

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

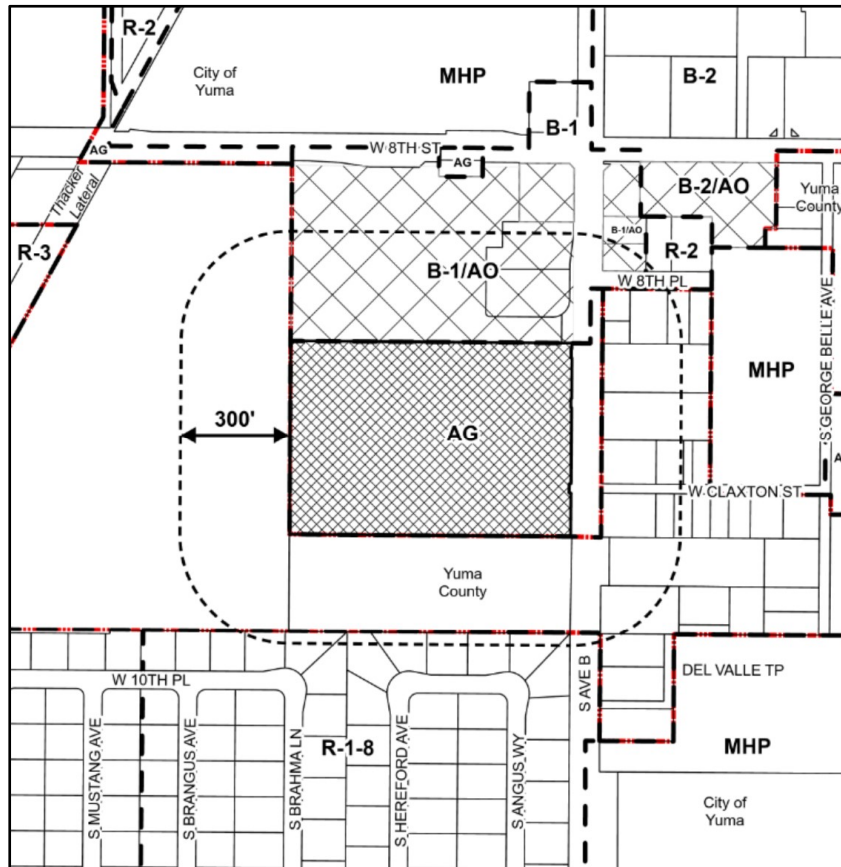
Hearing Date: January 13, 2025

Case Number: ZONE-43337-2024

Project Description/ Location: This is a request by Osman Engineering on behalf of Bio Realty Group, LLC, to rezone approximately 9.39 acres from the Agriculture (AG) District to the Limited Commercial (B-1) District for the property located at 920 S. Avenue B, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Vacant	Mixed Use
North	Limited Commercial (B-1)/ Aesthetic Overlay (AO)	Walmart Neighborhood Market	Mixed Use
South	County Limited Commercial (C-1)	Agriculture	Low Density Residential
East	County Limited Commercial (C-1)	Restaurants, offices, single-family homes	Mixed Use, Medium Density Residential
West	County Manufactured Home Park (MHP)	Friendly Acres RV Resort	Medium Density Residential

Location Map



Prior site actions: Pre-Development Meeting, March 17, 2022; Annexation Ordinance O2022-035, effective December 16, 2022; General Plan Amendment R2023-008, adopted March 1, 2023; Pre-Development Meeting, October 3, 2024; Bio Clinic Lot Tie, recorded February 14, 2024

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

Suggested Motion: Move to **APPROVE** Rezone ZONE-43337-2024 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 approximately 9.39 acres from the Agriculture (AG) District to the Limited Commercial (B-1) District for the property located at 920 S. Avenue B, 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 at 920 S. Avenue B and is approximately 9.39 acres. The property was annexed into the City of Yuma on December 16, 2022, and in 2023 was the subject of a General Plan Amendment to change the designated land use from Low Density Residential to Mixed Use.

With this request the applicant is seeking to rezone the property from the Agriculture (AG) District to the Limited Commercial (B-1) District for development of medical facilities. The applicant intends to develop the property in four phases, starting with a two-story medical office building with a 18,007-square-foot footprint. Later phases involve a two-story surgery center with a 7,000-square-foot footprint, a 25,000-square-foot micro-hospital, a helipad, and an 8,000-square-foot dialysis center.

While the applicant intends to develop the property for medical facilities, the rezone to Limited Commercial (B-1) will allow for a variety of commercial activities, such as restaurants, retail stores, and offices. In the Limited Commercial (B-1) District, medical offices and clinics are permitted uses. Hospital uses are required to go through the Conditional Use Permit (CUP) process. All new development will be required to meet City of Yuma development standards, including building setbacks, height limitations, paved access, parking, lighting, and landscaping.

The request to rezone the property from the Agriculture (AG) District to the Limited Commercial (B-1) 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:				Mixed Use					
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
Avenue B – Minor Arterial	50 FT HW	50 FT HW				X
Bicycle Facilities Master Plan	Avenue B: Proposed Bike Lanes					
YCAT Transit System	Avenue B: Green Route 4; W. 8 th Street: Purple Route 6A					
Issues:						

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: Joe Henry Memorial Park				Future: Joe Henry Memorial Park					
Linear Park:	Existing: East Main Canal Linear Park				Future: Thacker Lateral					
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:										
<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		Projected	Police	Water		Wastewater	
			<i>Non-residential</i>		Population	Impact	Consumption		Generation	
			Maximum	Per Unit		Officers	GPD	AF	GPD	
			10	0	0	0.00	0	0.0	0	
			Minimum							
			5	0	0	0.00	0	0.0	0	
Fire Facilities Plan:	Existing: Fire Station No. 4				Future: Fire Station 10					
Water Facility Plan:	Source:	City	X	Private	Connection:	24" PVC on Avenue B and 12" AC on Avenue B				
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 10" Avenue B				
Issues: Utility extensions required to the site, currently on septic system. Manhole located approximately 584' south of the south property line on east side of Avenue B.										
Safety Element:										
Flood Plain Designation:	500 Year Flood Zone			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:									

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. A General Plan Amendment was approved on March 1, 2023 that changed the land use designation from Low Density Residential to Mixed Use.

Public Comments Received: None Received

External Agency Comments: None Received

Neighborhood Meeting Comments: See Attachment E

Proposed conditions delivered to applicant on: 12/12/24

Final staff report delivered to applicant on: 12/27/24

- Applicant agreed with all of the conditions of approval on: 12/17/24
- Applicant did not agree with the following conditions of approval:
- If the Planner is unable to make contact with the applicant

Attachments

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

Prepared By: *Meredith Burns* **Date:** 12/23/24
Meredith Burns
Assistant Planner (928) 373-5000, x3047
Meredith.Burns@yumaaz.gov

Reviewed By: *Jennifer L. Albers* **Date:** 12/23/24
Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville* **Date:** 12/26/24
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.

Department of Engineering, Andrew McGarvie, Engineering Manager, (928) 373-5000 x 3044

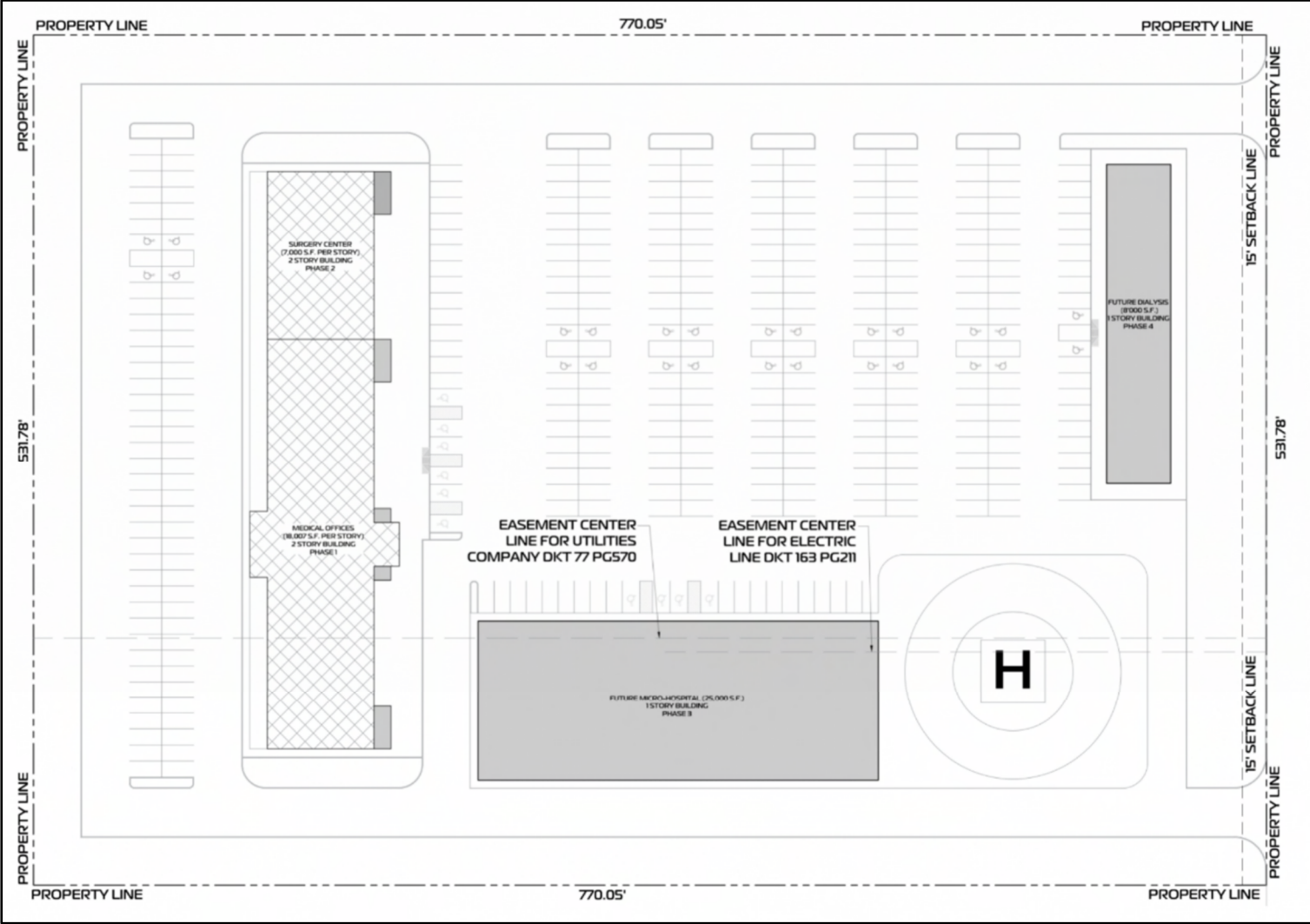
3. The Owner/Developer shall provide a Traffic Impact Statement providing peak hour traffic count based on the Trip Generation Manual from the Institute of Transportation Engineers, sealed by an Arizona Engineer with Traffic Experience. Mitigation of the traffic impact shall be approved by the City Engineer prior to building permits being issued.
4. If the peak hour traffic count exceeds 100 vehicles per hour, then the Owner/Developer shall submit a full Traffic Study with onsite and offsite mitigation recommendations as required by City construction standard 2-040, sealed by and Arizona traffic Engineer. The Owner/Developer will be responsible for the needed onsite and offsite improvements, prior to the building permits being issued.
5. Owner/Developer shall design and construct a southbound to westbound turn lane along the Avenue B frontage including any traffic striping and signage as needed for safe ingress and egress of the site.

Community Planning, Meredith Burns, Assistant Planner, (928) 373-5000 x 3047

6. 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



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 12/27/24
- **300' Vicinity Mailing:** 11/25/24
- **34 Commenting/Reviewing Agencies noticed:** 11/27/24
- **Site Posted on:** 12/03/24
- **Neighborhood Meeting:** 12/10/24
- **Hearing Date:** 01/13/25
- **Comments due:** 12/09/24

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	11/27/24	X		
Yuma County Engineering	NR				
Yuma County Public Works	YES	12/02/24	X		
Yuma County Water Users' Assoc.	YES	12/02/24	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	12/02/24	X		
Ft. Yuma Quechan Tribe	YES	11/29/24	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	YES	12/11/24		X	X
Fire	YES	12/03/24	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D
AGENCY COMMENTS**

DATE:	12/11/2024	NAME:	Andrew McGarvie	TITLE:	Engineering Manager
AGENCY:	City of Yuma, Development Engineering		PHONE:	928-373-5000 ext. 3044	
<i>Enter comments below:</i>					
<p>1). The Owner/Developer shall provide a Traffic Impact statement providing peak hour traffic count based on the Trip Generation Manual from the Institute of Transportation Engineers, sealed by an Arizona Engineer with Traffic Experience. Mitigation of the traffic impact shall be approved by the City Engineer prior to building permits being issued.</p> <p>2). If the peak hour traffic count exceeds 100 vehicles per hour, then the Owner/Developer shall submit a full traffic study with onsite and offsite mitigation recommendations as required by City construction standard 2-040, sealed by and Arizona traffic Engineer. The Owner/Developer will be responsible for the needed onsite and offsite improvements, prior to the building permits being issued.</p> <p>3). Owner/Developer shall design and construct a southbound to westbound turn lane along the Avenue B frontage including any traffic striping and signage as needed for safe ingress and egress of the site.</p>					

ATTACHMENT E
NEIGHBORHOOD MEETING COMMENTS

Date Held: 12/10/24

Location: On-site (920 S. Avenue B)

Attendees: Meredith Burns, Erika Peterson, Ibrahim Osman, Mamoun Hamid

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

- NO NEIGHBORS IN ATTENDANCE. NO COMMENTS OR QUESTIONS.

**ATTACHMENT F
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City/State/Zip Code
AGUAYO SAMANTHA M	2440 W 11TH ST	YUMA, AZ 85364
ATCHLEY MARY F UND 1/4 INT	1111 PALM AVE	YUMA, AZ 85364
BIO REALTY GROUP LLC	PO BOX 669	YUMA, AZ 85366
CJ TRUST 10-20-2022	4427 E VERBENA ST	YUMA, AZ 85365
CJ TRUST 10-20-2022	4427 E VERBENA ST	YUMA, AZ 85365
CRUZ ARMANDO S & MARIA J JT	1046 S 13TH AVE	YUMA, AZ 85364
DOUBLE R PRO INVESTMENTS LLC	919 S AVE B	YUMA, AZ 85364
FELIX MATTHEW & VERONICA CPWROS	1031 S BRAHMA LN	YUMA, AZ 85364
FLETES ISELA	108 CEDAR ST	SALINAS, CA 90905
FLORES CHRISTOPHER L & SUSAN R TRUST 3-26-2010	1050 S HEREFORD AVE	YUMA, AZ 85364
FRIENDLY ACRES MOBILE HOME & RV PARK AZ LLC	77 W CHICAGO ST #4	CHANDLER, AZ 85225
GREENE STACY	2704 W 10TH PL	YUMA, AZ 85364
HOEFT DAVID R	2660 W 10TH PL	YUMA, AZ 85364
HOWRY TRUST 3-4-2024	2520 W 10TH PL	YUMA, AZ 85364
JARAMILLO JOSE LUIS	2445 W CLAXTON ST	YUMA, AZ 85364
KHUBIR SHWAN	2241 S AVENUE A SUITE 12	YUMA, AZ 85364
LARA DAVID A & ESTELA L TRUST 1-24-01	PO BOX 3748	SAN LUIS, AZ 85349
LARA DAVID A & ESTELA L TRUST 1-24-2001	PO BOX 3748	SAN LUIS, AZ 85349
LARA DAVID A & ESTELLA L TRUST 1-24-01	1997 W 15TH PL	YUMA, AZ 85364
MCBRIDE JACKI L	1051 S ANGUS WAY	YUMA, AZ 85364
NUNEZ FRANSOANY	2508 W 10TH PL	YUMA, AZ 85364
OLIN JOHN & RUTH JT	2504 W 10TH PL	YUMA, AZ 85364
RAMOS MARTIN & LETICIA TRUST 11-3-00	2495 W 4TH PLACE	YUMA, AZ 85364
RODRIGUEZ ANGELICA I	2457 W 8TH PL	YUMA, AZ 85364
RUEDA EDGAR	2676 W 10TH PL	YUMA, AZ 85364
SAGE GLEE L TRUST	2402 W CLAXTON ST	YUMA, AZ 85364
SIEMENS BONNIE C TRUST 2-10-09	2512 W 10TH PL	YUMA, AZ 85364
VELASCO JOSE W & ANGELICA M	2452 W 18TH PL	YUMA, AZ 85364
WAL-MART STORES INC DE CORP	PO BOX 8050	BENTONVILLE, AR 72712
WAL-MART STORES INC DE CORP	PO BOX 8050	BENTONVILLE, AR 72712
WAL-MART STORES INC DE CORP	PO BOX 8050 MS 0555	BENTONVILLE, AR 72712
WARNER ANTONIA F	3800 W FRANCIS ST	YUMA, AZ 85364
YUMA MUSIC MAN LLC	949 S AVE B	YUMA, AZ 85364

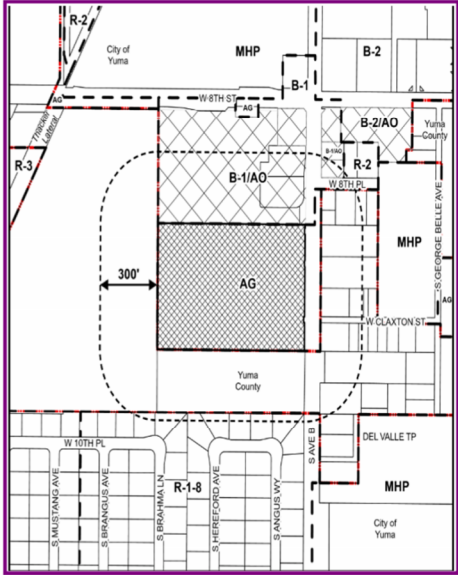
**ATTACHMENT G
NEIGHBOR MAILING**

This is a request by Osman Engineering on behalf of Bio Realty Group, LLC, to rezone approximately 9.39 acres from the Agriculture (AG) District to the Limited Commercial (B-1) District for the property located at 920 S. Avenue B, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-43337-2024**

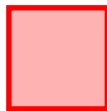
**NEIGHBORHOOD MEETING
12/10/2024 @ 5PM
On-Site**

**PUBLIC HEARING
01/13/2025 @ 4:30 PM
Public Works, Training Room,
155 W. 14th Street, Yuma, AZ.**



Because you are a neighbor within 300' of 920 S. Avenue B, 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 Meredith Burns by phone at (928) 373-5000 ext. 3047 or by email at Meredith.Burns@YumaAz.gov

ATTACHMENT H
AERIAL PHOTO



Subject Property