

STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
CASE #: Z2002-017
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING – CASE REVIEW TEAM

Hearing Date: January 13, 2003

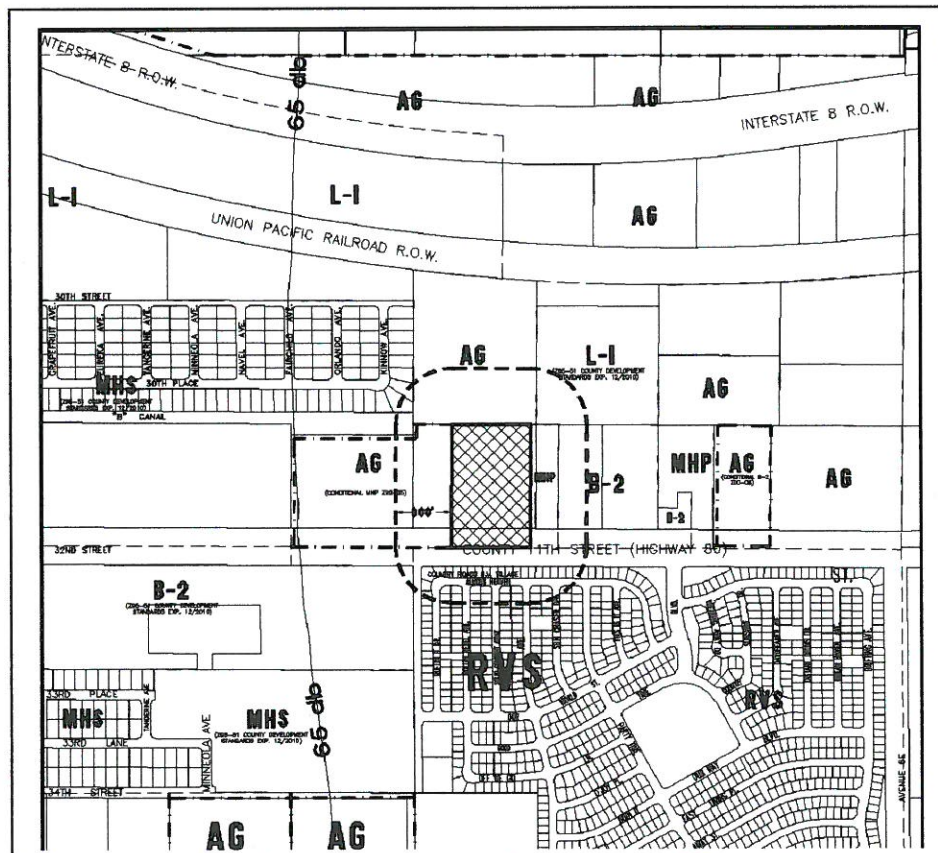
Project Planner: Scott Langford, Assistant Planner (928) 373-5000 Ext: 3039

E-mail: Scott.Langford@ci.yuma.az.us

Project Description: This is a request by Nicklaus Engineering on behalf of the Perry Trust to rezone property from the Agriculture (AG) District to the Limited Commercial (B-1) District. The property is located at 5574 E. 32nd Street, Yuma, AZ.

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning of the property from the Agriculture (AG) District to the Limited Commercial (B-1) District, subject to the conditions outlined on Attachment B.

LOCATION MAP



I. PROJECT DATA

Project Location:	5574 E. 32 nd Street, Yuma, AZ.
Parcel Number(s):	112-13-028
Address:	5574 E. 32 nd Street, Yuma, AZ.
Applicant:	Perry Trust
Applicant's Agent:	Nicklaus Engineering
Zoning of the Site:	Agriculture
Existing Land Use(s) on the Site:	Vacant
Surrounding Zoning and Land Uses:	
○ North:	Zoned AG; Vacant
○ South:	Zoned RVS; R.V. Subdivision (Country Roads)
○ East:	Zoned MHP; Last Resort RV Park
○ West:	Zoned Cond. MHP; AZ Sands RV Park
Related Actions or Cases:	
Land Division Status:	Parcel is a legal lot of record.
Flood Plain Designation:	Zone "B"

II. GENERAL PLAN

Land Use Plan	Mixed Use		
Circulation Element:	<u>Planned</u>	<u>Existing</u>	<u>Needed</u>
Expressway: 32 nd Street	100' H/W ROW	100' H/W ROW	0' H/W ROW
Raised Median Covenant	Yes	No	Yes
Parks and Recreation Element:			
Nearest Neighborhood Park:	Wal-mart Park		
Nearest Area Park:	Kennedy Park		
Nearest Linear Park:	"B" Canal Linear Park (Proposed)		
Water:	16" ACP within 32 nd Street		
Sewer:	N/A		
Fire Facilities Plan:			
Existing:	Fire Station #5		
Proposed:	Fire Station #5		
Bicycle Element	N/A		

III. SCHOOLS

School District:	YSD #1
------------------	--------

IV. PRO RATA

Pro Rata Area: Per Acre Fee	N/A
-----------------------------	-----

PUBLIC NOTICES:

Legal Ad Published: Yuma Sun on December 27, 2002

300' Vicinity Mailing Deadline: December 23, 2002

Site Posted: N/A

COMMENTING/REVIEWING AGENCIES

30 agencies/people were notified on December 6, 2002. Comments were due on December 16, 2002.

Agency/Person Notified	Response Received	Date Received	"No Comment" response	Written Comment (attached)
<i>External List</i>				
Yuma County Airport Authority	No	NR		
Yuma County Engineering Division	No	NR		
Yuma County Public Works	No	NR		
Yuma County Water Users	No	NR		
Yuma County P & Z	No	NR		
Arizona Public Service	No	NR		
Adelphia Communications	Yes	12/16/2002	X	
Southwest Gas	No	NR		
Qwest Communications	No	NR		
MCAS / C P & L Office	Yes	12/18/2002	X	
Bureau of Land Management	No	NR		
YUHS District #70	No	NR		
Yuma Elementary School District #1	No	NR		
Crane School District #13	No	NR		
AZ Dept of Transportation	Yes	12/19/2002		X
Yuma Irrigation District	No	NR		
Arizona Fish & Game Dept.	No	NR		
USDA-NRCS	No	NR		
YMPO	Yes	12/13/2002		X
<i>Internal List</i>				
Ray Urias, Asst. City Attorney	Yes	12/16/2002	X	
Bob Stull, Finance Director	No	NR		
Mike Erfert, Police Department	Yes	12/15/2002	X	
Ray Duran, Community Policing	No	NR		
Ron Ramirez, Parks	Yes	12/13/2002	X	
Andrew McGarvie, Engineering	No	NR		
Doug Hipp, Engineering	Yes	12/16/2002		X
Art Castricone, Fire Marshall	Yes	12/17/2002	X	
John Curts, Econ Dev	Yes	12/12/2002	X	
Larry Nichols, Chief Building Official	Yes	12/18/2002	X	
Paul Brooberg – Public Works	No	NR		
Fred Orcutt, Traffic Engineer	Yes	12/13/2002		X
<i>NR=None Received</i>				

RESPONSES FROM THE PUBLIC:

No Comment

BACKGROUND AND DESCRIPTION OF THE SITE:

The property consists of approximately 2.27 acres with frontage on 32nd Street. The site is currently vacant. The applicant is requesting that the property be rezoned from the Agriculture District to the Limited Commercial (B-1) District. This parcel was annexed into the city on August 7, 1999 (#O99-043). Prior to annexation the property was zoned "C-2" in the County. Future development plans are uncertain at this point, but may include construction of retail sales, restaurant and/or office space.

Analysis:

With the increased development of the 32nd Street corridor, the request to rezone the property from the Agriculture District to the Limited Commercial District is in conformance to the current surrounding land uses.

The Land Use Plan element in the City of Yuma General Plan indicates that this parcel is categorized as a Mixed Use designation. The proposal to rezone the property to the Limited Commercial District is an allowed District within this designation. Therefore the applicant's request for rezoning is in conformance with the General Plan and surrounding land use.

32nd Street

The Major Roadways Plan identifies 32nd Street as an expressway, which requires at least a half width right-of-way of one hundred feet (100') adjacent to the property. Currently, a one hundred foot (100') half width road easement exists adjacent to the property and Staff recommends that the underlying property ownership of this easement be dedicated to the City.

In accordance with the Major Roadways Plan limited access points are recommended to control and direct traffic accordingly. Therefore, a one-foot (1') non-access easement is recommended to be provided over the entire 32nd Street.

The City standards allow for center-raised medians on major streets that may limit left turning movements into and out of the site. Therefore, it is recommended that a raised median covenant be recorded on the property that acknowledges that medians may be constructed within 32nd Street adjacent to the property.

At such time as the property is developed as a commercial use, there shall be adequate screening between the commercial use(s) and the adjacent residential uses as per section 154-218 (E) of the City Code.

Street Improvements

A traffic signal is planned to be installed at the intersection of Avenue 51/2 E and 32nd Street, therefore a contribution towards the signal at \$200.00 per acre will be required from the property owners or developers, resulting in a cost of approximately \$1,080.

A traffic impact study will be required when development occurs on this property based on construction standard 2-100 and performed in accordance with the ADOT Traffic Manual Section 240 for any category 1 or larger development. Items identified in said traffic impact study shall be designed, constructed, and financed by the applicant. No compensation shall be provided to the applicant/developer by the City of Yuma for those identified items.

All access from the state highway system shall be obtained through the ADOT encroachment permit process.

PARKS AND RECREATION:

In accordance with the City of Yuma Parks and Recreation Element, a linear park is designated in the Parks and Recreation's build out plan along the B Canal which will develop a Linear Park and a trail system, for walking and cycling along the B Canal from Avenue 4E to Avenue 7E. Therefore, Staff recommends that forty-six feet (46') be dedicated on the north side of the property line that runs adjacent to the B Canal to the City of Yuma, Arizona.

MEETINGS/DISCUSSIONS WITH APPLICANT:

Staff faxed a copy of the staff report to the applicant for their review. The applicant did not have any problems with the conditions of approval. E-mailed Final Draft to Nicklaus Engineering on 12/26/2002.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the rezoning of the property from the Agriculture (AG) District to the Limited Commercial (B-1) District, subject to the conditions outlined on Attachment B, because the request is consistent with the General Plan and is compatible with the surrounding zoning and land uses.

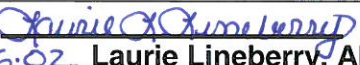
SUGGESTED MOTION:

Motion to **APPROVE** the rezoning from the Agriculture (AG) District to the Limited Commercial (B-1) District, because of the reasons stated in the staff report.

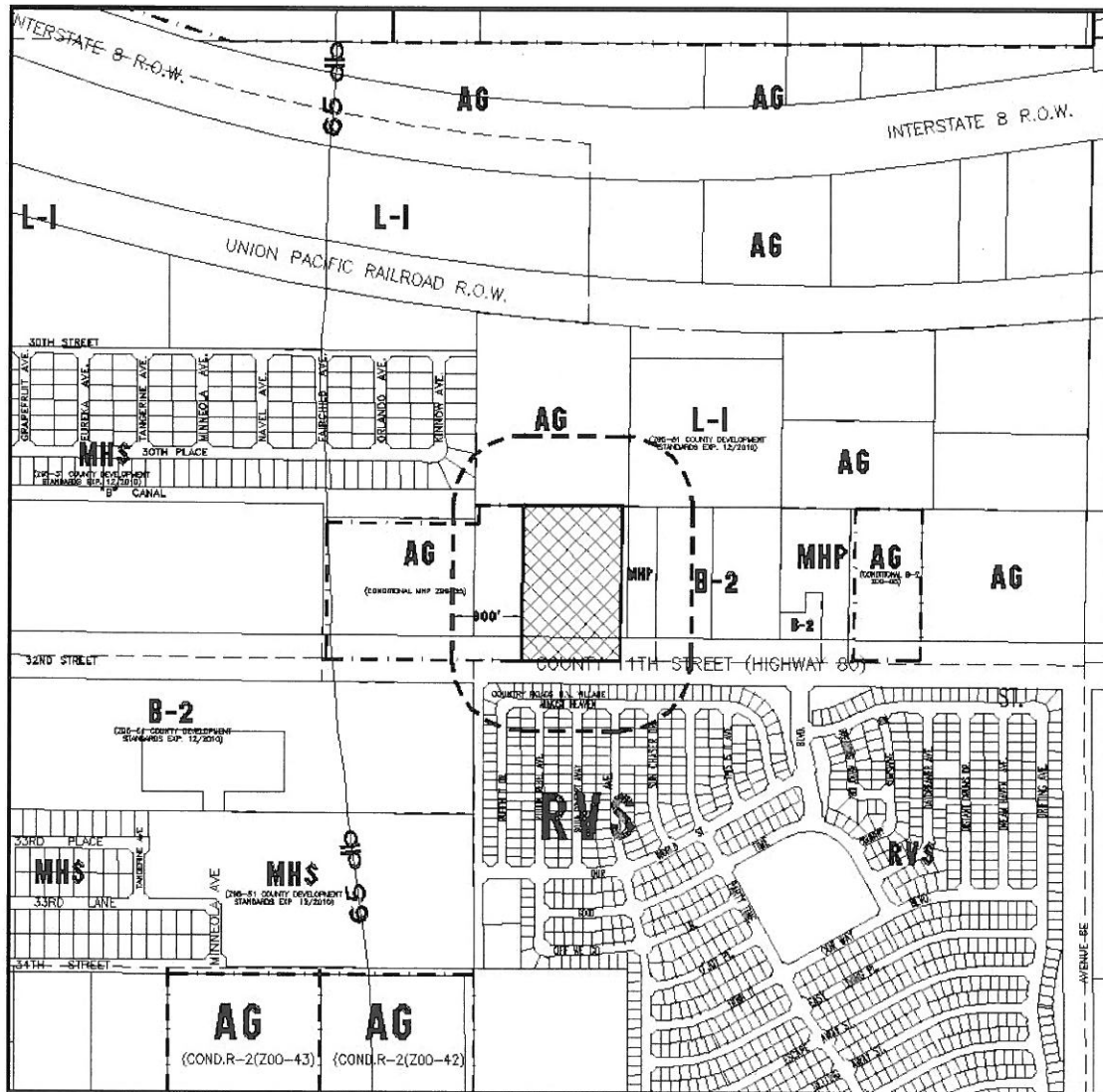
ATTACHMENTS:

- A. Location Map
- B. Conditions of Approval
- C. Aerial Photo (Planning and Zoning Commission Only)

PREPARED BY: 
Date: 12/26/02 Scott Langford

REVIEWED BY: 
Date: 12.26.02 Laurie Lineberry, AICP

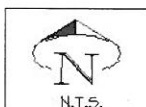
ATTACHMENT A LOCATION MAP



LOCATION MAP



LOCATION OF SUBJECT PROPERTY



Prepared by: *E.G.*

Checked by:



Date: 12-06-02

Revised:

Revised:

Case no.:

Z2002-017

ATTACHMENT B 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:

1. A one-foot (1') non-access easement shall be provided over the entire 32nd Street frontage with the exception of any access approved by the Department of Community Development.
2. A Traffic Impact Analysis (traffic study) shall be conducted in accordance with City of Yuma Construction Standard No. 2-100 and the latest edition of the ADOT Traffic Impact Analysis for the proposed development. All suggested improvements outlined by the Traffic Impact Analysis shall be constructed by the applicant.
3. A raised median covenant shall be recorded on the property that acknowledges that medians are anticipated to be constructed within 32nd Street adjacent to the property, which may limit left turning movements into and out of the site.
4. The applicant/developer shall make a contribution for the traffic signal at the intersection of Avenue 5 ½ E and 32nd Street in the amount of \$1,080, which is equivalent to \$200.00 per acre.
5. The south half of the 'B' Canal, approximately forty-six feet (46'), along the north property line shall be dedicated to the City of Yuma, by plat or by warranty deed, to facilitate the future development of the linear park.
6. One hundred foot (100') half width roadway easement for 32nd Street shall be converted into fee title right-of-way dedicated to the City of Yuma.

Each of the conditions listed above shall be completed within three (3) years of the effective date of the rezoning ordinance or as provided for in a development agreement. In the event the conditions are not completed within this time frame, the applicable rezoning shall be null and void.

ATTACHMENT C
1998 AERIAL PHOTO

