



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: ZENIA FIVEASH

Hearing Date: June 24, 2024

Case Number: ZONE-42650-2024

Project Description/Location: This is a request by Braulio Martinez, Jr., on behalf of Braulio Martinez, Sr., to rezone one parcel, approximately .17 acres, from the Low Density Residential (R-1-6) to the Medium Density Residential (R-2) District, for the property located at 2050 S.10th Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
North	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
South	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
East	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
West	Medium Density Residential (R-2) District	Duplexes	Medium Density Residential

Location Map



Prior site actions: Annexation: Ordinance 672, (July 21, 1956); Subdivision: Atmar Subdivision No. 2 (August 5, 1952)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-42650-2024 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 recommending approval to City Council for the request to rezone the property from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District for the property located at 2050 S. 10th 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 approximately 62 feet wide and 125 feet in depth, with frontage on S. 10th Avenue. This lot has a single family home.

The applicant is requesting to rezone the property from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District. The property owner is requesting this rezone with the intention to develop another dwelling unit on the existing property. The applicant intends to demolish the existing pool and construct a second detached dwelling unit at the rear of the property. The access and parking to the new dwelling will be from 10th Avenue along the north side of the property.

The subject property is located within the area of the City that was subdivided in the 1952. This neighborhood is a mix of residential homes, multi-family homes and commercial business uses.

The property is bordered by single-family homes to the east, north and south and duplexes on the west. This request is in conformance with the Land Use Element of the General Plan.

1. Does the proposed zoning district conform to the Land Use Element? No

Land Use Element:									
Land Use Designation:				Medium 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

10 th Avenue – Local Road	30 FT H/W ROW	30 FT H/W ROW				
22 nd Street – Local Road	30 FT H/W ROW	30 FT H/W ROW				
Bicycle Facilities Master Plan	10th Avenue – Existing Bike Route					
YCAT Transit System	Purple Route 6/6A					
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: Sanguinetti Memorial Park				Future: Sanguinetti Memorial Park						
Community Park:		Existing: Smucker Memorial Park				Future: Smucker Memorial Park						
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:		None										
Adopted Redevelopment Plan:		North End:		Carver Park:		None:		X				
Conforms:		Yes		No								
Conservation, Energy & Environmental Element:												
Impact on Air or Water Resources		Yes		No		X						
Renewable Energy Source		Yes		No		X						
Issues:												
Public Services Element:												
<u>Population Impacts</u> 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 <i>2-4 Units</i>		Projected Population		Police Impact		Water Consumption		Wastewater Generation	
			Maximum	Per Unit		Officers	GPD	AF	GPD			
			2	2.07	4	0.01	857	1.0	290			
			Minimum									
			1	2.07	2	0.00	428	0.5	145			
Fire Facilities Plan:		Existing: Fire Station No. 2				Future: Fire Station No. 2						
Water Facility Plan:		Source:		City		X		Private		Connection:	6" Water - Alley	
Sewer Facility Plan:		Treatment:		City		X		Septic		Private		Connection: 6" Sewer - 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			Avenue B & 32 nd St.					
	North End		Pacific Ave & 8 th St			Estancia		None		X		
Issues:												

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/No The property was subdivided for single family homes in 1952. But since then the area has been identified for Medium Density development in the General Plan.

Public Comments Received

Name:	Glen Wagner				Contact Information:						
Method of Contact:	Phone	X	FAX		Email		Letter		Other		
Mr. Wagner had no concerns with the rezone. He just wanted additional information about the rezone.											

Neighborhood Meeting Comments:

See Attachment C

Proposed conditions delivered to applicant on: May 23, 2024

Final staff report delivered to applicant on: May 29, 2024

<input checked="" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: May 23, 2024
<input type="checkbox"/>	Applicant did not agree with the following conditions of approval: (list #'s)
<input type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

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

Prepared By: *Zenia Fiveash*

Date: May 29, 2024

Zenia Fiveash
Assistant Planner
Zenia.Fiveash@yumaaz.gov

(928) 373-5000, x3040

Reviewed By: *Jennifer L. Albers*

Date: 5/29/24

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 06/13/2024

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, Zenia Fiveash, Assistant Planner, (928) 373-5000 x3040

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.

**ATTACHMENT B
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 5/31/24
- **300' Vicinity Mailing:** 5/06/24
- **34 Commenting/Reviewing Agencies noticed:** 5/09/24
- **Site Posted on:** 5/08/24
- **Neighborhood Meeting:** 5/15/24
- **Hearing Date:** 6/24/24
- **Comments Due:** 5/20/24

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes		X		
Yuma County Engineering	NR				
Yuma County Public Works	Yes		X		
Yuma County Water Users' Assoc.	Yes		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	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		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		X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

Date Held: 5/15/24

Location: 2050 S. 10th Avenue

Attendees:

Neighbors: Fernando Esparza & Jimmy Fiser

Applicant: Braulio Martinez, Sr. & Braulio Martinez, Jr

Staff: Zenia Fiveash

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

- Fernando Esparza – He had concerns about adequate parking only.
- Jimmy Fiser – He had concerns about adequate parking only.

**ATTACHMENT D
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City/State/Zip Code		
ACEVEDO GERARDO C &	2068 S 9TH AVE	YUMA	AZ	85364
ARELLANO CRISTAL	2075 S 10TH AVE	YUMA	AZ	85364
AVILA MARCUS	2056 S 10TH AVE	YUMA	AZ	85364
BALB TRUST 12-22-2017	1915 S 39TH ST #73	MESA	AZ	85206
CAMINO OTERO REAL ESTATE INVESTMENTS LLC	340 W 32ND ST #504	YUMA	AZ	85364
CARLITOS TRUST 11-5-2021	2050 S 9TH AVE	YUMA	AZ	85364
CASTILLO LILLIAN G	2049 S 11TH AVE	YUMA	AZ	85364
CHAVEZ MARCUS	2039 S 11TH AVE	YUMA	AZ	85364
CORRAL PEDRO & DANIA	PO BOX 779	SOMERTON	AZ	85350
DRAVEN LIVIER VALDEZ	2100 S 11TH AVE	YUMA	AZ	85364
ENOCKSON KARL L & MARY L 1999 TR 7-13-99	PO BOX 3572	MANHATTAN BEACH	CA	90266
ENOCKSON KARL L & MARY LOUISE 1999 TRUST 7-13-1999	PO BOX 3572	MANHATTAN BEACH	CA	90266
FAZZ SERGIO & JUANITA	2044 S 9TH AVE	YUMA	AZ	85364
FIGUEROA DIANA	PO BOX 462	YUMA	AZ	85366
FISER SUSAN P	2057 S 10TH AVE	YUMA	AZ	85364
FLORENCE DENNIS J & LINDA S	2038 S 10TH AVE	YUMA	AZ	85364
FRANCO RODOLFO & TERESA JT	2045 S 10TH AVE	YUMA	AZ	85364
GARCIA JACQUELINE	2026 S 10TH AVE	YUMA	AZ	85364
GARIBAY TRUST 3-12-2020	4113 W 17TH PL	YUMA	AZ	85364
JOE & FRAN COLOMBO LLC	1147 LOSTINDA ST	EL CAJON	CA	92019
LANDEROS RAMON	2020 S 11TH AVE	YUMA	AZ	85364
LE DOANH DUC	5660 W MANZANITA DR	GLENDALE	AZ	85302
LEE FAMILY TRUST UTA 1-12-05	3877 E KING RANCH DR	YUMA	AZ	85365
LEE LORREINE	2045 S 11TH AVE	YUMA	AZ	85364
LOPEZ JUAN PEDRO TORRES	2021 S 10TH AVE	YUMA	AZ	85364
MANFREDI ROBERT WARREN	400 S MAIN ST	YUMA	AZ	85364
MARTINEZ BRAULIO M SR TRUST 12-21-2018	14043 HILLSIDE DR	JAMUL	CA	91935
MARTINEZ PABLO	14105 S 4TH AVE EXT	YUMA	AZ	85365
MAXWELL REVOCABLE TRUST 3-26-79	2208 E 27TH ST	YUMA	AZ	85365
MEZA FERNANDO A ESPARZA	2032 S 10TH AVE	YUMA	AZ	85364
OLEA JESUS G	2020 S 10TH AVE	YUMA	AZ	85364
PEREZ BENJAMIN & MARIA G JT	1061 S HEREFORD	YUMA	AZ	85364
PEREZ DIDIER	2063 S 10TH AVE	YUMA	AZ	85364
PEREZ MAYRA L	2032 S 9TH AVE	YUMA	AZ	85364
PHAN PHUONG D	3851 W 25TH LN	YUMA	AZ	85364
PIMBLE MICHAEL F	2033 S 10TH AVE	YUMA	AZ	85364
RANGEL RAMIRO HECTOR & MIREYA	2044 S 10TH AVE	YUMA	AZ	85364
REYES MERCEDES S	2074 S 10TH AVE	YUMA	AZ	
SHEETZ DARRELL L & IDA MARIE JT	2077 S 11TH AVE	YUMA	AZ	85364
SHINN IAN T	2069 S 10TH AVE	YUMA	AZ	85364
SHIPP MARIA R	645 S 9TH AVE	YUMA	AZ	85364
T3AZ LLC	5840 E 27TH PL	YUMA	AZ	85365

TRUJILLO ALFREDO TRUST 12-20-2001	13474 PIERCE STREET	SALINAS	CA	93906
VALDEZ CYRA	2062 S 9TH AVE	YUMA	AZ	85364
VELAZQUEZ ROSARIO C	2039 S 10TH AVE	YUMA	AZ	85364
VILLAPUDUA ENRIQUE ESPINOZA & DELIA V JT	2062 S 10TH AVE	YUMA	AZ	85364
WAGNER GLEN E	2027 S 10TH AVE	YUMA	AZ	85364
WARM PROPERTIES CA LLC	PO BOX 1452	LA JOLLA	CA	92038

**ATTACHMENT E
NEIGHBOR MAILING**

This is a request by Braulio Martinez, Jr., on behalf of Braulio Martinez, Sr., to rezone one parcel, approximately .17 acres, from the Low Density Residential (R-1-6) to the Medium Density Residential (R-2) District, for the property located at 2050 S.10th Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42650-2024**

NEIGHBORHOOD MEETING
05/15/2024 @ 5PM
ON-SITE

PUBLIC HEARING
06/24/2023 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 2050 S. 10th Avenue, Yuma, AZ, you are invited to attend these meetings to voice your comments. If you have questions or wish to submit written comments, please contact Zenia Fiveash by phone at (928) 373-5000 ext. 3040 or by email at Zenia.Fiveash@YumaAz.gov

ATTACHMENT F
AERIAL PHOTO

