

**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING
CASE TYPE – GENERAL PLAN AMENDMENT
Case Planner: Erika Peterson**

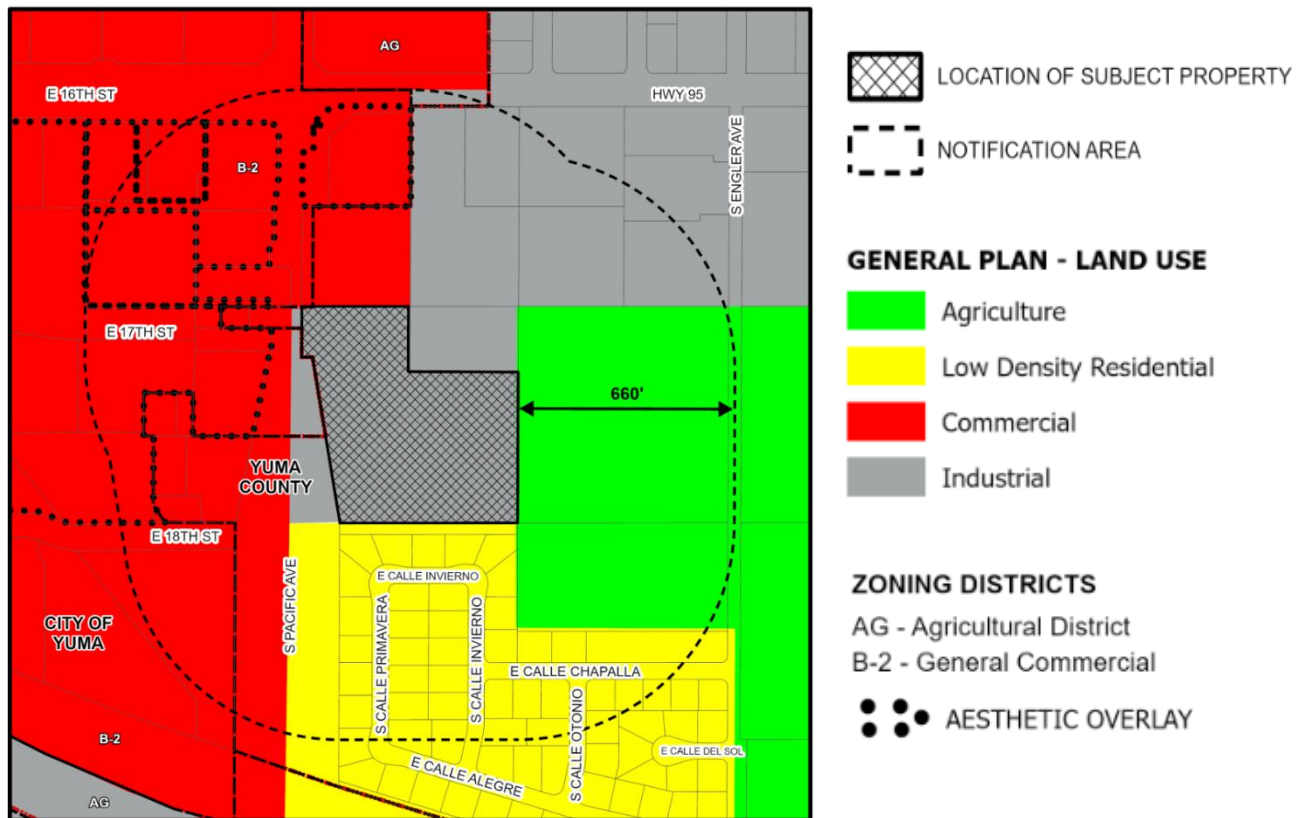
Hearing Date: October 9, 2023

Case Number: GP-41558-2023

Project Description/Location: This is a Major General Plan Amendment request by Christopher Colyer with Snell & Wilmer, on behalf of Powerhouse Management, LLC, to change the land use designation from Industrial to Commercial for approximately 7.48 acres, for a portion of the property located at 1717 S. Pacific Avenue.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	County - Light Industrial (LI)	Vacant building	Industrial
North	County - General Commercial (C-2)	Used auto sales	Commercial
South	County – High Density Residential (R-3)	Single-family residences	Low Density Residential
East	County - Rural Area 20 acres (RA-20)	Agriculture farming	Agriculture
West	General Commercial (B-2)/ County Light Industrial (LI)	Commercial/Single-family residence	Commercial

Location Map



Prior site actions: Preannexation Development Agreement: Resolution No. R2023-013 (4/19/2023)

Staff Recommendation: Staff recommends the Planning and Zoning Commission APPROVE the request to change the land use designation for approximately 7.48 acres from Industrial to Commercial.

Suggested Motion: Move to APPROVE the request to change the land use designation for approximately 7.48 acres from Industrial to Commercial.

Staff Analysis: This is a Major General Plan Amendment request by Christopher Colyer with Snell & Wilmer, on behalf of Powerhouse Management, LLC, to change the land use designation from Industrial to Commercial for approximately 7.48 acres, for a portion of the property located at 1717 S. Pacific Avenue

The existing Industrial land use designation supports the following types of zoning: Light Industrial (L-I), Heavy Industrial (H-I), and Industrial Park (I-P) districts.

The proposed Commercial land use designation supports the following types of zoning: Transitional (TR), Old Town (OT), Planned Shopping Center (PSC), Limited Commercial (B-1), General Commercial (B-2), and Business Park (BP) districts.

The proposed land use designation will allow the applicant to pursue a rezoning of the site to General Commercial (B-2) to develop a commercial retail space within a multi-tenant shopping center following annexation.

Land Use

The Land Use Element of the City of Yuma 2022 General Plan is a guide for the appropriate locations for residential, commercial, and industrial development. Objective 2.4 notes providing additional opportunities for employment:

Objective 2.4: Achieve a diversified economy that is open to new opportunities and resistant to seasonal employment fluctuations.

Yuma's economy is primarily based on three economic engines: agribusiness, tourism and the military. Both agricultural and tourism reduce activity during the summer months, increasing the unemployment rate. The proposed commercial land use change would allow for more commercial development increasing the number of jobs available year-round.

Density

The current land use designation of Industrial would allow the development of business, industrial or scientific research centers, assembly or fabrication of products, warehousing, automotive and equipment repair development.

The proposed Commercial land use designation would allow for the development of retail, commercial, and office development.

Population

The change in land use designation from Industrial to Commercial is not anticipated to result in any population changes.

Transportation

The property is located along Pacific Avenue. Access to the property will be from Pacific Avenue. There is an existing bus stop on Pacific Avenue at 16th Street, for Bus Route Green – 4 and Orange Route 2 and a proposed bike path on Pacific Avenue.

According to the City of Yuma Transportation Master Plan, 16th Street operates at a Level of Service (LOS) of C or above, meaning that there are stable conditions with movements somewhat restricted due to higher volumes but not objectionable to motorists. The Yuma Metropolitan Planning Organization identifies average annual daily traffic counts for 2022 as 22,261 vehicles on Pacific Avenue north of the E. 16th Street intersection. Pacific Avenue is currently a 4-lane roadway and is identified in the Transportation Master Plan as a Minor Arterial.

1. Does the proposed amendment impact any elements of the General Plan?

No The elements of the General Plan will not be impacted by the proposed amendment.

Transportation Element:

FACILITY PLANS		
Transportation Master Plan	Planned	Existing
Pacific Avenue- 4 Lane Minor Arterial	50 FOOT HW	33 FOOT HW- varies
16 th Street- 4 Lane Principal Arterial	50 FOOT HW	50 FOOT HW
Median Disclosure	Yes	

2. Does the proposed amendment impact any of the facility plans?

No The change in land use will not significantly impact any of the facilities plans.

3. Is the proposed amendment in conflict with Council’s prior actions?

No The proposed amendment is not in conflict with Council’s prior actions. City Council adopted a Preannexation Development Agreement (R2023-013 adopted 4/19/2023) supporting development of the property.

Scheduled Public Hearings:

- City of Yuma Planning and Zoning Commission: September 11, 2023
- City of Yuma Planning and Zoning Commission: October 9, 2023
- City of Yuma City Council: November 15, 2023

Public Comments Received: None

Agency Comments: See Attachment A

Neighborhood Meeting Comments: See Attachment C

Final staff report delivered to applicant on: 10/2/2023

- Applicant agreed with staff’s recommendation:
- Applicant did not agree with staff’s recommendation:
- Final staff report emailed to applicant and a response has not been received.

Attachments

A	B	C	D	E
Agency Comments	Staff Worksheet	Neighborhood Meeting Comments	Neighbor Notification List	Aerial Photo

Prepared By: Erika Peterson

Date: 9/20/2023

Erika Peterson,
Associate Planner

Erika.Peterson@YumaAZ.Gov (928)373-5000, x3071

Reviewed By: Jennifer L. Albers

Date: 9/20/23

Jennifer L. Albers, AICP
Assistant Director of Planning

Approved By: Alyssa Linville

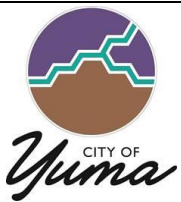
Date: 09/28/2023

Alyssa Linville,
Director, Planning and Neighborhood Services

**ATTACHMENT A
AGENCY COMMENTS**

DATE:	8/9/2023 & 8/10/2023	NAME:	Anson Lihosit	TITLE:	Senior Planner
AGENCY:	Yuma County Department of Development Services/Planning & Zoning Division			PHONE:	(928)817-5090
<i>Enter comments below:</i>					
<p>8/9/2023: In regards to Major Amendment case GP-41558-2023:</p> <p>Parcel APN 666-33-012, 1717 S. Pacific Avenue is located within Yuma County jurisdiction.</p> <p>The owner and agent have previously received approval of Special Use Permit case number 22-04, for the establishment of restaurant facilities, a multi-tenant shopping center focused on health and wellness, and a marijuana establishment. They also received approval of Variance case number 23-06, to allow a marijuana establishment within a 500 foot radius.</p> <p>A land division permit (LDP23-14) was submitted to Yuma County on May 26, 2023, proposing to divide the parcel into five lots.</p> <p>8/10/2023: The Variance was for minimum distance from a residence.</p>					

**ATTACHMENT B
STAFF WORKSHEET**

	<p>STAFF RESEARCH – GENERAL PLAN AMENDMENT</p> <p>CASE #: GP-41558-2023 CASE PLANNER: ERIKA PETERSON</p>
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I. PROJECT DATA

Project Location:		1717 S. Pacific Avenue						
Parcel Number(s):		666-33-012 (part)						
Parcel Size(s):		7.48						
Total Acreage:		7.48						
Proposed Dwelling Units:		Maximum: 0		Minimum: 0				
Address:		1717 S. Pacific Avenue						
Applicant:		Powerhouse Management, LLC						
Applicant's Agent:		Christopher Colyer- Snell & Wilmer						
Land Use Conformity Matrix:		Current Zoning District Conforms:				Yes	No	X
Zoning Overlay:	Public	AO	Auto	B&B	Historic	Infill	None	X

	Airport	Noise Contours	65-70	70-75	75+	APZ1	APZ2	CLEAR ZONE
	Existing Zoning		Current Use			General Plan Designation		
Site	County Light Industrial		Vacant building			Industrial		
North	County General Commercial (C-2)		Used auto sales			Commercial		
South	County High Density Residential (R-3)		Single-family residences			Low Density Residential		
East	County Rural Area (RA-20)		Agriculture farming			Agriculture		
West	General Commercial (B-2)/ County Light Industrial (LI)		Commercial/Single-family residence			Commercial		

Prior Cases or Related Actions:				
<u>Type</u>	<u>Conforms</u>			<u>Cases, Actions or Agreements</u>
Pre-Annexation Agreement	Yes	X	No	Adopted: 4/19/2023 (Resolution No. R2023-013)
Annexation	Yes		No	N/A
General Plan Amendment	Yes		No	N/A
Development Agreement	Yes		No	N/A
Rezone	Yes		No	N/A
Subdivision	Yes		No	N/A
Conditional Use Permit	Yes		No	N/A
Pre-Development Meeting	Yes	X	No	Date: 5/9/2023
Enforcement Actions	Yes		No	N/A

Land Division Status:	Legal lots of record
Irrigation District:	None
Adjacent Irrigation Canals & Drains:	None
Water Conversion: (5.83 ac ft/acre)	0.00 Acre Feet a Year
Water Conversion Agreement Required	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

II. CITY OF YUMA GENERAL PLAN

Land Use Element:

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

Transportation Element:

FACILITY PLANS

Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Pacific Avenue- 4 Lane Minor Arterial	50 FOOT HW	33 FOOT HW- varies	X			X
16 th Street- 4 Lane Principal Arterial	50 FOOT HW	50 FOOT HW				X
Bicycle Facilities Master Plan	Pacific Avenue- Proposed bike path					
YCAT Transit System	Pacific Avenue- Orange Route 2 and Green Route 4					
Issues:						

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 Park	Future: Kennedy Park
Linear Park:	Existing: East Main Canal Linear Park	Future: "B" Canal Linear Park
Issues:		

Housing Element:

Special Need Household:	N/A
Issues:	

Redevelopment Element:

Planned Redevelopment Area:	N/A						
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:

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 Population	Police Impact	Water Consumption		Wastewater Generation
	<i>Multi-Family</i>						
	Maximum	Per Unit		Officers	GPD	AF	GPD
	0	1.9	0	0.00	0	0.0	0
Minimum							
0		1.9	0	0.00	0	0.0	0
Fire Facilities Plan:	Existing: Fire Station No. 3			Future: Fire Station No. 3			
Water Facility Plan:	Source:	City X	Private	Connection:	12" AC on east side of Pacific Ave.		
Sewer Facility Plan:	Treatment:	City X	Septic	Private	Connection: 10" PVC on west side of Pacific Ave.		
Issues:							

Safety Element:										
Flood Plain Designation:	500 Year Flood			Liquefaction Hazard Area:	Yes	X	No			
Issues:										
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:										

NOTIFICATION

- Legal Ad Published: The Sun 8/26/2023
- Display Ad Published: 8/26/2023
- 660' Vicinity Mailing: 4/3/2023
- 54 Commenting/Reviewing Agencies noticed: 6/27/2023
- Site Posted: 7/17/2023
- Neighborhood Meeting: 8/31/2023
- Hearing Dates: 9/11/2023 & 10/9/2023
- Comments Due: 8/26/2023

External List	Response Received	Date Received	"No Comment"	Written Comments
Yuma Metropolitan Planning Organization (ARS)	NR			
Yuma County Engineering	NR			
Yuma County Flood Control District	NR			
Yuma County Planning & Zoning (ARS)	YES	8/10/2023		X
Yuma County Public Works	NR			
Yuma County Airport Authority	NR			
Yuma County Chamber of Commerce	NR			
Yuma County Assessor	NR			
Greater Yuma Econ. Development Corp.	NR			
Yuma County School Superintendent	NR			
YUHS District #70 (ARS)	NR			
Yuma Elementary School District #1 (ARS)	NR			
Crane School District #13 (ARS)	NR			
City of San Luis (ARS)	NR			
City of Somerton (ARS)	NR			
Imperial County, California (ARS)	NR			
Qwest Communications (ARS)	NR			
Arizona Public Service (ARS)	NR			
Time Warner Cable (ARS)	NR			
Southwest Gas (ARS)	NR			
Arizona Department of Transportation	NR			
Arizona Game & Fish Dept.	NR			
Arizona Department of Commerce (ARS)	NR			
Arizona State Attorney General (ARS)	NR			
Arizona Dept. of Water Resources (ARS)	NR			
Arizona State Land Department (ARS)	NR			
MCAS / C P & L Office (ARS)	YES	7/21/2023	X	
Bureau of Land Management (ARS)	NR			
US Border Patrol	NR			
US Postal Service	NR			
Quechan Tribal Office	NR			
Cocopah Indian Tribe	NR			
Yuma County Water Users' Association	NR			
Yuma Irrigation District	NR			
Yuma Mesa Irrigation Drainage District	NR			
Unit B Irrigation District	NR			
Yuma County Association of Realtor's	NR			
Yuma County Contractor's Association	NR			
AZ Society of Military Engineers (ASME)	NR			
AZ Society of Civil Engineers (ASCE)	NR			
AZ Society of Professional Engineers (ASPE)	NR			
EI Paso Natural Gas Co.	NR			

Western Area Power Administration	NR			
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City of Yuma Internal List	Response Received	Date Received	“No Comment”	Written Comments
Thomas Garrity, Police	NR			
Eric Urfer, Parks and Rec – Admin	NR			
David Wostenberg, City Engineer	NR			
Scott Nodes, Traffic Engineer	NR			
Andrew McGarvie, Development Engineering	NR			
Kayla Franklin, Fire – Prevention	YES	7/11/2023	X	
Randall Crist, Building Safety	NR			
Jeremy McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

Neighborhood Meeting	Comments Available
7/31/2023	See Attachment C
Prop. 207 Waiver	
Received by Owner’s signature on the application for this land use action request.	

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

Date Held: 7/31/2023

Location: 1717 S. Pacific Avenue

Attendees: Richard Durazo, Milland Grove, Maria J. Grove, Gerald DeCarolis

Agents: Christopher Robins, Chris Colyer, Maggie Delow

Staff: Erika Peterson

SUMMARY OF ATTENDEE'S COMMENTS RELATED TO THE PROJECT:

- Neighbors concerned about potential traffic increase in residential neighborhood and on Pacific Avenue
- Neighbors wanted to know the placement of commercial buildings near residential
- Neighbors had questions regarding the County lot split
- Inquiry on the timeline for the proposed request
- Colyer- development will include commercial retail with health and wellness aspect in mind
- Colyer/Robins- Timeline is approximately 1 ½ years for design and development, 3 phases total
- Colyer- No connection/road outside of proposed development connecting to existing residential development to the south
- Colyer/Robins- Access to the development will be limited to Pacific Avenue
- Colyer- All development will meet City of Yuma development standards to include, lighting, parking, and sound attenuation
- Robins- There will be a fence, meeting COY development standards, around the exterior property lines
- Colyer/Robins- Traffic study currently being conducted, and it will also include winter traffic fluctuations

**ATTACHMENT D
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City	State	Zip Code
AAA ALLIANCE SELF STORAGE OF YUMA NV LLC	242 W SOUTHERN AVE	TEMPE	AZ	85282
ANGLO AMERICAN HOLDINGS 2 LLC	11146 E 26TH LN	YUMA	AZ	85367
ARIZONA PUBLIC SERVICE CO	PO BOX 53999	PHOENIX	AZ	85072
BAGLEY STEVEN	1381 RIDGECOURT	EATON	CO	80615
BALDERAS HUMBERTO & JOAKINA B JT	8128 E LORENZO LN	YUMA	AZ	85365
BARBARA ANN CATTLE COMPANY	PO BOX 6491	YUMA	AZ	85366
BARBARA ANN CATTLE COMPANY	PO BOX 6491	YUMA	AZ	85366
BARBARA ANN CATTLE COMPANY	PO BOX 6491	YUMA	AZ	85366
BENEKE RUSSELL	2193 E CALLE CHAPALLA	YUMA	AZ	85365
BOURIS FAMILY TRUST 2-27-2001	6000 FILBERT AVE	ORANGEVALE	CA	95662
CARLON BENJAMIN H	PO BOX 5241	YUMA	AZ	85366
CHICK-FIL-A INC GA CORP	6057 E GRANT RD STE 100	TUCSON	AZ	85712
CJ&C INVESTMENTS INC	964 MORI COURT	LIVINGSTON	CA	95334
DECAROLIS GERARD	1874 S CALLE VERANO	YUMA	AZ	85365
DECAROLIS GERARD M	1895 S CALLE VERANO	YUMA	AZ	85365
DUGGAN THOMAS	62 OAK RD	CANTON	MA	02021
DURAZO RICHARD M & CHRISTINE M	1642 S PACIFIC AVE	YUMA	AZ	85365
ESCOTO JESUS & PATRICIA JT	1897 S CALLE PRIMAVERA	YUMA	AZ	85365
ESTRADA VICENTE & KAREN	1636 S PACIFIC AVE	YUMA	AZ	85364
FORTUNA DE ORO AZ LLC	11262 S AVENUE 14E	YUMA	AZ	85367
FORTUNA DE ORO AZ LLC	11262 S AVENUE 14E	YUMA	AZ	85367
FORTUNA DE ORO AZ LLC	11262 S AVENUE 14E	YUMA	AZ	85367
FORTUNA DE ORO AZ LLC	11262 S AVENUE 14E	YUMA	AZ	85367
GARCIA VALERIA	2503 W 21ST ST	YUMA	AZ	85364
GDP MANAGEMENT LLC	2246 UNIVERISTY PARK BLVD	LAYTON	UT	84401
GONZALEZ FERNANDO MEDRANO	1884 S CALLE VERANO	YUMA	AZ	85365
GRACIANO HERIBERTO DUARTE	1859 S CALLE PRIMAVERA	YUMA	AZ	85365
GROVE MILLAND R JR	1841 S CALLE VERANO	YUMA	AZ	85364
GUZMAN FRANCISCO & IRENE TRUST 12-2-08	1149 S 14TH AVE	YUMA	AZ	85364
HECK DAILE R	1848 S CALLE VERANO	YUMA	AZ	85365
HILINE YUMA LLC	5141 N 40TH ST	PHOENIX	AZ	85018
HINSLEY FAMILY TRUST 6-5-92	1896 S CALLE OTONIO	YUMA	AZ	85365
JOHNSTON LEE ANN	1897 S CALLE OTONIO	YUMA	AZ	85365
KNIGHT PROPERTIES AZ LLC	6341 E 41ST LN	YUMA	AZ	85365
KUYKENDALL BETTY A	2263 E CALLE CHAPALLA	YUMA	AZ	85365
LQ INVESTMENTS PORTFOLIO III LLC	15495 EAGLE NEST LN NO. 210	MIAMI LAKES	FL	33014
LUEVANO ROSITA	PO BOX 4084	YUMA	AZ	85366
MARQUEZ MARTHA	2224 E CALLE CHAPALA	YUMA	AZ	85365

MCRT YUMA LLC	1503 LBJ FREEWAY, SUITE 300	DALLAS	TX	75234
MENDOZA CARLOS	2174 E CALLE INVIERNO	YUMA	AZ	85365
NAKASAWA LAND MANAGEMENT LP	1644 S ENGLER AVE	YUMA	AZ	85365
NORIEGA ANESIA M & OSCAR JT	1885 CALLE PRIMAVERA	YUMA	AZ	85365
OROZCO JESUS I &	1847 CALLE PRIMAVERA	YUMA	AZ	85365
ORTIZ FRANCISCO ANTONIO	1829 S CALLE VERANO	YUMA	AZ	85365
POWERHOUSE MANAGEMENT LLC	1862 N HIGLEY RD	MESA	AZ	85205
PULIDO JESUS M & ALMA R JT	1888 S CALLE PRIMAVERA	YUMA	AZ	85365
REYES VERONICA	1636 S PACIFIC AVE	YUMA	AZ	85364
SANCHEZ CATARINO & LAURA E JT	1830 S CALLE PRIMAVERA	YUMA	AZ	85365
SANCHEZ DAVID S	1873 S CALLE PRIMAVERA	YUMA	AZ	85365
SANCHEZ RICARDO CANO & MARIA I JT	1835 S CALLE PRIMAVERA	YUMA	AZ	85365
SANDBAR BOAT STORAGE LLC AZ	13245 E 44TH ST	YUMA	AZ	85367
SANDBAR BOAT STORAGE LLC AZ	13245 E 44TH ST	YUMA	AZ	85367
SANDOVAL FRANCISCO J & SANDRA C JT	1860 S CALLE VERANO	YUMA	AZ	85365
STEWART GLENN A & KELLY L JT	2205 E CALLE CHAPALA	YUMA	AZ	85365
TAPIA OSVALDO B	2136 E CALLE INVIERNO	YUMA	AZ	85365
TIBBITTS MONICA R	2217 E CALLE CHAPALLA	YUMA	AZ	85365
TIDABACK TIMOTHY & DONNA JT	18304 WOODLAND DR	TRIANGLE	VA	22172
VALDEZ BERTHA	530 E PALO VERDE ST	YUMA	AZ	85365
VELASCO MARTIN ETAL	2208 E CALLE CHAPALLA	YUMA	AZ	85365
WALKER JAMES CURTIS & DONNA J	79 C R 755	JONESBORO	AR	72401
WHITE SCOTT A & CHRISTY A JT	2146 E CALLE INVIERNO	YUMA	AZ	85365
WILSON KRISTIE M	1872 S CALLE PRIMAVERA	YUMA	AZ	85365
WINN JOHN R & DIOGENES A	2184 E CALLE INVIERNO	YUMA	AZ	85365
YUMA COUNTY OF	198 S MAIN ST	YUMA	AZ	85364
YUMA COUNTY OF	198 S MAIN ST	YUMA	AZ	85364
YUMA PACIFIC AVE	7406 W MCDOWELL RD	PHOENIX	AZ	85035
YUMA PACIFIC AVE LLC	7406 W MC DOWELL RD	PHOENIX	AZ	85035
YUMA PLAZA DE LLC	5670 WILSHIRE BLVD STE 1250	LOS ANGELES	CA	90036
ZAMBRANO JULIO A & ZEILA C JT	1842 S CALLE PRIMAVERA	YUMA	AZ	85364
ZAMBRANO JULIO A & ZEILA C JT	1842 S CALLE PRIMAVERA	YUMA	AZ	85364
ZHEN XING HUA	PO BOX 2008	SAN LUIS	AZ	85349

ATTACHMENT E
AERIAL PHOTO

