriculture (AG) District to General Commercial (B-2) District, for the property located at 7600 E. 32nd St., Yuma, Arizona.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Living Easy Lifestyles	Medium Density Residential
North	Heavy Industrial (H-I)	FedEx Ground	Industrial
South	General Commercial (B-2)	All Secure Self Storage	Commercial
East	General Commercial (B-2)	Partially developed outdoor storage	Commercial
West	General Commercial (B-2)	Newberrys Furniture	Commercial

Location Map



Prior site actions: Annexation: July 3, 1999 (O99-29); General Plan Amendment: February 19, 2020 (R2020-002); Pre-Development Meeting March 28, 2019 (PDM-25606-2019).

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Agriculture (AG) District to General Commercial (B-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-27421-2019 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 recommending approval to City Council for the request to rezone from the Agriculture (AG) District to General Commercial (B-2) District for the property located at 7600 E. 32nd St., Yuma, Arizona, 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 intent of this rezone is to match the zoning designation to the existing use, while also improving the property's development standards to meet code requirements. The owner wishes to develop and lease the lot for a use similar to what it had been used for in the past—RV and manufactured home sales. Between 1992 until around 2014 the subject property was used for manufactured home sales. After annexation of the area in 1999, the use was considered legal non-conforming. This non-conforming status was lost following an extended period of inactivity on the property.

The subject property underwent a General Plan Amendment to change the land use designation from Medium Density Residential to Commercial. The request was approved by City Council on February 19, 2020 (R2020-002).

Many of the uses in the area are commercial in nature. East 32nd Street is also a major roadway within our community featuring many commercial businesses. Therefore, staff believes that the proposed rezone would compliment neighboring uses and would be in line with development goals for the area.

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
E. 32 nd St.—Principle Arterial	64 FT H/W ROW	100 FT H/W ROW	+36 FT	0'

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.

External Agency

See Attachment B.

Comments:

Neighborhood Meeting

No Meeting Required.

Comments:

Proposed conditions delivered to applicant on: April 6, 2020

Final staff report delivered to applicant on: April 27, 2020

☒ Applicant did not agree with the following conditions of approval: Condition #5

Attachments

A	B	C	D
Conditions of Approval	External Agency Comments	Aerial Photo	Staff Research

Prepared By:

Chad Brown

Associate Planner



Chad.Brown@yumaaz.gov

Date:

4/13/20

(928)373-5000, x 3038

Approved By:

Alyssa Linville,

Assistant Director Community Development



Date:

04/13/2020

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: Alyssa Linville, Assistant 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 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.

Community Planning, Chad Brown , Associate Planner, (928) 373-5000 x 3038

4. The subject property will be required to landscape, provide paved parking and access, and add adequate lighting, as identified within the zoning code.
5. 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
EXTERNAL AGENCY COMMENTS



COMMENT



NO COMMENT

Enter comments below:

The proposed zoning is already established on the west, south and east. And there is Heavy Industrial on the north (separated by I-8). The parcel is currently vacant (not in ag.) therefore the proposed use will be in character within the surrounding established uses.

DATE: 3/14/20 NAME: Javier Barraza TITLE: Senior Planner

AGENCY: Yuma County AZ., DDS, Planning and Zoning

PHONE: (928) 817-5000

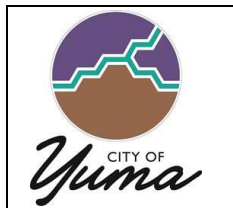
RETURN TO: Chad Brown
Chad.Brown@YumaAZ.gov

ATTACHMENT C
AERIAL PHOTO



IMAGE: THE RED RECTANGLE ILLUSTRATES LOCATION OF THE SUBJECT PROPERTY.

ATTACHMENT D
STAFF RESEARCH



STAFF RESEARCH – REZONE

CASE #: ZONE-27421-2019
CASE PLANNER: CHAD BROWN

I. PROJECT DATA

Project Location:		Approximately 1600 feet from E. 32 nd St. and Avenue 8 E and											
Parcel Number(s):		698-31-005											
Parcel Size(s):		141,578											
Total Acreage:		3.25											
Proposed Dwelling Units:		None											
Address:		7600 E. 32 nd St.											
Applicant:		Susan Lee Battaile Trust											
Applicant's Agent:		Core Engineering Group, PLLC											
Land Use Conformity Matrix:		Conforms:		Yes	X	No							
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	Agriculture (AG)			Living Easy Lifestyles		Medium Density Residential							
North	Heavy Industrial (H-I)			FedEx Ground		Industrial							
South	General Commercial (B-2)			All Secure Self Storage		Commercial							
East	General Commercial (B-2)			Partially developed outdoor storage		Commercial							
West	General Commercial (B-2)			Newberrys Furniture		Commercial							
Prior Cases or Related Actions:		Yes.											
<u>Type</u>	<u>Conforms</u>			<u>Cases, Actions or Agreements</u>									
Pre-Annexation Agreement	Yes		No	N/A									
Annexation	Yes	X	No	July 3, 1999 (O99-29)									
General Plan Amendment	Yes	X	No	February 19, 2020 (R2020-002)									
Development Agreement	Yes		No	N/A									
Rezone	Yes		No	N/A									
Subdivision	Yes		No	N/A									
Conditional Use Permit	Yes		No	N/A									
Pre-Development Meeting	Yes	X	No	March 28, 2019 (PDM-25606-2019)									
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 Mesa Irrigation and Drainage District											
Adjacent Irrigation Canals & Drains:		B canal											
Water Conversion: (5.83 ac ft/acre)		18.95 Acre Feet a Year											
Water Conversion Agreement Required		Yes		No	X								

II. CITY OF YUMA GENERAL PLAN

Land Use Element:																			
Land Use Designation:				Commercial															
Issues:				None															
Historic District:		Brinley Avenue				Century Heights				Main Street				None		X			
Historic Buildings on Site:				Yes				No		X									
Transportation Element:																			
FACILITY PLANS																			
Transportation Master Plan				Planned		Existing		Gateway		Scenic		Hazard		Truck					
32 nd Street—Principle Arterial				64 FT H/W ROW		100 FT H/W ROW		X						X					
Bicycle Facilities Master Plan				Proposed bike path															
YCAT Transit System				Orange Route 2															
Issues:				None															
Parks, Recreation and Open Space Element:																			
Parks and Recreation Facility Plan																			
Neighborhood Park:		Existing: Desert Ridge Park						Future: Desert Ridge Park											
Community Park:		Existing: N/A						Future: North/South Mesa Community Park											
Linear Park:		Existing: N/A						Future: B 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 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>Non-residential</i>															
				Maximum	Per Unit			Officers		GPD		AF		GPD					
				0	0	0		0.00		0		0.0		0					
				Minimum															
Fire Facilities Plan:				Existing: Fire Station No. 5						Future: Fire Station No. 7									
Water Facility Plan:				Source:		City		X		Private		Connection:		20" PVC					
Sewer Facility Plan:				Treatment:		City				Septic		X		Private		Connection: None			
Issues:				None															
Safety Element:																			
Flood Plain Designation:				X				Liquefaction Hazard Area:				Yes				No		X	
Issues:				None															
Growth Area Element:																			

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

NOTIFICATION

- Legal Ad Published: The Sun (4/3/20)
- 300' Vicinity Mailing: (3/9/20)
- 34 Commenting/Reviewing Agencies noticed: (3/12/20)
- Hearing Date: (4/27/20)
- Comments Due: (3/23/20)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	3/16/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	3/13/20	X		
Yuma County Planning & Zoning	YES	3/16/20		X	
Yuma County Assessor	YES	3/13/20	X		
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	3/13/20	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Company	NR				
Western Area Power Admin.	YES	3/16/20	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	YES	3/16/20	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	YES	3/17/20	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Jeremy McCall, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
N/A	Attachment B.
Prop. 207 Waiver	
Provided in application.	