



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: December 11, 2023

Case Number: ZONE-41394-2023

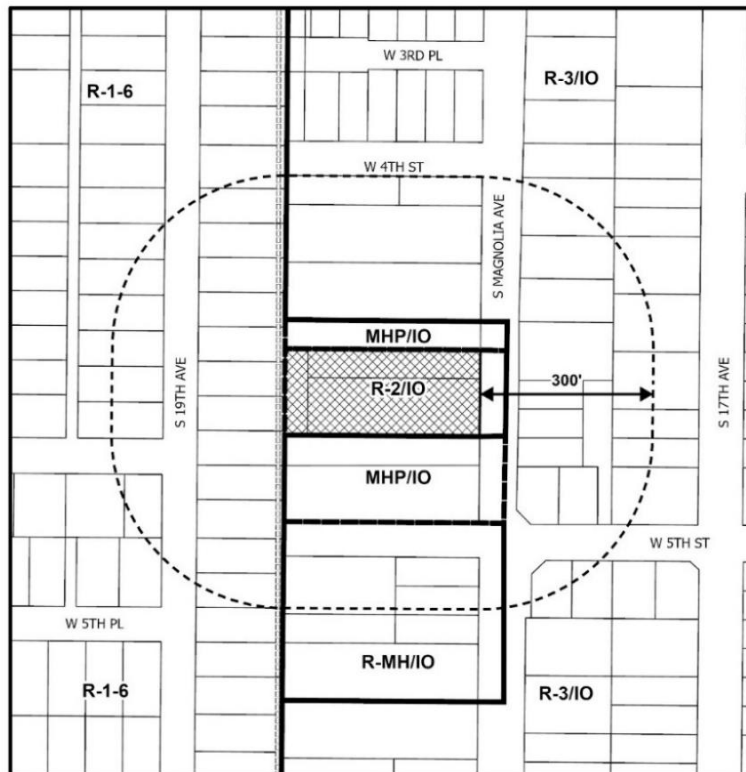
Project

Description/Location:

This is a request by Thompson Design Architects PC, on behalf of Arizona Housing Development Corporation to rezone two parcels, approximately 1.17 acres, from the Medium Density Residential/Infill Overlay (R-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, for the properties located at 430 & 440 Magnolia Avenue, Yuma, AZ.

| | Existing Zoning | Use(s) on-site | General Plan Designation |
|--------------|---|----------------------------------|---------------------------------|
| Site | Medium Density Residential/Infill Overlay (R-2/IO) District | Undeveloped Land | High Density Residential |
| North | Manufactured Housing Park/Infill Overlay (MHP/IO) District | Single Family Residence | Medium Density Residential |
| South | Manufactured Housing Park/Infill Overlay (MHP/IO) District | Manufactured Home | Medium Density Residential |
| East | High Density Residential/Infill Overlay (R-3/IO) District | Single Family Residence & Duplex | Low Density Residential |
| West | Low Density Residential/Infill Overlay (R-1-6/IO) District | Single Family Residence | Low Density Residential |

Location Map



Prior site actions: Annexation: Ordinance 605, West Yuma (February 6, 1954); Subdivision: Townsend Tract Subdivision (March 23, 1905); Lot Split: Robles Lot Tie (October 28, 1999); General Plan Amendment: Resolution No. R2023-042 (Medium Density Residential to High Density Residential, September 20, 2023); Lot Tie: AHDC Magnolia Apartments Lot Tie (In process)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Medium Density Residential/Infill Overlay (R-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-41394-2023 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 recommending approval to City Council for the request to High Density Residential/Infill Overlay (R-3/IO) District for the property located at 430 & 440 Magnolia Avenue, 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 properties are located along S. Magnolia Avenue. In total, the subject properties are approximately 1.17 acres in size and are currently undeveloped.

The applicant is requesting to rezone the property from the Medium Density Residential/Infill Overlay (R-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District. The property owner, Arizona Housing Development Corporation, intends on developing a multi-family housing project on the subject properties. In addition, the property owner is currently in the Lot Tie process to combine both parcels prior to the development of the site.

Below, are some of the development standards which apply to the High Density Residential (R-3) District:

High Density Residential (R-3) District:

- The maximum lot coverage in the High Density Residential (R-3) District shall not exceed 35% of the lot area; an additional 5% lot coverage is permitted for common recreation buildings. The covered parking provided shall be permitted in addition to the maximum lot coverage percentage listed above, provided that the total lot coverage does not exceed 50% of the lot area;
- A minimum front yard setback of 20 feet;
- A minimum side yard setback of 7 feet; and
- A minimum rear yard setback of 10 feet;
- A maximum building height of 40 feet, however, the maximum building height is reduced to 20 feet (one story maximum) for all land located within 60 feet of a lot in an Agriculture, Suburban Ranch, Residential Estate or Low Density Residential District.

The surrounding properties are developed with site-built, manufactured, and multi-family residences. The proposed rezone request is in character with the surrounding neighborhood.

The potential residential development could contain between 15 and 35 dwelling units based on the density allowable in the City of Yuma 2022 General Plan. The request to rezone from the Medium Density Residential/Infill Overlay (R-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District is in conformance with the General Plan.

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

| | | | | | | | | | |
|-----------------------------|--|----------------|-----|--------------------------|----|-------------|---|--------|--|
| Land Use Element: | | | | | | | | | |
| Land Use Designation: | | | | High 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? Yes.

| | | | | | | |
|--------------------------------|---------------------------------------|-----------------|----------------|---------------|---------------|--------------|
| FACILITY PLANS | | | | | | |
| Transportation Master Plan | Planned | Existing | Gateway | Scenic | Hazard | Truck |
| Magnolia Avenue Local | 40 FT H/W ROW | 40 FT H/W ROW | | | | |
| 5 th Street - Local | 40 FT H/W ROW | 40 FT H/W ROW | | | | |
| Bicycle Facilities Master Plan | Magnolia 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: Kiwanis Park | | | Future: Kiwanis Park | |
| Community Park: | | Existing: Carver Park Complex | | | Future: Carver Park 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: | | Carver Park | | | | |
| Adopted Redevelopment Plan: | | North End: | | Carver Park: | X | None: |
| 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: | | | | | | |

| | | | | | | | |
|---|------------------------------|----------------------------------|-----------------------------------|----------------------------------|---------------------------------|----------------------|-------------------|
| Population Impacts 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 | | Projected | Police | Water | | Wastewater |
| | <i>Multi-Family</i> | | Population | Impact | Consumption | | Generation |
| | Maximum | Per Unit | | Officers | GPD | AF | GPD |
| | 35 | 1.9 | 67 | 0.13 | 13,766 | 15.4 | 4,655 |
| Minimum | | | | | | | |
| 15 | | 1.9 | 29 | 0.05 | 5,900 | 6.6 | 1,995 |
| Fire Facilities Plan: | Existing: Fire Station No. 1 | | | Future: Fire Station No. 1 | | | |
| Water Facility Plan: | Source: | City | X | Private | Connection: | 10" Water | |
| Sewer Facility Plan: | Treatment: | City | X | Septic | Private | Connection: 6" Sewer | |
| Issues: | None | | | | | | |
| Safety Element: | | | | | | | |
| Flood Plain Designation: | X | | | Liquefaction Hazard Area: | Yes | X | 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 | X | | |
| 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 D.

Proposed conditions delivered to applicant on: 11-13-23

Final staff report delivered to applicant on: 11-30-23

Applicant agreed with all of the conditions of approval on: 11-13-23

Attachments

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

Prepared By: *Zenia Fiveash* **Date:** 11/30/2023
 Zenia Fiveash
 Assistant Planner Zenia.Fiveash@yumaaz.gov (928)373-5000, x3040

Reviewed By: *Jennifer L. Albers* **Date:** 11/21/23
 Jennifer L. Albers
 Assistant Director of Planning

Approved By: *Alyssa Linville* **Date:** 11/30/2023
 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:

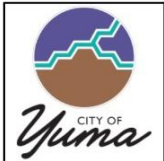
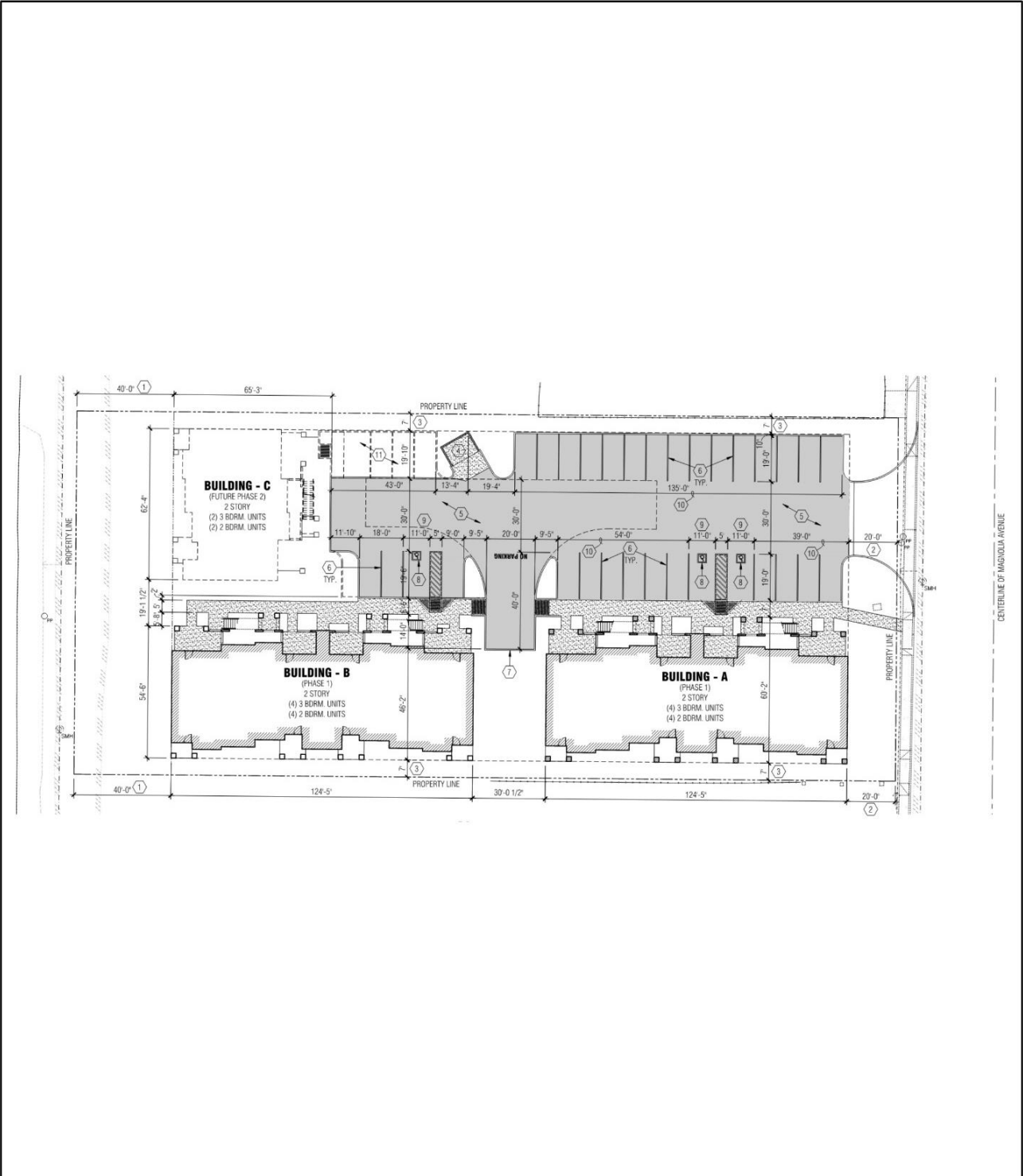
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

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 CONCEPTUAL SITE PLAN



Prepared by:
DG
Date:
10/26/2023

ZONE-41394-2023
APNs 632-54-180 & 632-54-181

Site Plan

Plan/Case:
41394



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** (11/17/23)
- **300' Vicinity Mailing:** (10/23/23)
- **34 Commenting/Reviewing Agencies noticed:** (11/06/23)
- **Site Posted on:** (12/04/23)
- **Neighborhood Meeting:** (6/13/23)
- **Hearing Date:** (12/11/23)
- **Comments due:** (11/06/23)

| External List (Comments) | Response Received | Date Received | "No Comment" | Written Comments | Comments Attached |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority | NR | | | | |
| Yuma County Engineering | NR | | | | |
| Yuma County Public Works | NR | | | | |
| Yuma County Water Users' Assoc. | 11-06-23 | | X | | |
| Yuma County Planning & Zoning | 10-30-23 | | | | X |
| Yuma County Assessor | NR | | | | |
| Yuma Proving Ground | 10-30-23 | | 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. | 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 | 10-26-23 | | 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 | NR | | | | |
| Building Safety | NR | | | | |
| City Engineer | NR | | | | |
| Traffic Engineer | NR | | | | |
| MCAS / C P & L Office | 11-01-23 | | | | X |
| Utilities | NR | | | | |
| Public Works | NR | | | | |
| Streets | NR | | | | |

ATTACHMENT E
NEIGHBOR NOTIFICATION LIST

| Property Owner | Mailing Address | City/State/Zip Code | | |
|--|--------------------------|----------------------------|----|-------|
| ALFARO MANUEL A & SILVIA RIVAS | 153 N 21ST AVE | YUMA | AZ | 85364 |
| ALVAREZ FRANCISCO & EDITH S JT | 414 S 19TH AVE | YUMA | AZ | 85364 |
| AMBRIZ JOSE & JESSIE JT | 472 S 17TH AVE | YUMA | AZ | 85364 |
| ARIZONA HOUSING DEVELOPMENT CORP | 420 S MADISON AVE | YUMA | AZ | 85364 |
| BEDELL CHRISTOPHER H & TINA M TRUST 3-8-2006 | 430 S 19TH AVE | YUMA | AZ | 85364 |
| BEECROFT ROBERT K | 501 S 19TH AVE | YUMA | AZ | 85364 |
| BUROS LESLIE C | 8039 W DILLON WASH RD | PRESCOTT | AZ | 86305 |
| CABRERA BERNABE T | 949 S 12TH AVE | YUMA | AZ | 85364 |
| CAMINO OTERO REAL ESTATE INVESTMENTS LLC | 340 W 32ND ST #504 | YUMA | AZ | 85364 |
| CAMPUZANO ALFRED C & CLARA M JT | 417 S 19TH AVE | YUMA | AZ | 85364 |
| CARVAJAL CARLOS AND IRENE B TR 12-14-09 | 433 S 19TH AVE | YUMA | AZ | 85364 |
| CARVER PARK TOWNHOMES AZ LLC | 420 S MADISON AVE | YUMA | AZ | 85364 |
| CHAVEZ EDUARDO & ROSEMARIE | 504 S MAGNOLIA AVE | YUMA | AZ | 85364 |
| CHAVEZ LUPE R | 502 S MAGNOLIA AVE | YUMA | AZ | 85364 |
| CORDOVA FRANCISCO | 1901 W 5TH ST | YUMA | AZ | 85364 |
| DAVIS MELVA G | 420 S MAGNOLIA AVE | YUMA | AZ | 85364 |
| DOMINGUEZ ADRIANA | 413 S 19TH AVE | YUMA | AZ | 85364 |
| DURAN ANA MARTHA GARCIA | 1775 W 5TH ST | YUMA | AZ | 85364 |
| EMBREE KATHLEEN M | 509 S 19TH AVE | YUMA | AZ | 85364 |
| FELIX ZEFERINO & MARIA ESTHER JT | 425 S 19TH AVE | YUMA | AZ | 85364 |
| FLORES JOHN A | 1855 W 5TH ST | YUMA | AZ | 85364 |
| GARCIA MIGUEL ANGEL AND NORMA ALICIA JT | PO BOX 25492 | YUMA | AZ | 85367 |
| GASTELUM JESUS M & MARTHA JT | 4156 W 17TH ST | YUMA | AZ | 85364 |
| GODOY OCTAVIO & GRACIELA JT | 1845 W 4TH ST | YUMA | AZ | 85364 |
| GUTHRIE TRUST 7-9-2019 | 429 S 19TH AVE | YUMA | AZ | 85364 |
| HOLMAN GARTH S/S | 409 S 19TH AVE | YUMA | AZ | 85364 |
| HUBBARD JOHNNY L & VANDORIA L JT | 450 S 17TH AVE | YUMA | AZ | 85364 |
| INFINITI PROPERTIES AZ LLC | PO BOX 4077 | YUMA | AZ | 85366 |
| LAZO MIGUEL & MARIA JT | 501 S MAGNOLIA AVE | YUMA | AZ | 85364 |
| LEE VERLAN & JEANNE R LVNG TR 02-23-98 | 505 S 19TH AVE | YUMA | AZ | 85364 |
| MARTINEZ JOEL A | 3876 W 26TH PL | YUMA | AZ | 85364 |
| MONTANA THOMAS P TRUST 11-01-2011 | 517 S 19TH AVE | YUMA | AZ | 85364 |
| MOTTER ANNA MARIE | 452 S 17TH AVE | YUMA | AZ | 85364 |
| NAVARRO GRISELDA | 402 S MAGNOLIA AVE | YUMA | AZ | 85364 |
| ORELLANA GUADALUPE | 1902 W 5TH PL | YUMA | AZ | 85364 |
| PERRY THOMAS J TRUST 10-24-2003 | 3128 EL CAJON BLVD | DIEGO | CA | 92104 |
| RANGEL SERGIO R | 405 S MAGNOLIA AVE | YUMA | AZ | 85364 |
| RIVERA SAMUEL & MATILDE | 426 S 19TH AVE | YUMA | AZ | 85364 |
| RUBIO JESUS R | 513 S 19TH AVE | YUMA | AZ | 85364 |
| SHAW JIMMIE C & MARY A JT | 448 S 17TH AVE | YUMA | AZ | 85364 |
| SMITH ARTHUR E | 422 S 19TH AVE | YUMA | AZ | 85364 |
| SNOOK EDWARD W & TAMMY JT | 1905 W 5TH ST | YUMA | AZ | 85364 |
| TORRES ALEX C & LUCILLE R | 408 S 19TH AVE | YUMA | AZ | 85364 |
| TORRES JESUS | 407 S 19TH AVE | YUMA | AZ | 85364 |

TRUJILLO RAYMOND J & IDA JT
ZAVALA JOEL V & ELIZABETH G CPWROS

404 S 17TH AVE YUMA
2499 S DANETTE WAY YUMA

AZ 85364
AZ 85365

**ATTACHMENT F
NEIGHBOR MAILING**

This is a request by Thompson Design Architects PC, on behalf of Arizona Housing Development Corporation to rezone two parcels, approximately 1.1667 acres, from the Medium Density Residential/Infill Overlay (R-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, for the properties located at 430 & 440 Magnolia Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-41394-2023**

PUBLIC HEARING
12/11/2023 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 430 & 440 Magnolia Ave, Yuma, AZ. 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 Zenia Fiveash by phone at (928) 373-5000 ext. 3040 or by email at Zenia.Fiveash@Yumaaz.gov

ATTACHMENT G
AERIAL PHOTO

