

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

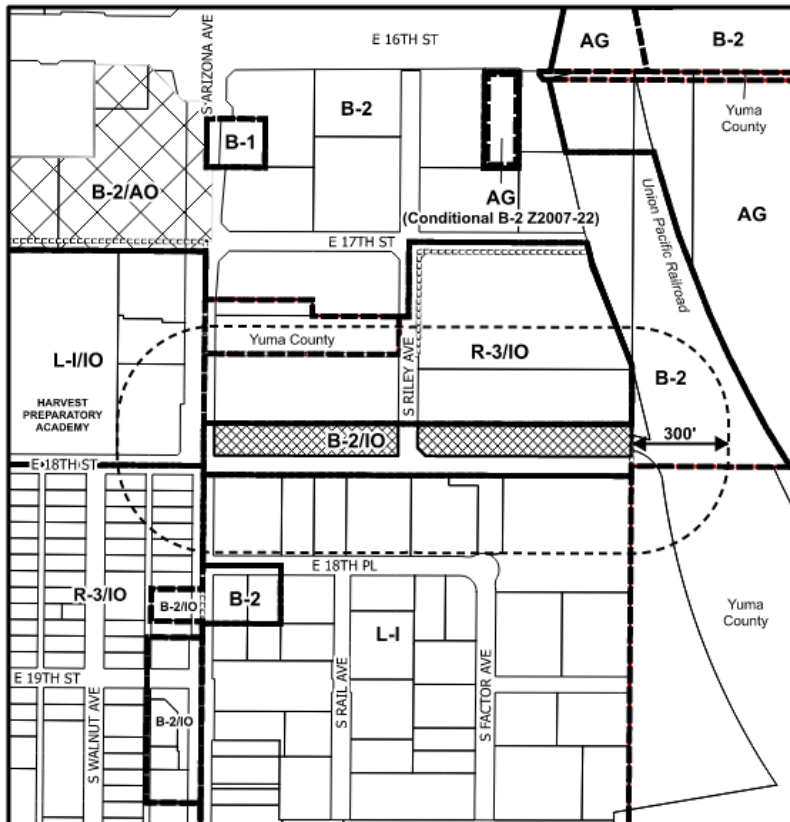
Hearing Date: February 12, 2024

Case Number: ZONE-42076-2023

Project Description/Location: This is a request by Dahl, Robins & Associates, Inc. on behalf of Bruce and Linda Butcher, to rezone approximately 2.82 acres from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, for a portion of the properties located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	General Commercial/Infill Overlay (B-2/IO) District	Undeveloped	High Density Residential
North	High Density Residential (R-3)	Undeveloped	High Density Residential
South	Light Industrial (L-I) District	Retail and industrial uses	Industrial
East	General Commercial (B-2) District	Union Pacific Railroad	Commercial
West	Light Industrial (L-I) District	Church	Commercial

Location Map



Prior site actions: Pre-Development Meeting: 9/29/2022; Annexation: Ordinance O2023-004 (3/17/2023); General Plan Amendment: Resolution R2023-052 (12/15/2023)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the General Commercial/Infill Overlay (B-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-42076-2023 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 rezone approximately 2.82 acres from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District for a portion of the properties located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street, 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 at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street. In their entirety, the subject parcels are approximately 8.19 acres. However, the requested rezone only relates to a portion of the properties, 2.82 acres as indicated. The portion of subject properties were recently part of a Major General Plan Amendment which was approved on November 15, 2023, changing the land use designation from Commercial to High Density Residential.

With this request, the applicant is seeking to rezone the subject areas to the High Density Residential (R-3) District, with the intent to develop the properties with a multi-family residential development, while maintaining the existing Infill Overlay (IO) District.

Some permitted principal uses in the High Density Residential (R-3) District are as follows: one single-family dwelling, one two-family dwelling, multi-family dwellings, schools, parks, and community gardens.

As discussed in further detail in §154-07.03, the following are some of the main development standards required of development within the High Density Residential (R-3) District:

1. The density within the High Density Residential (R-3) District shall be 13 to 30 dwelling units/acres (meeting the density as identified in the General Plan);
2. The maximum lot coverage in the High Density Residential (R-3) District shall be 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 percentages listed above, provided that the total lot coverage does not exceed 50% of the lot area;
3. A minimum front yard setback of twenty feet;
4. The minimum side yard setbacks of 7 feet;
5. A minimum rear yard setback of ten feet;
6. A minimum street side yard setback of ten feet.

The request to rezone the property from the General Commercial (B-2) District to the High Density Residential (R-3) 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
Arizona Avenue- Collector		40 FT HW	33 FT HW				X
18 th Street- Local		29 FT HW	30 FT HW				
Bicycle Facilities Master Plan		Arizona Avenue - Proposed bike lane					
YCAT Transit System		Arizona Avenue- Green Route 4A					
Issues:		Right-of-way dedication will be needed along Arizona Avenue.					

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: Joe Henry Optimist Park				Future: Joe Henry Optimist Park			
Community Park:		Existing: Kennedy Park				Future: Kennedy Park			
Linear Park:		Existing: East Mesa Canal Linear Park				Future: "B" Canal Linear Park			
Issues:		None							
Housing Element:									
Special Need Household:		N/A							
Issues:		None							
Redevelopment Element:									
Planned Redevelopment Area:		N/A							
Adopted Redevelopment Plan:		North End:		Carver Park:		None:		X	
Conforms:		Yes		No		N/A			
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 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>Multi-Family</i>		Population	Impact	Consumption		Generation
	Maximum	Per Unit		Officers	GPD	AF	GPD
	84	1.6	134	0.25	27,821	31.2	9,408
	Minimum						
	36	1.6	58	0.11	11,923	13.4	4,032
Fire Facilities Plan:	Existing: Fire Station No. 3			Future: Fire Station No. 3			
Water Facility Plan:	Source:	City	X	Private	Connection:	8" PVC on Riley Ave., 36" PVC of 18 th St & 24" on Arizona Ave	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 12" PVC on 17 th St and 12" PVC on Riley Ave	
Issues:	None						
Safety Element:							
Flood Plain Designation:	500 Year Flood			Liquefaction Hazard Area:	Yes	No	X
Issues:	None						
Growth Area Element:							
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 th St	X	Avenue B & 32 nd St.	
	North End		Pacific Ave & 8 th St		Estancia	None	
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. A General Plan Amendment which was approved on November 15, 2023, changing the land use designation from Commercial to High Density Residential.

Public Comments Received: None Received.

External Agency See Attachment C.

Comments:

Neighborhood Meeting No Meeting Required.

Comments:

Proposed conditions delivered to applicant on: 12/28/2023

Final staff report delivered to applicant on: 1/9/2024

- Applicant agreed with all of the conditions of approval on: 1/11/2024
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant –

Attachments

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

Prepared By: *Erika Peterson*

Date: 1/8/2024

Erika Peterson
Associate Planner

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

Reviewed By: *Jennifer L. Albers*

Date: 1/9/24

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 01/11/2023

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, Erika Peterson, Associate Planner, (928) 373-5000 x3071

3. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance.

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** 12/29/2023
- **300' Vicinity Mailing:** 12/4/2023
- **34 Commenting/Reviewing Agencies noticed:** 12/7/2023
- **Site Posted on:** 1/16/2024
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 1/22/2024
- **Comments due:** 12/18/2023

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	12/7/2023	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	12/7/2023	X		
Yuma County Planning & Zoning	YES	12/7/2023	X		
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	12/11/2023	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	12/28/2023		X	
Fire	YES	12/7/2023	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	12/11/2023			X
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT C
AGENCY COMMENTS**


Conditions of approval must be written in the form of a formal condition for use in staff's report. Your conditions will be used verbatim. If you also have a comment, please indicate below.

Condition(s)

No Condition(s)

Comment

Enter conditions here: Subject parcel (APN 665-37-031) is located near a known flight path. It is requested an Avigation Disclosure statement be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE:	11 Dec 2023	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2103				
RETURN TO:	Erika Peterson				
	Erika.Peterson@YumaAZ.gov				

**ATTACHMENT D
NEIGHBOR NOTIFICATION LIST**

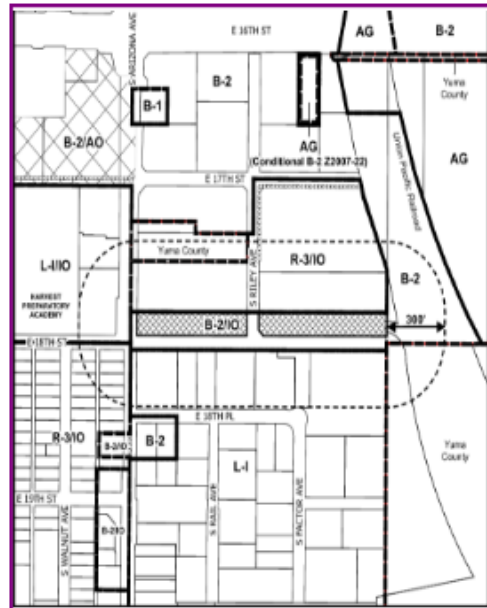
Property Owner	Mailing Address		City/State/Zip Code	
AMERICAN BUILDERS & CONTRACTORS SUPPLY CO INC	ONE ABC PARKWAY	BELOIT	WI	53511
BEJ FAMILY AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
BEJ FAMILY AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
BEJ FAMILY LLC AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
BEJ FAMILY LLC AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
CARRUTHERS JAMES R & JACQUELINE	800 E COUNTRY CLUB DR UNIT 18	YUMA	AZ	85365
CITIZENS TITLE & TRUST NO 398	1101 W 16TH ST	YUMA	AZ	85364
CITIZENS TITLE & TRUST NO 398	1101 W 16TH ST	YUMA	AZ	85364
CITIZENS TITLE & TRUST NO 398	1101 W 16TH ST	YUMA	AZ	85364
DI-MARK OF YUMA AZ LLC	660 E 18TH PL STE A	YUMA	AZ	85365
E & C NEGRONI LLC	2616 N OAKMONT DR	FLAGSTAFF	AZ	86004
HARVEST POWER COMMUNITY DEVELOPMENT	350 E 18TH ST	YUMA	AZ	85364
HUTCHESON DOUGLAS E & NANCY I JT	1813 S WALNUT AVE	YUMA	AZ	85364
MC CAIN MARTHA LOU	690 E 18TH PL	YUMA	AZ	85365
MCNEEL KAREN J ETAL	1466 S 8TH AVE	YUMA	AZ	85364
MCNEEL KAREN J ETAL	1466 S 8TH AVE	YUMA	AZ	85364
POWER HOUSE CHURCH OF YUMA INC	1798 S ARIZONA AVE	YUMA	AZ	85364
UNION PACIFIC RAILROAD CO	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179
UNION PACIFIC RAILROAD CO	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179
USA	7341 E 30TH ST STE A	YUMA	AZ	85365
USA	7341 E 30TH ST STE A	YUMA	AZ	85365
VALENZUELA MARIA DE JESUS & VERDUZCO ISRAEL FRIAS	PO BOX 223	BEARDSTOWN	IL	62618
YUMA CITY OF	1805 S WALNUT AVE	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364

**ATTACHMENT E
NEIGHBOR MAILING**

This is a request by Dahl, Robins & Associates, Inc. on behalf of Bruce and Linda Butcher, to rezone approximately 2.82 acres from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, for a portion of the properties located at located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42076-2023**

PUBLIC HEARING
01/22/2024 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 1749 S. Arizona Avenue and the northeast corner of Riley Avenue & 18th Street, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Erika Peterson by phone at (928) 373-5000 ext. 3071 or by email at Erika.Peterson@YumaAz.gov

ATTACHMENT F
AERIAL PHOTO

