



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

September 16, 2020

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:Rezoning of Property: Southwest corner of Avenue 7½E and 36th Street**SUMMARY RECOMMENDATION:**

Rezone approximately 18.3 acres from Agriculture (AG) to Medium Density Residential/Planned Unit Development (R-2/PUD), for the property located at the southwest corner of S. Avenue 7½E and E. 36th Street, Yuma, AZ.(Community Development/Community Planning) (Randall Crist)

REPORT:

The applicant proposes developing the subject property for the second phase of the Desert Sky townhome development. Currently, the site is undeveloped land. With this second phase, the applicant is proposing to construct 103 units on approximately 18.3 acres. With this request, the applicant is seeking to rezone the property from the Agriculture (AG) District to the Medium Density Residential/Planned Unit Development Overlay (R-2/PUD) District.

Density

The Planned Unit Development Overlay (PUD) District states, “the average lot area per dwelling unit, including common area but excluding area occupied by public or private streets, shall not be less than that required by the zoning district regulations otherwise applicable to the site (Yuma City Code §154-14.07(C)(4)).” The R-2 District requires a minimum lot size of 4,500 square feet for small lot single-family subdivisions with a maximum of 72 small lots per 160 acres. The proposed development encompasses 18.3 acres for the entire development, including streets. By excluding the streets, the common area and individual lots total approximately 12.7 acres. Taking 12.7 acres and dividing that by the proposed 103 lots, as shown on the site plan (Attachment B), yields an average lot area of 5,371 square feet. Therefore, the proposed development meets the required minimum average lot area of 4,500 square feet per dwelling unit, as required by the R-2 District.

Development Standards

“Planned unit Development are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of residential areas than generally is possible under conventional zoning designations (Yuma City Code §154-14.07 (A)).”

The proposed development with the PUD overlay would allow the following dimensional variations:

- An increase in the number of 4,500 square foot lots from 72 lots to 103 lots.
- A decrease in the minimum lot size from 4,500 square feet to 3,300 square feet.
- A decrease in the minimum lot width from 50' to 30'.
- Staggered front yard setbacks of 15' and 20' (20' is the standard front yard setback).
- A reduction in side yard setbacks from 7' on each side to zero feet on each side.
- An increase in maximum lot coverage from 35% to 70%. The increase in lot coverage allows for the future addition of patios and/or sheds.

Amenities

"PUDs are further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of urban amenities and preservation of natural scenic qualities of open spaces (Yuma City Code §154-14.07 (A))."

The applicant has agreed to the following amenities for the proposed PUD:

1. A retention basin featuring picnic tables and barbecue grills.
2. A 10'-wide walking path, connecting this phase of development to the centrally located retention basin located in phase one development.
3. Each residential lot will feature irrigation, Bermuda grass and a tree located in the front yard.

Dwelling Unit Design and Massing Plan

The applicant proposes five different floor plans and two different garage roof designs. The units will include a combination of asphalt and tile roofing with the air conditioning units on the rear roofs. The elevations for these floor plans are available in Attachment C.

The massing plan illustrates the arrangement of the units with the staggered setbacks, the interconnected walking paths, the retention basin/common area, and the walking path connecting the two phases of development. The massing plan is provided in Attachment D.

The proposed Planned Unit Development Overlay (PUD) District permits an increase in density far beyond what would be allowed under the underlying zoning district. This increase in density is financially beneficial to the applicant. The tradeoff for the increased density is that the applicant provide a higher level of urban amenities and preservation of natural scenic qualities of open spaces for the benefit of the residents of the PUD. The proposed amenities for this phase of development along with the required amenities in phase one, meet the intent for a Planned Unit Development as outlined in the Yuma City Code.

On July 13, 2020, the Planning and Zoning Commission voted to recommend APPROVAL (5-0, with Dammeyer and Beam absent) of the request to rezone approximately 18.3 acres from the Agriculture (AG) District to the Medium Density Residential/Planned Unit Development Overlay (R-2/PUD) District for the property located at the southwest corner of Avenue 7 ½ E and 36th Street, Yuma, AZ.

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

QUESTIONS FOR STAFF:

"Janice Edgar – Planning and Zoning Commissioner asked if there were time limits for the installation of the amenities, for both this phase and Phase 1.

"Alyssa Linville – Assistant Director DCD replied that Phase 1 was being developed under a Development Agreement, which outlined those requirements. For example, the BBQs and Picnic Tables were to be installed once the occupancy reached 50%. Another example outlined in the

Development Agreement is the installation of playground equipment. The installation of that amenity is up to the Developer to determine if there are enough children in the neighborhood to warrant the installation of the playground equipment.

“Edgar replied that circumstances could change over time, and wondered if residents purchased homes in that development anticipating that there would be playground equipment.

“Linville stated she would need to defer that question to the applicant.

“Linville went on to say this phase, Phase 2, was not subject to a development agreement, so the amenities had to be installed prior to the recordation of the plat.

QUESTIONS FOR APPLICANT:

NONE

PUBLIC COMMENTS:

NONE

MOTION:

“Motion by Gregory Counts – Planning and Zoning Commissioner, second by Lori Arney – Planning and Zoning Commissioner to APPROVE Case Number ZONE-26265-2019.

“Motion carried unanimously (5-0, with Fred Dammeyer – Planning and Zoning Commissioner and Barbara Beam – 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: \$0.00	
	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 A. Rodriguez (electronic signature)			8/13/2020
	REVIEWED BY CITY ATTORNEY:			DATE:
	Richard W. Files (electronic signature)			8/10/2020
	RECOMMENDED BY (DEPT/DIV HEAD):			DATE:
SIGNATURES	WRITTEN/SUBMITTED BY:			DATE:
	Alyssa Linville			7/29/2020