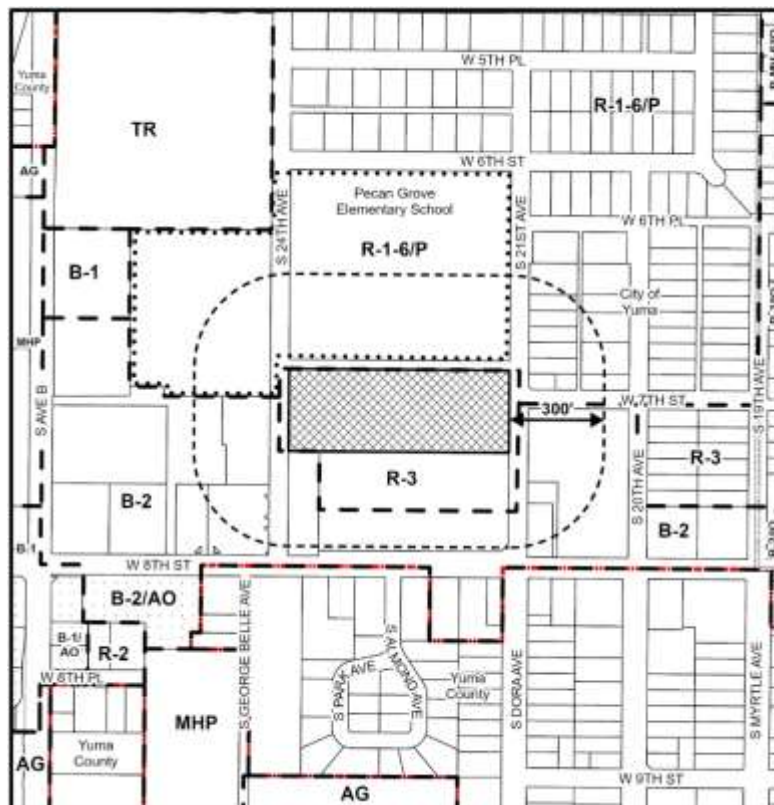


Case Number: ZONE-43538-2024

**Project Description/
Location:**

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	High Density Residential (R-3)	Undeveloped	Low Density Residential
North	Low Density Residential (R-1-6)	Elementary School	Public/Quasi Public
South	High Density Residential and General Commercial (R-3/B-2)	Company Housing	Low Density Residential
East	Low Density Residential and General Commercial (R-1-6/B-2)	Single-family homes Desert Palms MH & RV Park	Low Density Residential
West	Low Density Residential and General Commercial (R-1-6/B-2)	Single-family residence and COY retention basin	Low Density Residential/Mixed Use

Location Map



Prior site actions: Annexation Ord. 605, February 2, 1954; Rezone Ordinance O2015-036 (R-3/PUD to R-3); Subdivision Pecan Grove Garden Estates Subdivision Lot Tie, Fee No. 2015-21970; Pre-Development Meeting: September 26, 2024; General Plan Amendment R2025-XXX, February 19, 2025

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the High Density Residential (R-3) District to the General Commercial (B-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE- 43538-2024 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 approximately 4.18 acres from the High Density Residential (R-3) District to the General Commercial (B-2) District for the property located west of the W. 7th Street and S. 21st Avenue intersection, Yuma, AZ, 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 west of the W. 7th Street and S. 21st Avenue intersection and is approximately 4.18 acres. The property was annexed into the City of Yuma on February 2, 1954, and was recently the subject of a General Plan Amendment to change the designated land use from Low Density Residential to Commercial.

With this request the applicant is seeking to rezone the property from the High Density Residential (R-3) District to the General Commercial (B-2) District for the development of new company housing. The applicant intends to develop the property with six two-story apartment buildings, with 16 apartments per building. Access to the site will be from 21st Avenue and 24th Avenue.

Company housing (large) is a permitted use within the General Commercial (B-2) District. It is defined by the zoning code as housing provided to employees by a commercial entity, labor contractor or employer. Occupancy (persons per unit) for a large complex shall be determined by the Property Maintenance Code. At this time, the number of occupants is unknown, but can vary depending on the size of the bedrooms and the total square footage of the living and dining areas. The proposed development will be fully occupied for six months and partially occupied for the remaining six months.

All new development will be required to meet the City of Yuma development standards for the General Commercial (B-2) District, including building setbacks, height limitations, paved access, parking, lighting, and landscaping. In addition, the following development standards further specified in §154-15.19 (C) will be required for the new construction of company housing (large):

1. Parking shall comply with the parking required of multiple dwellings.
 - a. Shall provide dedicated on-site bus parking for loading and unloading of residents within a minimum of one bus parking space for each 50 residents.
 - b. The parking and or/idling of vehicles, used for pick-up, on public streets shall be prohibited.

- c. The Zoning Administrator shall have the authority to approve off-site pick-up locations as an alternative to providing on-site bus parking when such alternatives are available.
2. Each occupant shall be required to have or be provided their own bed.
3. It is required that each new construction company housing complex (large) provide an indoor recreation facility. On-site outdoor recreation facility for this development will not be required because the property is within 1,500 feet of a public park.
4. On-site laundry facilities.
5. A complex housing 25 or more occupants requires the presence of a crew chief or supervisor on-site.
6. An annual inspection of the company housing complex will be performed by the Building Official and/or the Fire Marshal, prior to occupancy.
7. All company housing complexes are required to have property manager contact information posted on-site with visibility and access by the general public.

Two site plan options were provided during the Pre-Development Meeting. Site Plan Option A illustrates the proposed layout of the buildings, featuring 60 parking spaces and a bus turnout for on-site bus parking. Site Plan Option B showcases the proposed layout of the buildings with 148 vehicle parking spaces and no on-site bus parking. The number of vehicle parking spaces will be determined based on the number of bedrooms in each unit, while the amount of on-site bus parking will be determined by the number of occupants in the development. Both the number of vehicle parking and on-site bus parking will be reviewed during the plan review stage.

The request to rezone the property from the High Density (R-3) District to the General Commercial (B-2) District conforms with the General Plan.

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

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					

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
21 st Avenue-Local Road 2 Lanes	29 FT HW	30 FT HW				
8 th Street- Minor Arterial 4 Lanes	50 FT HW	40 FT HW		X		X
Bicycle Facilities Master Plan	8 th Street- Proposed bike lane; 21 st Avenue- Proposed bike route					
YCAT Transit System	8 th Street at Avenue B and 8 th Street at Magnolia- Purple Route 6A					
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: Kiwanis Park						Future: Kiwanis Park							
Community Park:		Existing: Carver Park Complex						Future: Carver Park Complex							
Linear Park:		Existing: West Main Canal Linear Park						Future: Thacker Lateral 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 2018-2022 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		Projected Population		Police Impact		Water Consumption		Wastewater Generation			
				<i>Non-residential</i>											
				Maximum		Per Unit				Officers		GPD		AF	
				0		0		0		0.00		0		0.0	
				Minimum											
0		0		0		0.00		0		0.0		0			
Fire Facilities Plan:		Existing: Fire Station No. 4						Future: Northwest Valley							
Water Facility Plan:		Source:		City		X		Private		Connection:		6" AC on S. 21 st Avenue			
Sewer Facility Plan:		Treatment:		City		X		Septic		Private		Connection: 8" line through parcel			
Issues:		None													
Safety Element:															
Flood Plain Designation:		500 Year Flood				Liquefaction Hazard Area:				Yes		No			
Issues:		None													
Growth Area Element:															
Growth Area:		Araby Rd & Interstate 8				Arizona Ave & 16 th St				Avenue B & 32 nd St.					
		North End				Pacific Ave & 8 th St				Estancia		None			
Issues:		None													

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 E

Neighborhood Meeting Comments: No meeting required.

Proposed conditions delivered to applicant on: 1/30/2025

Final staff report delivered to applicant on: 2/10/2025

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | Applicant agreed with all of the conditions of approval on: (enter date) |
| <input type="checkbox"/> | Applicant did not agree with the following conditions of approval: (list #'s) |
| <input checked="" type="checkbox"/> | Conditions of approval were emailed to the applicant on 1/30/2025 and staff is currently awaiting a response. |

Attachments

A	B	C	D	E	F	G	H
Conditions of Approval	Conceptual Site Plan A	Conceptual Site Plan B	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By:

Erika Peterson

Date: 1/28/2025

Erika Peterson

Senior Planner

Erika.Peterson@YumaAZ.Gov

(928)373-5000, x3071

Reviewed By:

Jennifer L. Albers

Date: 2/3/25

Jennifer L. Albers

Assistant Director of Planning

Approved By:

Alyssa Linville

Date: 02/11/2025

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.

Community Planning, Erika Peterson, Senior Planner, (928) 373-5000 x3071

3. 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.

[illegible]

[illegible]

ATTACHMENT D AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** 1/31/2025
- **300' Vicinity Mailing:** 1/6/2025
- **34 Commenting/Reviewing Agencies noticed:** 1/9/2025
- **Site Posted on:** 2/18/2025
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 2/24/2025
- **Comments due:** 1/20/2025

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	1/9/2025	X		
Yuma County Engineering	NR				
Yuma County Public Works	YES	1/9/2025	X		
Yuma County Water Users' Assoc.	YES	1/10/2025	X		
Yuma County Planning & Zoning	NR				
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	YES	1/10/2025		X	
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	1/13/2025	X		
Ft. Yuma Quechan Tribe	YES	1/9/2025	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	1/13/2025	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

1/14/2025

TO: Jamie Sheldahl
Yuma Elementary School District #1

CO: Erika Peterson
City of Yuma


FROM: Bob Woodman

This letter is in response to the comments from Mr. Sheldahl of Yuma Elementary School District. In the order of the comments: 1) the construction of the proposed complex will provide housing for approximately 780 employees. This should vacate 130 apartments that the owners currently lease throughout Yuma. Hopefully this will place those units back on the market for lease. 2) Company housing does not affect Code Requirements, the construction of company housing must comply with all requirements and building codes of the City of Yuma and the Department of Labor. 3) Affordable Housing is a problem throughout Yuma and the nation. This problem is entirely related to the cost of materials, cost of land, labor increases and utility costs. In the construction of Company Housing, these projects are burdened with these same increases.

In closing, the rezoning from R-3 to B-2 will not change affordable housing needs in Yuma. The intended use was an allowed use in both zoning districts. The ag industry in Yuma also suffers from the lack of housing. This project is designed to accommodate the needs of ag industry and the lack of housing for their employees.

Reply from James Sheldahl dated 1/14/2025:

From: James Sheldahl <jsheldahl@yuma.org>
Sent: Tuesday, January 14, 2025 2:43 PM
To: Erika Peterson
Subject: Re: Zone 43438-2024 & Zone 43539-2024 Comments

 **CAUTION:** External Email

Thank you for clarification on this request. I did not realize that company housing was zoned commercial, rather than residential. I would welcome an opportunity to visit with Mr. Woodman to gain a broader understanding of the project and the potential downstream benefits.

Sincerely,
Jamie

ATTACHMENT F
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code		
AGREE CENTRAL LLC	32301 WOODWARD AVE	ROYAL OAK	MI	48073
BALBIN ALEJANDRINA	687 S 21ST AVE	YUMA	AZ	85364
CABRERA OLGARIO PEREZ	666 S 20TH AVE	YUMA	AZ	85364
CAFE MAIN STREET PROPERTIES LLC	PO BOX 2613	SALINAS	CA	93902
CALLE OCHO PROPERTIES LLC	1582 MOFFETT ST STE G	SALINAS	CA	93905
CARDENAS ROSA	1773 W 27TH DR	YUMA	AZ	85364
CARDIEL MARIA R	495 W 20TH ST	YUMA	AZ	85364
CHERNEK FRANCIS STEVEN & KATHLEEN JT	2554 W 16TH ST PMB 225	YUMA	AZ	85364
DE LA CRUZ JUAN & JESSICA BLANCO FAMILY TRUST 3-2-2023	9805 MANDALE ST	BELLFLOWER	CA	90706
ESKEW ELDON E & KAREN E TRUST 7-20-00	680 S 20TH AVE	YUMA	AZ	85364
FRYE ELVA I	683 S 21ST AVE	YUMA	AZ	85364
JOZA PROPERTIES LLC	1744 S 36TH DR	YUMA	AZ	85364
LERMA PAUL	685 S 21ST AVE	YUMA	AZ	85364
LIVELY BEVERLY J	676 S 20TH AVE	YUMA	AZ	85364
MTMM LLC	1700 S 1ST AVE STE 200	YUMA	AZ	85364
QUINTERO ANDRES &	681 S 21ST AVE APT A	YUMA	AZ	85364
REALTYNET AZ LLC	PO BOX 1017	CHARLOTTE	NC	28201
RIOS ROSA	688 S 20TH AVE	YUMA	AZ	85364
SADIK FAMILY TRUST 4-18-2024	1744 S 36TH DR	YUMA	AZ	85364
SHARPENSTEEN AMANDA J & CLAUDE K	740 S 24TH AVE	YUMA	AZ	85364
SILVA ROMAN O	697 S 21ST AVE	YUMA	AZ	85364
YOUNG AVELINA	689 S 21ST AVENUE	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA ELEMENTARY SCHOOL DISTRICT #1	450 W 6TH ST	YUMA	AZ	85364

**ATTACHMENT G
NEIGHBOR MAILING**

This is a request by Bob Woodman, on behalf of Café Main Street Properties, to rezone approximately 4.18 acres from the High Density Residential (R-3) District to the General Commercial (B-2) District, for the property located west of the W. 7th Street and S. 21st Avenue intersection, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-43538-2024**

PUBLIC HEARING
02/24/2025@ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of the northwest corner of west of the W. 7th Street and S. 21st Avenue, Yuma, AZ, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Erika Peterson by phone at (928) 373-5000 ext. 3071 or by email at Erika.Peterson@YumaAz.gov

ATTACHMENT H
AERIAL PHOTO

