

STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: GUILLERMO MORENO-NUNEZ

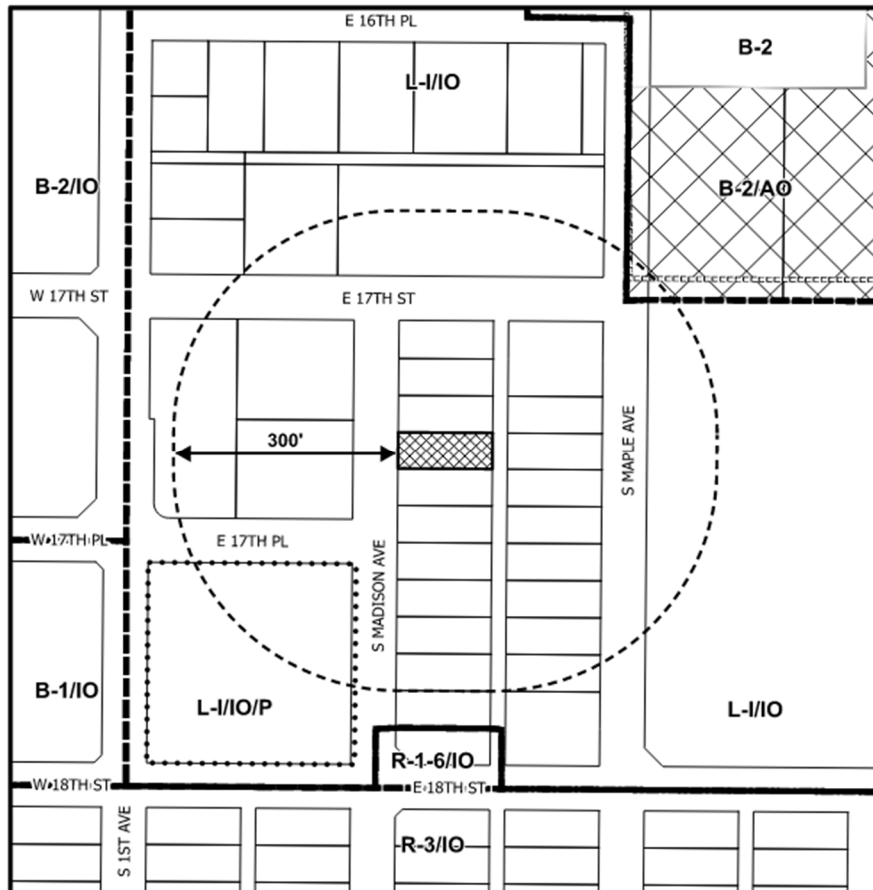
Hearing Date: November 27, 2023

Case Number: ZONE-41869-2023

Project Description/Location: This is a request by Vicente and Beatriz Cenicerros to rezone approximately .15 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District for property located at 1719 S. Madison Avenue, Yuma AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial/Infill Overlay (L-I/O)	Single Family Home	Low Density Residential
North	Light Industrial/Infill Overlay (L-I/IO)	Single Family Home	Low Density Residential
South	Light Industrial/Infill Overlay (L-I/IO)	Single Family Home	Low Density Residential
East	Light Industrial/Infill Overlay (L-I/IO)	Single Family Home	Low Density Residential
West	Light Industrial/Infill Overlay (L-I/IO)	Commercial Building	Mixed Use

Location Map



Prior site actions: Annexation: Ord. 672 (July 21st, 1956), Subdivision: Clarence Trigg Subdivision Unit No.2 (Mary 15,1951). Rezone: Ord. 1979 (January 7th, 1981) Industrial “A” rezoned to Light Industrial (L-I)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-41869-2023 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 recommended approval to City Council for the request to rezone to Low Density Residential/Infill Overlay (R-1-6/IO) District for the property located at 1719 S. Madison Avenue, 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 subject property is located at 1719 S. Madison Avenue, in the Clarence Trigg Subdivision Unit 2 which was recorded on May 15, 1951. The property is approximately 6,286 square feet in size and is currently developed with a 980 sq. ft. single-family home built in 1930. The home was originally designed as a duplex but was later converted into a single-family home. The area was annexed in 1956 and following annexation, the area was zoned Industrial “A”. In 1981 the area was rezoned to the Light Industrial (L-I) District.

The applicant is requesting to rezone the property from Light Industrial/Infill Overlay (L-I/IO) to the Low Density Residential/Infill Overlay (R-1-6/IO) District, with the intention of selling the property in the near future. If the homeowner restores or makes any modifications to existing home, the new residential construction would require the property to be rezoned residential.

Several properties in the area are developed with residential homes and the rezone of this property would match the surrounding character and nature of the current uses. This request would also be in conformance with the Land Use Element of the General Plan.

1. Does the proposed zoning district conform to the Land Use Element?
Yes.

Land Use Element:									
Land Use Designation:				Low Density Residential					
Issues:				None					
Historic District:	Brinley Avenue		Century Heights		Main Street		None	X	
Historic Buildings on Site:		Yes		No	X				

2. Are there any dedications or property easements identified by the Transportation Element?
No.

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Madison Avenue- Local	29 FT H/W ROW	30 FT H/W ROW				
Bicycle Facilities Master Plan	17 th Street - proposed bike route					
YCAT Transit System	Green route 4/4A – 16 th Street across Redondo Center Drive					
Issues:	None					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes.

Parks, Recreation and Open Space Element:									
Parks and Recreation Facility Plan									
Neighborhood Park:	Existing: Joe Henry Optimist Park				Future: Joe Henry Optimist Park				
Community Park:	Existing: Kennedy Memorial Complex				Future: Kennedy Memorial Complex				
Linear Park:	Existing: East Main Canal				Future: East Main Canal				
Issues:	None								
Housing Element:									
Special Need Household:	N/A								
Issues:	None								
Redevelopment Element:									
Planned Redevelopment Area:	Mesa Heights Development								
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X			
Conforms:	Yes	X	No						
Conservation, Energy & Environmental Element:									
Impact on Air or Water Resources	Yes		No	X					
Renewable Energy Source	Yes		No	X					
Issues:	None								
Public Services Element:									
<u>Population Impacts</u> Population projection per 2017-2021 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person			Dwellings & Type <i>Single Family</i>		Projected Population	Police Impact	Water Consumption		Wastewater Generation
			Maximum	Per Unit		Officers	GPD	AF	GPD
			1	2.9	3	0.01	600	0.7	203
			Minimum						
			1	2.9	3	0.01	600	0.7	203
Fire Facilities Plan:	Existing: Fire Station No. 3				Future: Fire Station No. 3				
Water Facility Plan:	Source:	City	X	Private	Connection:	4" line on Madison Avenue			
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 8" line on alley			
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			Arizona Ave & 16 th St		X	Avenue B & 32 nd St.		
	North End			Pacific Ave & 8 th St			Estancia		None

Issues:	None
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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.

Public Comments Received: None Received

External Agency Comments: See Attachment C

Neighborhood Meeting Comments: See Attachment D

Proposed conditions delivered to applicant on: October 26, 2023

Final staff report delivered to applicant on: November 14, 2023

- Applicant agreed with all of the conditions of approval on: (enter date)
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – Emailed customer on October 26, 2023. Discussed with homeowner in person at time of neighborhood meeting on November 2, 2023, homeowner stated he was going to review conditions and get back to me, but no response or comments after this.

Attachments

A	B	C	D	E	F	G
Conditions of Approval	Agency Notifications	Agency Comments	Neighborhood Meeting Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Guillermo Moreno-nunez* **Date:** November 7, 2023
 Guillermo Moreno-nunez
 Assistant Planner Guillermo.moreno-nunez@yumaaz.gov (928)373-5000, x3038

Reviewed By: *Jennifer L. Albers* **Date:** 11/13/23
 Jennifer L. Albers
 Assistant Director of Planning

Approved By: *Alyssa Linville* **Date:** 11/14/2023
 Alyssa Linville
 Director, Planning and Neighborhood Services

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 Planning and Neighborhood Services Comments: Alyssa Linville, 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's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
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, Guillermo Moreno-nunez, Assistant Planner, (928) 373-5000 x3038

4. 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
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** (11/03/23)
- **300' Vicinity Mailing:** 10/10/23
- **34 Commenting/Reviewing Agencies noticed:** 10/26/23
- **Site Posted on:** 10/10/23
- **Neighborhood Meeting:** 11/02/23
- **Hearing Date:** 11/27/23
- **Comments due:** 10/23/23


External List (Comments)	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	10/16/23	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	10/13/23	X		
Yuma County Planning & Zoning	Yes	10/13/23	X		
Yuma County Assessor	NR				
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.	NR				
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	10/16/23	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	“No Conditions”	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	Yes	10/17/23	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	10/17/23			X
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C
AGENCY COMMENTS

Conditions of approval must be written in the form of a formal condition for use in staff's report. Your conditions will be used verbatim. If you also have a comment, please indicate below.

Condition(s) No Condition(s) Comment

Enter conditions here: Subject parcel, APN 665-36-031, is located near a known flight path. It is requested an Avigation Disclosure statement be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE:	17 Oct 2023	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2103				
RETURN TO:	Guillermo Moreno-nunez				
	Guillermo.Moreno-nunez@YumaAZ.gov				

ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS

Date Held: 11/02/23

Location: 1719 S Madison Avenue

Attendees: Vicente A. Cenicerros, Patrick Hodges and Guillermo Moreno-nunez

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- MR. HODGES ASKED THE REASON OF THE REZONE REQUEST AND EXPRESSED HIS CONCERN ABOUT ALL PROPERTIES ON THE BLOCK REZONING TO RESIDENTIAL. MR. HODGES OWNS THE CROSS FIT YUMA GYM ACROSS THE STREET AND IS CONCERNED THAT ANY NEW DEVELOPMENT ON HIS PROPERTY WOULD MAKE HIM SUBJECT TO THE NEED FOR A CUP.
- MR. CENICERROS EXPLAINED WHY HE IS APPLYING FOR THIS PROCESS.

ATTACHMENT E
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code		
AEA FEDERAL CREDIT UNION	1780 S 1ST AVE	YUMA	AZ	85364
BONILLA PABLO	1743 S MADISON AVE	YUMA	AZ	85364
CENICEROS VICENTE A & BEATRIZ JT	4835 W 27TH ST	YUMA	AZ	85364
CONTRERAS RICARDO	1725 S MADISON AVE	YUMA	AZ	85364
DENNIS KEITH A	PO BOX 1987	YUMA	AZ	85366
DENNIS KEITH A	PO BOX 1987	YUMA	AZ	85366
DOBOSZ DANIEL P & TARA M	3049 W 12TH LN	YUMA	AZ	85364
FUENTES VERONICA & CARLOS JR	2953 S ROYAL ABERDEEN LOOP	GREEN VALLEY	AZ	85614
GAMBOA DAVID JR	1821 S 3RD AVE	YUMA	AZ	85364
GARCIA MIKE	PO BOX 1846	YUMA	AZ	85366
HARVEST POWER COMMUNITY DEVELOPMENT	350 E 18TH ST	YUMA	AZ	85364
HAYNES PROPERTIES AZ LLC	11483 E VIA SALIDA	YUMA	AZ	85367
HERRERA EDUARDO & GONZALEZ MAYRA LIZETH MEDRANO CPWROS	1749 S MADISON AVE	YUMA	AZ	85364
KING GERALD JR & CATHY JT	1712 S MAPLE AVE	YUMA	AZ	85364
MARTINEZ ORALIA	1761 S MADISON AVE	YUMA	AZ	85364
MAY VIOLA	2525 E BROADWAY BLVD STE 200	TUCSON	AZ	85716 5300
MEDRANO ANDRES &	920 E 24TH PL	YUMA	AZ	85365
NEVAREZ RUBEN	3736 W 25TH PL	YUMA	AZ	85364
NEXT LEVEL HOME BUYERS LLC	2903 W 12TH PL	YUMA	AZ	85364
PANHO LLC	350 W 16TH ST STE 332	YUMA	AZ	85364
QUINTERO VALERIE JEAN	1910 W 17TH PL	YUMA	AZ	85364
RANGEL SERGIO R &	1737 S MADISON AVE	YUMA	AZ	85364
RICO BRANDY ANNETTE	4600 SW 122ND ST	OKLAHOMA CITY	OK	73173
SMITH WM MICHAEL & DELLA E	1321 W 19TH ST	YUMA	AZ	85364
SPONGROSS KATHY M	1715 S MADISON AVE LOT A	YUMA	AZ	85364
STUHR ROSARIO RAMOS	15385 S AVENUE 4E	YUMA	AZ	85365
TRES ESTRELLAS HOLDINGS LLC	13484 S AVENUE 5 E	YUMA	AZ	85365
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA SAFE STORAGE LLC	4062 S NAVEL AVE	YUMA	AZ	85365

**ATTACHMENT F
NEIGHBOR MAILING**

This is a request by Vicente and Beatriz Cenicerros to rezone approximately .15 acres from the Light Industrial (L-I) District to the Low Density Residential (R-1-6) District for property located at 1719 S. Madison Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-41869-2023**

NEIGHBORHOOD MEETING
11/02/2023 @ 5PM
ON-SITE

PUBLIC HEARING
11/27/2023 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 1719 S. Madison Avenue, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Guillermo by phone at (928) 373-5000 ext. 3038 or by email at Guillermo.Moreno-nunez@YumaAz.gov

ATTACHMENT G
AERIAL PHOTO

