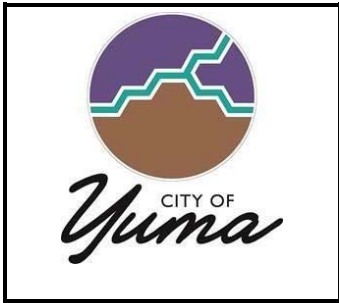


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on August 23, 2021, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.



Agenda
Planning and Zoning Commission Meeting
City Hall Council Chambers
One City Plaza Yuma, AZ
Monday, August 23, 2021, 4:30 p.m.

A. CALL TO ORDER

B. CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

B.1 APPROVAL OF MINUTES –

August 9, 2021

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES – NONE

B.5 APPROVALS – NONE

C. ACTION ITEMS – NONE

D. PUBLIC HEARINGS –

D.1 **GP-34714-2021**: This is a General Plan Amendment request by Nicklaus Engineering, Inc. on behalf of Perricone Heritage Properties, to change the land use designation from Medium Density Residential to Commercial for approximately 10.8 acres for property located east of the northeast corner of Araby Road and Interstate 8. (This is the first of two public hearings.) (Continued from August 9, 2021)

D.2 **GP-34792-2021**: This is a General Plan Amendment request by Dahl, Robins and Associates on behalf of Smoketree Desert Land LLC, to change the land use designation from Low Density Residential to Medium Density Residential for approximately 26.96 acres for property located at the northeast corner of 40th Street and Avenue 7E. (This is the second of two public hearings.)

E. INFORMATION ITEMS

E.1 STAFF

E.2 COMMISSION

E.3 Public – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 36-431.03(A)(3).

**Planning and Zoning Commission Meeting Minutes
August 9, 2021**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday August 9, 2021, at Arizona Western College, 2020 S Ave 8E, Building 3C, Schoening Conference Center, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel, and Commissioners Lorraine Arney, Gregory Counts, Joshua Scott, Branden Freeman. Vice-Chairman Fred Dammeyer and Commissioner Barbara Beam were absent.

STAFF MEMBERS present included Scott McCoy, Assistant City Attorney; Alyssa Linville, Assistant Director DCD; Jennifer Albers, Principal Planner; Robert Blevins, Principal Planner; Chad Brown, Associate Planner; and Lizbeth Sanchez, Administrative Specialist.

Chairman Hamel called the meeting to order at 4:30 p.m., and noted there was a quorum present.

CONSENT CALENDAR

MINUTES – July 12, 2021

WITHDRAWALS BY APPLICANT – None

CONTINUANCES –

ZONE-35433-2021: *This is a request by Dahl, Robins, and Associates, on behalf of the Palms RV Resort Development, Inc., to rezone approximately 7.8 acres from the General Commercial (B-2) District to the Recreational Vehicle Subdivision (RVS) District, for the property located at the southeast corner of E. 32nd Street and S. Michigan Avenue, Yuma, AZ. (Continued to November 22, 2021)*

GP-34714-2021: *This is a General Plan Amendment request by Nicklaus Engineering, Inc. on behalf of Perricone Heritage Properties, to change the land use designation from Medium Density Residential to Commercial for approximately 10.8 acres for property located east of the northeast corner of Araby Road and Interstate 8. (Continued to August 23, 2021.)*

APPROVALS – None

Motion by Counts, second by Arney to APPROVE the Consent Calendar as amended. Motion carried unanimously, (5-0) with two absent.

Action Items –

ZONE-35018-2021: *This is a request by Shelly Gillman, on behalf of Mallappa Neelappa, for a rezone of two properties: (1) a 0.60 acre property from the Transitional (TR) District to the Medium Density Residential (R-2) District, for the property located at 2186 W. 24th St.; (2) a 0.58 acre property from the Limited Commercial (B-1) District to the Medium Density Residential (R-2) District, for the property located at 2212 W. 24th St., Yuma, Arizona.*

Chad Brown, Associate Planner summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Commissioner Freeman asked staff how many units are allowed for this parcel. **Brown** responded approximately ten units.

APPLICANT/APPLICAN'TS REPRESENTATIVE

Patricia Swanson, on behalf of the applicant stated that the proposed development would be for residential condominiums, and mentioned that they have placed a fence around the property to keep vagrants out. **Swanson** then said she was available for questions.

Commissioner Counts asked Dr. Neelappa if he understood the concerns of the neighbors. **Dr. Neelappa** replied that he understood and noted that traffic won't be an issue. **Dr. Neelappa** stated that this project would be a great asset for the Yuma Community. **Counts** asked if they were building condominiums. **Dr. Neelappa** replied yes, ten units.

PUBLIC COMMENT

Barry Olsen, 101 E. 2nd Street requested staff to put an aerial photo of the parcel on the screen (photo was shown on screen) **Olsen** said that the photo exemplifies his concerns as to why residential condominiums should not be built on this lot. **Olsen** said he commends Dr. Neelappa for his effort in building on this vacant lot but mentioned that this area was not right for residential condominiums. **Olsen** stated that all of the surrounding areas consist of professional or office space and that building a multi-family residential project on this lot is not good planning. **Olsen** suggested that Dr. Neelappa build some sort of medical or professional development.

Chairman Hamel stated that he previously agreed with this proposal because it meets City requirements. **Hamel** also mentioned that the traffic is a minor concern in the area, whether it is a residential or commercial development.

Commissioner Freeman sympathized with the neighbor of the property and his concerns about the traffic in the area, but noted that the property has been vacant for years. **Freeman** stated that he agreed with the proposed development as long as it meets City requirements.

Motion by Freeman, second by Arney to APPROVE ZONE-35018-2021. Motion carried unanimously (5-0), with two absent.

Public Hearing Items –

GP-34792-2021: *This is a General Plan Amendment request by Dahl, Robins and Associates on behalf of Smoketree Desert Land LLC, to change the land use designation from Low Density Residential to Medium Density Residential for approximately 26.96 acres for property located at the northeast corner of 40th Street and Avenue 7E. (This is the first of two public hearings.)*

Jennifer Albers, Principal Planner summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICAN'TS REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Arney, second by Counts to Close Case Number GP-34792-2021. Motion carried unanimously (5-0) with two absent.

INFORMATION ITEMS

Staff

None

Commission

None

Public

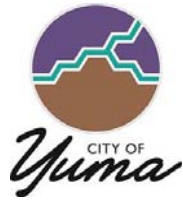
None

ADJOURNMENT

Hamel adjourned the meeting at 4:54 p.m.

Minutes approved this _____ day of _____, 2021

Chairman



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

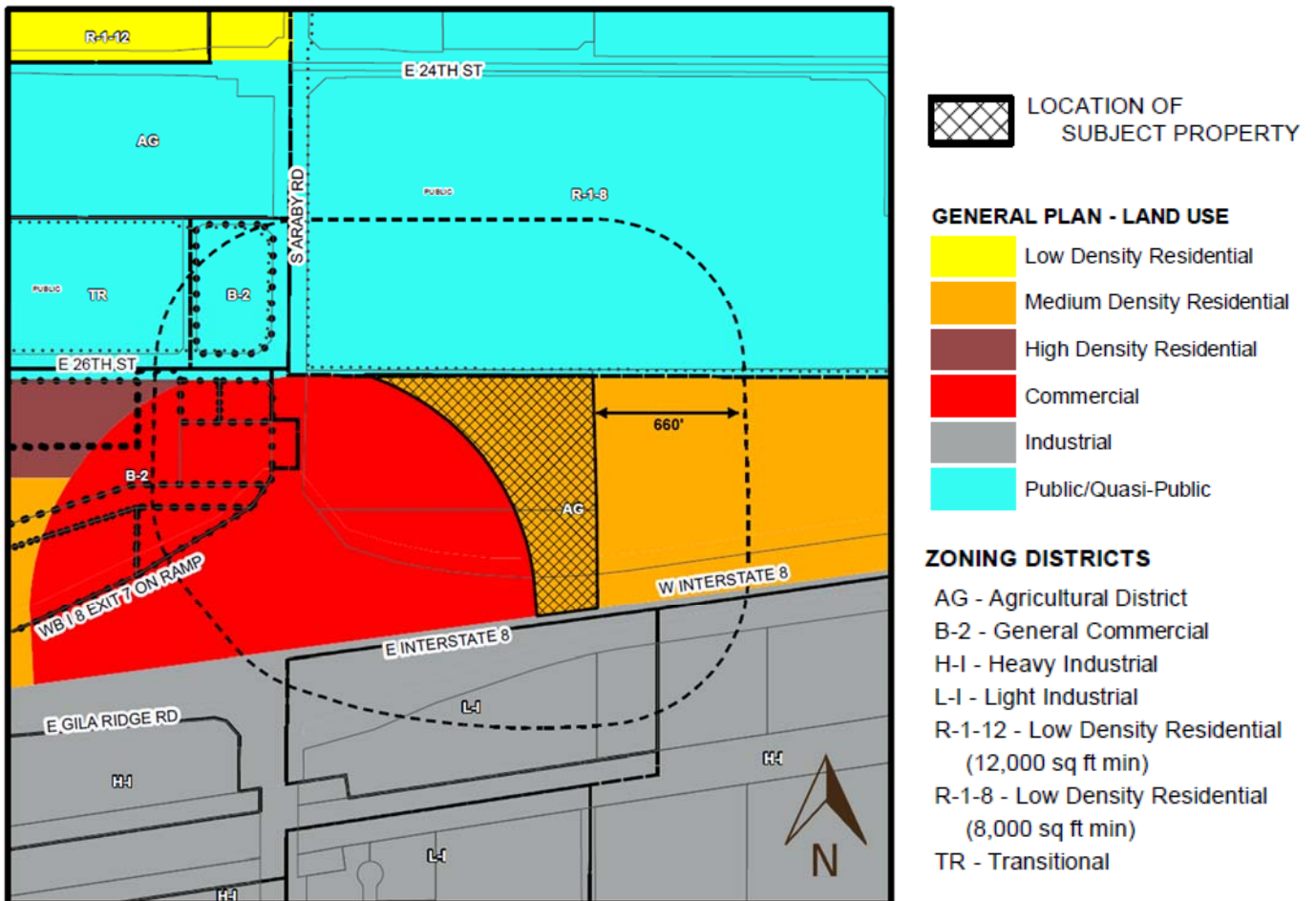
Hearing Date: August 23rd, 2021

Case Number: GP-34714-2021

Project Description/Location: This is a General Plan Amendment request by Nicklaus Engineering, Inc. on behalf of Perricone Heritage Properties, to change the land use designation from Medium Density Residential to Commercial for approximately 10.8 acres for property located east of the northeast corner of Araby Road and Interstate 8.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Undeveloped	Medium Density Residential and Commercial
North	Low Density Residential (R-1-8)	Undeveloped	Public/Quasi-Public
South	Light Industrial (L-I)	Interstate 8	Industrial
East	Agriculture (AG)	Undeveloped	Medium Density Residential
West	General Commercial (B-2)	Circle K and future hospital	Commercial

Location Map



Prior site actions: Annexation Ordinance O99-29 July 2, 1990

Staff Recommendation: Staff recommends the Planning and Zoning Commission take public comment at this, the first of two public hearings. The second public hearing will be held on August 23, 2021.

Suggested Motion: Move to close the first public hearing on this general plan amendment request.

Staff Analysis: This is a General Plan Amendment request by Nicklaus Engineering, Inc. on behalf of Perricone Heritage Properties, to change the land use designation from Medium Density Residential to Commercial for approximately 10.8 acres for property located east of the northeast corner of Araby Road and Interstate 8.

The existing Medium Density Residential land use designation supports the following types of zoning: Medium Density Residential (R-2 and R-2-5), Recreation Vehicle Subdivision (RVS), Manufactured Home Subdivision (MHS) and Manufactured Home Park (MHP).

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

The applicant's intent in changing the land use designation is to support the development of a retail site under a future request for General Commercial (B-2) zoning.

Density

The current land use designation of Medium Density Residential would allow from 54 to 139 dwelling units to be constructed on the subject 10.8 acres. The requested Commercial land use designation is not expected to contain any residential dwellings.

Population

Information from the 2013-2017 American Community Survey provides data on population by housing unit type. The information shows an average household size of 2.8 persons per single-family dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Medium Density Residential:
 - Minimum 54 homes – Expected population: 151
 - Maximum 139 homes – Expected population: 389
- Commercial: Zero homes - Expected population: 0

The 2010 Census identified that 20% of the population within the City of Yuma was between 5 and 17 years of age. Therefore, the expected school-age population is estimated at:

- Medium Density Residential:
 - Minimum expected population: 151 – School Age: 30
 - Maximum expected population: 389 – School Age: 78
- Commercial:
 - Expected population: 0 – School Age: 0

Transportation

The property is located east of Araby Road and south of the 26th Street alignment. According to the City of Yuma Transportation Master Plan, Araby Road 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 2018 as 12,597 vehicles on Araby Road adjacent to the property.

Housing

The Housing Element of the City of Yuma 2012 General Plan addresses the need to provide safe, decent, sanitary, and affordable housing for all residents. And specifically Objective 1.3 notes providing a variety of housing types:

Objective 1.3: Encourage a variety of housing types to meet all socioeconomic segments of the population, considering both full time and seasonal residents.

The land use designation change requested reduces the amount of land for Medium Density Residential but reducing the amount of Medium Density Residential by 10.8 acres will not have a significant impact on the elements of the plan.

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
26 th Street (alignment)	29 FT HW	0 FT HW
Araby Road – Minor Arterial	60 FT HW	75 FT HW
Interstate 8 - Interstate	100 FT HW	Varies

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?

Yes This area has been designated with the Medium Density Residential land use designation since the adoption of the City of Yuma/Yuma County Joint Land Use Plan on September 12, 1996 (Resolution No. 96-38).


Scheduled Public Hearings:

- City of Yuma Planning and Zoning Commission: August 23, 2021
- City of Yuma Planning and Zoning Commission: September 13, 2021
- City of Yuma City Council: October 6, 2021

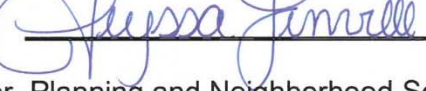
Public Comments Received: None Received
Agency Comments: See Attachment A
Neighborhood Meeting Comments: None Required

Attachments

A	B	C	D
Agency Comments	Staff Worksheet	Aerial Photo	Conceptual Plan

Prepared By: 
Jennifer L. Albers, AICP,
Principal Planner, Planning and Neighborhood Services

Date: 8/11/21

Approved By: 
Alyssa Linville,
Assistant Director, Planning and Neighborhood Services

Date: 08/11/21

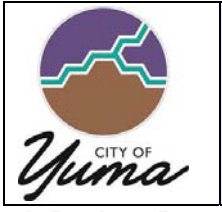
**ATTACHMENT A
AGENCY COMMENTS**

DATE:	5/19/21	NAME:	Ian Latella	TITLE:	Habitat Specialist
AGENCY:	AZGFD			PHONE:	928-580-0163
<i>Enter comments below:</i>					
<p>Prior to any ground disturbing activities, the Department would also like to encourage the City of Yuma to use the Online Environmental Review Tool (https://ert.azgfd.gov/) administered by the Department's Heritage Data Management System (HDMS). This tool is a useful resource that provides baseline information on special status species such as Arizona's Species of Greatest Conservation Need (SGCN) and Species of Economic and Recreational Importance (SERI).</p>					

DATE:	6/7/21	NAME:	Isabell Garcia	TITLE:	Development Coordinator
AGENCY:	ADOT Southwest District			PHONE:	(928) 317-2159
<i>Enter comments below:</i>					
<p>At the appropriate time (and the city may consider that it may be during the permitting process rather than the zoning process), the applicant will submit a traffic impact analysis identifying the effects of the proposed development on traffic along the state highway system, specifically, I-8 and SR 195 (begins at I-8, runs south, and is known locally as Araby Road). The ADOT Southwest District would like to review and comment on the analysis. Thank you.</p>					

DATE:	5/19/21	NAME:	Javier Barraza	TITLE:	Senior Planner
AGENCY:	Yuma County Development Services, Planning & Zoning Division			PHONE:	(928) 817-5000
<i>Enter comments below:</i>					
<p>If this project were to be in the unincorporated Yuma county, it would trigger a major amendment, since it would be considered a substantial alteration (10.8 acres), due to the increase of 8 or more acres of commercial space.</p>					

**ATTACHMENT B
STAFF WORKSHEET**



STAFF RESEARCH – GENERAL PLAN AMENDMENT

**CASE #: GP-34714-2021
CASE PLANNER: JENNIFER ALBERS**

I. Project Data

Project Location:		East of the NEC Araby Road and Interstate 8						
Parcel Number(s):		197-04-042 (part) and 197-04-043 (part)						
Parcel Size(s):		6.7 acres and 17.6 acres						
Total Acreage:		10.8						
Proposed Dwelling Units:		Maximum:	0	Minimum:	0			
Address:								
Applicant:		Perricone Heritage Properties						
Applicant's Agent:		Nicklaus Engineering, Inc.						
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	Agriculture (AG)	Undeveloped	Medium Density Residential and Commercial
North	Low Density Residential (R-1-8)	Undeveloped	Public/Quasi-Public
South	Light Industrial (L-I)	Interstate 8	Industrial
East	Agriculture (AG)	Undeveloped	Medium Density Residential
West	General Commercial (B-2)	Circle K and future hospital	Commercial

Prior Cases or Related Actions:			
Type	Conforms		Cases, Actions or Agreements
Pre-Annexation Agreement	Yes	No	N/A
Annexation	Yes	No	O99-29 Adopted 7/2/99
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: 7/9/2020
Enforcement Actions	Yes	No	N/A

Land Division Status:	Legal Lots of Record					
Irrigation District:	None					
Adjacent Irrigation Canals & Drains:	Gila Valley Canal					
Water Conversion: (5.83 ac ft/acre)	62.96 Acre Feet a Year				Not applicable	
Water Conversion Agreement Required	Yes	No	X			

II. City of Yuma General Plan

Land Use Element:

Land Use Designation:	Parcels have two designations – Medium Density and Commercial							
Issues:	Resolves issue with parcels split by two land use designations							
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
26 th Street (alignment)	29 FT HW	0 FT HW				
Araby Road – Minor Arterial	60 FT HW	75 FT HW				
Interstate 8 - Interstate	100 FT HW	Varies	X	X	X	X
Bicycle Facilities Master Plan	Araby Road – Proposed Bike Lanes					
YCAT Transit System	Araby Road – Silver Route					
Issues:	Need local road access to this future commercial center from residential development to the east.					

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Desert Ridge Park	Future: Desert Ridge Park
Community Park:	Existing: Kennedy Park	Future: North Mesa Community Park
Linear Park:	Existing: East Main Canal Linear Park	Future: Gila Valley Canal Linear Park
Issues:		

Housing Element:

Special Need Household:	N/A
Issues:	

Redevelopment Element:

Planned Redevelopment Area:	No
Adopted Redevelopment Plan:	North End: <input type="checkbox"/> Carver Park: <input type="checkbox"/> None: <input checked="" type="checkbox"/>
Conforms:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	X <input type="checkbox"/>
Renewable Energy Source	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	X <input type="checkbox"/>
Issues:			

Public Services Element:

Population Impacts Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person	Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation
	<i>Single Family</i>				Officers	GPD	
	Maximum	Per Unit					
	0	2.8	0	0.00	0	0.0	0
Minimum							
0	2.8	0	0.00	0	0.0	0	
Fire Facilities Plan:	Existing: Fire Station #5			Future: Fire Station #5			
Water Facility Plan:	Source:	City <input checked="" type="checkbox"/>	Private <input type="checkbox"/>	Connection:	Araby Road 16" line		
Sewer Facility Plan:	Treatment:	City <input checked="" type="checkbox"/>	Septic <input type="checkbox"/>	Private <input type="checkbox"/>	Connection: 26 th St Gravity Main		

Safety Element:

Flood Plain Designation:	500 Year Flood	Liquefaction Hazard Area:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	X <input type="checkbox"/>
Issues:					

Growth Area Element:									
Growth Area:	Araby Rd & Interstate 8	X	Arizona Ave & 16 th St		Avenue B & 32 nd St.				
	North End		Pacific Ave & 8 th St		Estancia		None		
Issues:									

Notification

Legal Ad Published: The Sun 7/24/21

Display Ad Published: 7/24/21

660' Vicinity Mailing: 7/12/21

54 Commenting/Reviewing Agencies noticed: 5/18/21

Site Posted: 7/26/21

Neighborhood Meeting: N/A

Hearing Dates: 8/9/21 & 8/23/21

Comments Due: 7/19/21

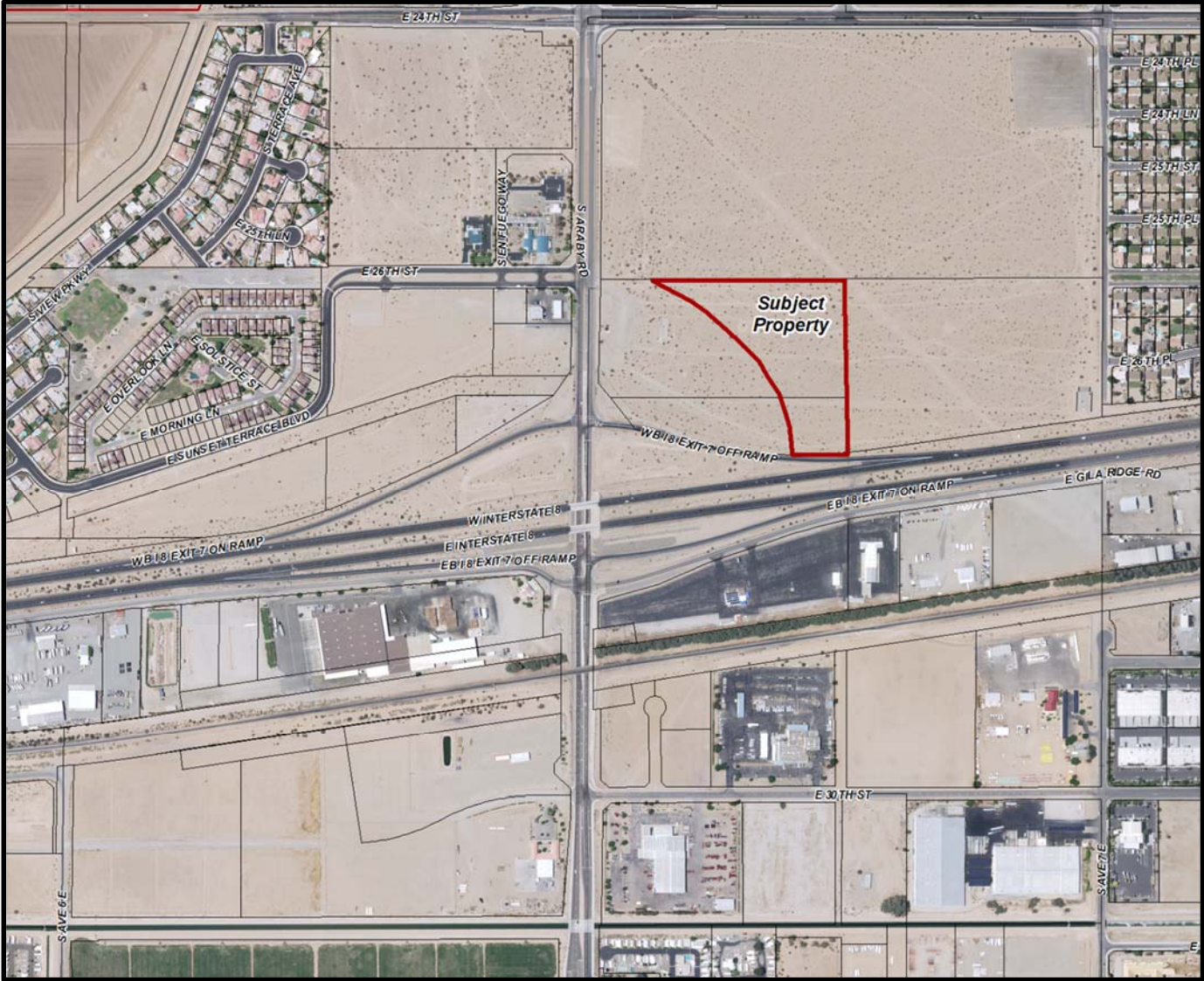
<i>External List</i>	<i>Response Received</i>	<i>Date Received</i>	<i>"No Comment"</i>	<i>Written Comments</i>
Yuma Metropolitan Planning Organization (ARS)	NR			
Yuma County Engineering	NR			
Yuma County Flood Control District	NR			
Yuma County Planning & Zoning (ARS)	Yes	5/19/21		X
Yuma County Public Works	NR			
Yuma County Airport Authority	Yes	5/20/21	X	
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	Yes	6/7/21		X
Arizona Game & Fish Dept.	Yes	5/19/21		X
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)	NR			
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	Yes	5/20/21	X	
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			
El Paso Natural Gas Co.	NR			
Western Area Power Administration	Yes	5/20/21	X	

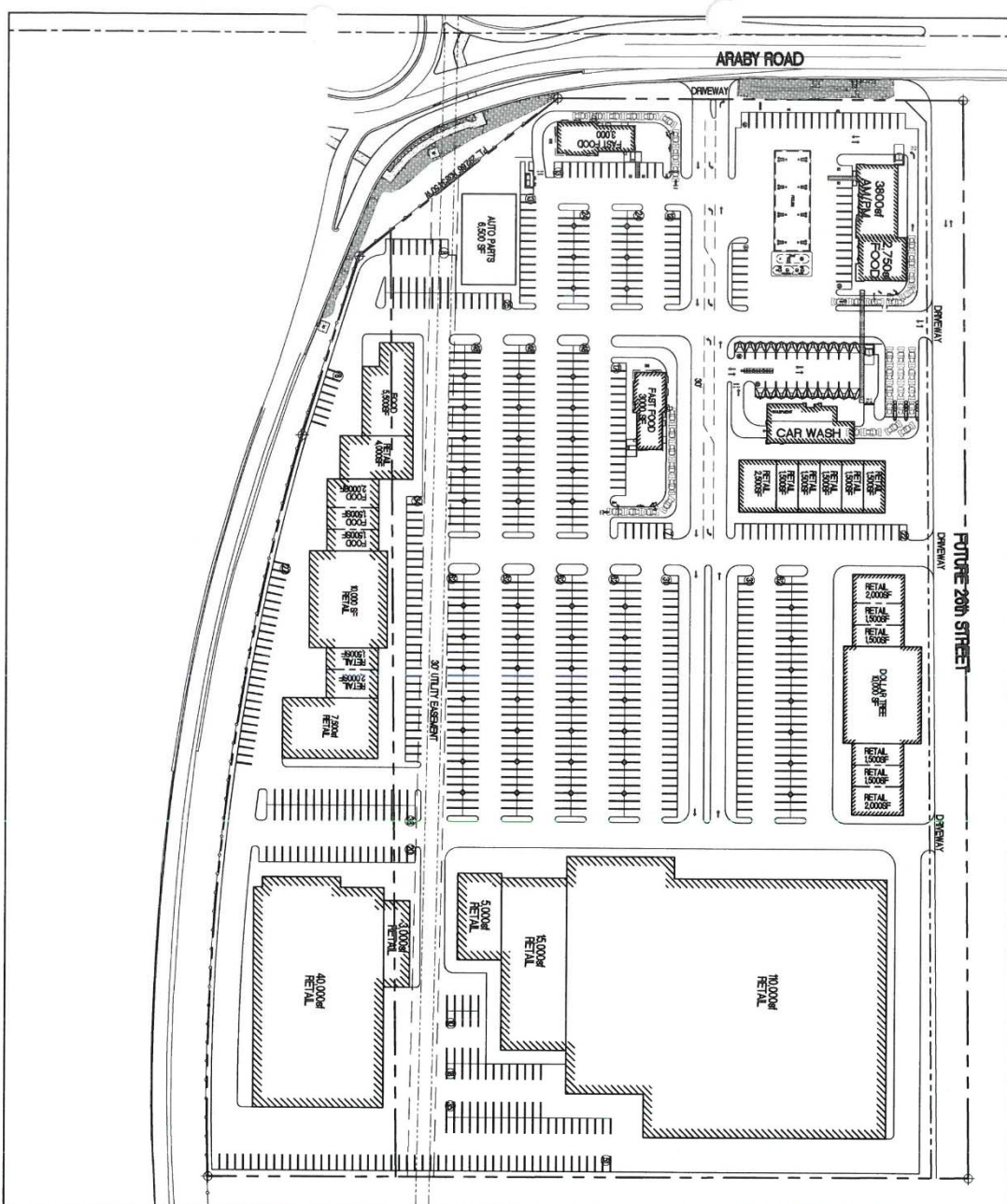
City of Yuma Internal List	Response Received	Date Received	"No Comment"	Written Comments
Susan Smith, Police	NR			
Rod Hamilton, Police	NR			
Philip Nau, Parks and Rec – Admin	NR			
Jeff Kramer, City Engineer	NR			
Traffic Engineer	NR			
Andrew McGarvie, Engineering	NR			
Kayla Franklin, Fire – Prevention	NR			
Randal Crist, DCD – Building Safety	NR			
Jeremy McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

Neighborhood Meeting	Comments Available
N/A	N/A
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

**ATTACHMENT C
AERIAL PHOTO**



ATTACHMENT D CONCEPTUAL PLAN



SITE DATA SUMMARY

DESCRIPTION	AMOUNT	UNIT
TOTAL GROSS AREA	1,042,112	SQ. FT.
TOTAL NET AREA	442,112	SQ. FT.
NET AREA PER LOT	22.1	SQ. FT.
PERCENTAGE COVER	42.4	%
PERCENTAGE OPEN SPACE	57.6	%
TOTAL PARKING SPACES	2,500	SPACES
PERCENTAGE PARKING	2.4	%
PERCENTAGE OPEN SPACE	2.5	%
PERCENTAGE COVER	2.1	%
PERCENTAGE OPEN SPACE	2.1	%
PERCENTAGE COVER	2.1	%
PERCENTAGE OPEN SPACE	2.1	%

CONSTRUCTION NOTES

- 1.00 CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL UTILITIES AND STRUCTURES BEFORE CONSTRUCTION.
- 1.01 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.02 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.03 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.04 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.05 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.06 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.07 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
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- 1.09 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.10 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.11 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.12 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.13 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.14 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.15 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.16 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.17 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.18 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.19 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 1.20 CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

Scale: 1" = 100'

North Arrow

PROJECT:
NE. COR. ARABY ROAD • INTERSTATE 8
YUMA, AZ. 85365

SITE PLAN

CJC Design, Inc.
Design Planning Permitting

22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92881
Tel: (714) 943-8843
Fax: (714) 943-8843
www.cjcdp.com

REVISIONS			
NO.	DATE	DESCRIPTION	APP.



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

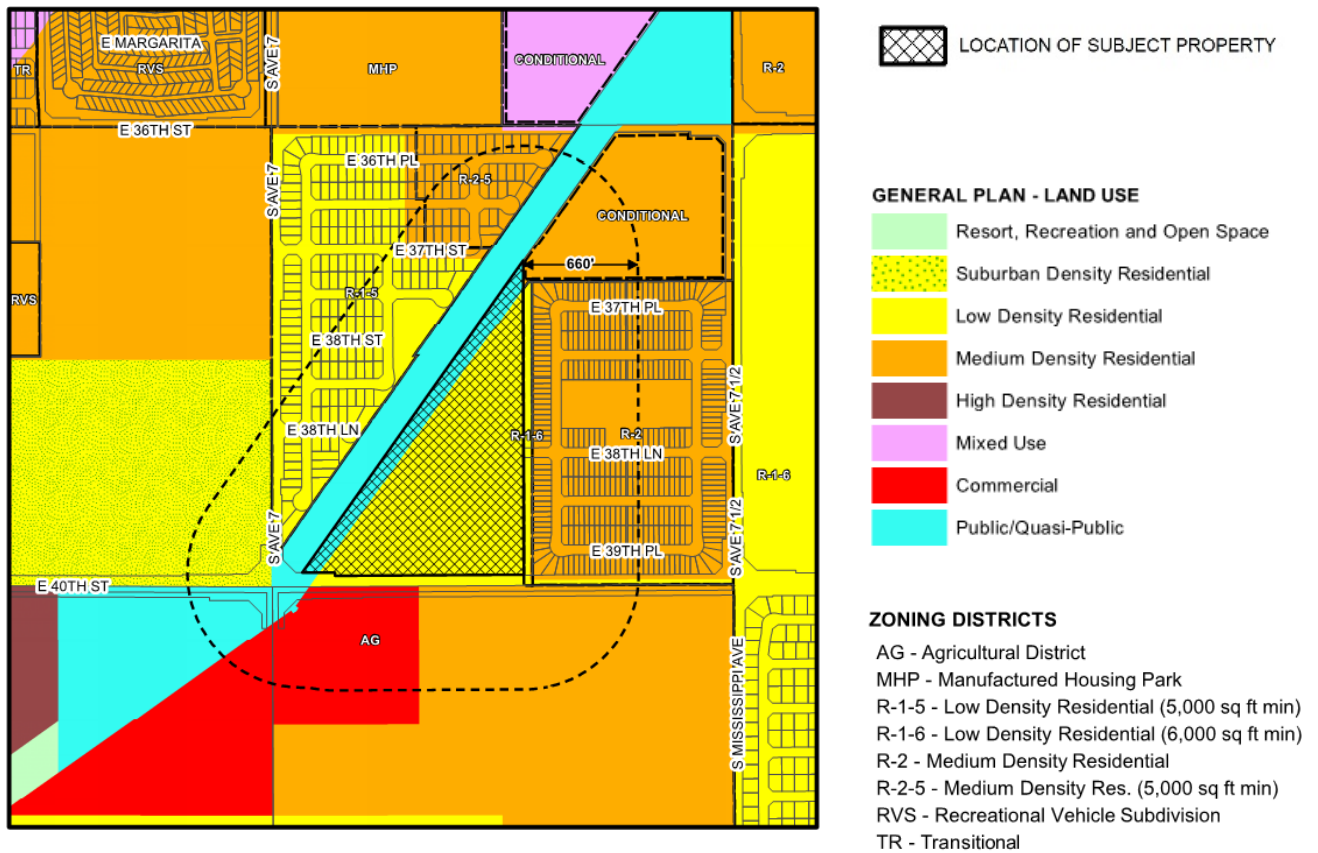
Hearing Date: August 23rd, 2021

Case Number: GP-34792-2021

Project Description/Location: This is a General Plan Amendment request by Dahl, Robins and Associates on behalf of Smoketree Desert Land LLC, to change the land use designation from Low Density Residential to Medium Density Residential for approximately 26.96 acres for property located at the northeast corner of 40th Street and Avenue 7E.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Undeveloped	Low Density Residential
North	Low Density Residential (R-1-5)	Single-family homes	Low Density Residential
South	Agriculture (AG)	Undeveloped	Medium Density Residential/Commercial
East	Medium Density Residential (R-2)	Townhomes	Medium Density Residential
West	Low Density Residential (R-1-5)	Single-family homes	Low Density Residential

Location Map:



Prior site actions: Annexation Ordinance O97-81 January 2, 1998; General Plan Amendment GP1997-04; Z1997-026

Staff Recommendation: Staff recommends the Planning and Zoning Commission APPROVE the request to change the land use designation for 26.96 acres from Low Density Residential to Medium Density Residential.

Suggested Motion: Move to APPROVE the request to change the land use designation for 26.96 acres from Low Density Residential to Medium Density Residential located at the northeast corner of 40th Street and Avenue 7E.

Staff Analysis: This is a General Plan Amendment request by Dahl, Robins and Associates on behalf of Smoketree Desert Land LLC, to change the land use designation from Low Density Residential to Medium Density Residential for approximately 26.96 acres. The property is located at the northeast corner of 40th Street and Avenue 7E.

The existing Low Density Residential land use designation (1 to 4.9 dwelling units per acre) supports the following types of zoning: Suburban Ranch (SR-1), Residential Estates (RE-12, RE-18, RE-35), Low Density Residential (R-1-5, R-1-6, R-1-8, R-1-12, R-1-20, and R-1-40) and Residence-Manufactured Housing (R-MH) Districts.

The proposed Medium Density Residential land use designation (13 to 18 dwelling units per acre) supports the following types of zoning: Medium Density Residential (R-2), Recreation Vehicle Subdivision (RVS), Manufactured Home Subdivision (MHS) and Manufactured Home Park (MHP).

The applicant's intent is to develop a townhome subdivision under the R-2 zoning designation with the Planned Unit Development Overlay (PUD) District.

Density

The current land use designation of Low Density Residential would allow from 27 to 132 dwelling units to be constructed on the subject 26.96 acres.

The proposed Medium Density Residential land use designation would allow from 135 to 348 dwelling units to be constructed in a townhome subdivision.

Population

Information from the 2013-2017 American Community Survey provides data on population by housing unit type. The information results in an average household size for single-family homes of 2.1 persons per dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Low Density Residential:
 - Minimum 27 homes – Expected population: 76
 - Maximum 132 homes – Expected population: 370
- Medium Density Residential:
 - Minimum 135 homes – Expected population: 284
 - Maximum 348 homes – Expected population: 731

The 2010 Census identified that 20% of the population within the City of Yuma was between 5 and 17 years of age. Therefore, the expected school-age population is estimated at:

- Low Density Residential:
 - Minimum expected population: 76 – School Age: 15

Maximum expected population: 370 – School Age: 74

- Medium Density Residential:
Minimum expected population: 284 – School Age: 57
Maximum expected population: 731 – School Age: 146

Transportation

This property is located west of Desert Sky Unit 1, between S. Avenue 7E and S. Avenue 8E and E. 40th Street in a developing area. Roadways to and from the site are currently being developed or have been identified in the City of Yuma Infrastructure Improvement Plan. Access to the property will be from the nearest major roadway, Avenue 8E.

A concern is the lack of connection points to major cross town arterials. The nearest east-west cross town roadway this site can connect to is 32nd Street. Currently the only connection and access to the development is off Avenue 8E. Crossings of the A Canal will be necessary in the future to facilitate the movement of traffic from this area to Avenue 7E particularly if something occurred on Avenue 8E to make it impassable. The widening of 40th Street from Avenue 6-3/4E to Avenue 8E has been identified in the City of Yuma's 2022-2026 Capital Improvement Program, under the Potential Infrastructure Projects (2027-2031), adopted June 2nd, 2021.

According to the City of Yuma Transportation Master Plan, Avenue 8E 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 2019 as 3,952 vehicles on Avenue 8E east of the proposed development.

Housing

The Housing Element of the City of Yuma 2012 General Plan addresses the need to provide safe, decent, sanitary, and affordable housing for all residents. And specifically Objective 1.3 notes providing a variety of housing types:

Objective 1.3: Encourage a variety of housing types to meet all socioeconomic segments of the population, considering both full time and seasonal residents.

An Action Item of the Housing Element is to consider rezoning land for higher density residential development to promote additional rental and lower cost ownership options.

The General Plan amendment request is to provide a housing choice other than Low Density Residential single-family homes, which is the predominant housing option in the City of Yuma.

Public Services

It is a requirement of State Statute for a General Plan to identify public schools and other public buildings. The City of Yuma General Plan Public Services Element identifies the location of public/charter schools within the 3 school districts in the General Plan area. The request is located within the district boundaries of the Yuma Elementary School District One and the Yuma Union High School District.

According to the Yuma Elementary School District One School Boundary Maps, the elementary students in the subject area are within the boundary of Desert Mesa School

located at 2350 S. Avenue 7½E. Junior high school students are within the boundary of Gila Vista Junior High School at 2245 Arizona Avenue.

According to the Yuma Union High School District, the high school students are within the boundary of Gila Ridge High School located at 7150 E. 24th Street.

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
40 th Street- Minor Arterial	50' HW	Varies, 62'-80'
Median Disclosure	Required	

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?

Yes. This current amendment request is in conflict with the 1997 General Plan amendment, GP97-004, to Low Density Residential (R98-02, approved 1/21/98). This request is also in conflict with a previous rezone request to Low Density Residential (R-1-8) which was approved by City Council on 12/16/98 (Ordinance 98-89) and has since expired.

Scheduled Public Hearings:

- City of Yuma Planning and Zoning Commission: August 9, 2021
- City of Yuma Planning and Zoning Commission: August 23, 2021
- City of Yuma City Council: September 15, 2021

Public Comments Received: See Attachment A

Agency Comments: See Attachment B

Neighborhood Meeting Comments: None Provided.

Final staff report delivered to applicant on: 8/11/21

- Applicant agreed with staff's recommendation:
- Applicant did not agree with staff's recommendation:
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D
Public Comments	Agency Comments	Staff Worksheet	Aerial Photo

Prepared By: Erika Peterson **Date:** 8/11/2021
Erika Peterson
Assistant Planner Erika.Peterson@YumaAZ.gov (928) 373-5000, ext. 3071

Reviewed By:  **Date:** 8/11/21
Jennifer Albers, AICP
Principal Planner, Planning and Neighborhood Services

Reviewed By:  **Date:** 08/11/21
Alyssa Linville
Assistant Director, Planning and Neighborhood Services

**ATTACHMENT A
PUBLIC COMMENTS**

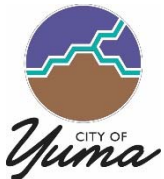
Name:	Ruth Elliot – 6/2/2021				Contact Information:	(928) 246-1612				
Method of Contact:	Phone	<input checked="" type="checkbox"/>	FAX	<input type="checkbox"/>	Email	<input type="checkbox"/>	Letter	<input type="checkbox"/>	Other	<input type="checkbox"/>
Comment: Wanted to know what the proposed amendment meant.										
Name:	Jose Martinez				Contact Information:	(928) 817-5000				
Method of Contact:	Phone	<input checked="" type="checkbox"/>	FAX	<input type="checkbox"/>	Email	<input type="checkbox"/>	Letter	<input type="checkbox"/>	Other	<input type="checkbox"/>
Comment: He owns property in Desert Sky Unit 1 and would like to know what the proposed amendment, from Low Density Residential to Medium Density Residential meant.										

**ATTACHMENT B
AGENCY COMMENTS**

DATE:	5/19/21	NAME:	Ian Latella	TITLE:	Habitat Specialist
AGENCY:	AZGFD			PHONE:	928-580-0163
<i>Enter comments below:</i>					
<p>Prior to any ground disturbing activities, the Department would also like to encourage the City of Yuma to use the Online Environmental Review Tool (https://ert.azgfd.gov/) administered by the Department's Heritage Data Management System (HDMS). This tool is a useful resource that provides baseline information on special status species such as Arizona's Species of Greatest Conservation Need (SGCN) and Species of Economic and Recreational Importance (SERI).</p>					

DATE:	5/19/21	NAME:	Dennis Patane	TITLE:	Realty Technician
AGENCY:	Western Area Power Administration- DSW Region			PHONE:	602 605-2713
<i>Enter comments below:</i>					
<p>Western Area Power Administration (WAPA) has no objection to the General Plan Amendment, but please advise the landowner WAPA has a 50 foot easement traversing the westerly edge of the subject property, further identified as the Gila-Sonora 69-kV transmission line and also shown on the Desert Sky Lot Split map included in this request for comments email. WAPA requests the landowner to contact WAPA Lands Department prior to any construction activities, within the easement area. Thank you in advance for your cooperation.</p>					

**ATTACHMENT C
STAFF WORKSHEET**

	<p>STAFF RESEARCH – GENERAL PLAN AMENDMENT</p> <p>CASE #: GP-34792-2021 CASE PLANNER: ERIKA PETERSON</p>
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I. PROJECT DATA

Project Location:	NEC of 40 th Street and Avenue 7E										
Parcel Number(s):	197-10-016										
Parcel Size(s):	26.96 acres										
Total Acreage:	26.96										
Proposed Dwelling Units:	Maximum:	348	Minimum:	135							
Address:	NEC of 40 th Street and Avenue 7E										
Applicant:	Smoketree Desert Land, LLC										
Applicant's Agent:	Dahl, Robins and Associates										
Land Use Conformity Matrix:	Current Zoning District Conforms:								Yes	No	X
Zoning Overlay:	Public	AO	Auto	B&B	Historic	None	X				
	Airport	Noise Contours	65-70	70-75	75+	APZ1	APZ2	CLEAR ZONE			

	Existing Zoning	Current Use	General Plan Designation
Site	Agriculture (AG)	Undeveloped	Low Density Residential
North	Low Density Residential (R-1-5)	Single-family homes	Low Density Residential
South	Agriculture (AG)	Undeveloped	Medium Density Residential/Commercial
East	Medium Density Residential (R-2)	Townhomes	Medium Density Residential
West	Low Density Residential (R-1-5)	Single-family homes	Low Density Residential

Prior Cases or Related Actions:				
Type	Conforms			Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	N/A
Annexation	Yes	X	No	O97-81 adopted 1/2/98
General Plan Amendment	Yes		No	X GP1997-004- R98-02- From Suburban to Low Density
Development Agreement	Yes		No	N/A
Rezone	Yes		No	X Z1997-026, expired
Subdivision	Yes		No	N/A
Conditional Use Permit	Yes		No	N/A
Pre-Development Meeting	Yes	X	No	Date: 6/8/2017
Enforcement Actions	Yes		No	N/A

Land Division Status:	Legal lot of record (entire parcel)									
Irrigation District:	YMIDD									
Adjacent Irrigation Canals & Drains:	"A" Canal									
Water Conversion: (5.83 ac ft/acre)	157.17 Acre Feet a Year									
Water Conversion Agreement Required	Yes		No	X						

II. CITY OF YUMA GENERAL PLAN

Land Use Element:			
Land Use Designation:	Low Density Residential		
Noise Contour:	N/A	Overlay/Specific Area:	N/A

Issues:											
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				
40 th Street – Minor Arterial			50 Foot HW				33 Foot HW				
Median Covenant			Required								
Gateway Route		Scenic Route		Hazardous Cargo Route		Truck Route	X- 40 th Street				
Bicycle Facilities Master Plan			40 th Street Bike Lanes								
YCAT Transit System			Gold Route on 32 nd Street								
Issues:											
Parks, Recreation and Open Space Element:											
Parks and Recreation Facility Plan											
Neighborhood Park:	Existing: Saguaro Park				Future: Saguaro Park						
Community Park:	Existing: Kennedy Park				Future: South Mesa Community Park						
Linear Park:	Existing: East Main Canal Linear Park				Future: "A" Canal Linear Park						
Issues:											
Housing Element:											
Special Need Household:	N/A										
Issues:	Housing option other than single family residential										
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							
Public Services Element:											
Population Impacts Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person			Dwellings & Type <i>2-4 Units</i>		Projected Population	Police Impact	Water Consumption		Wastewater Generation		
			Maximum	Per Unit		Officers	GPD	AF	GPD		
			348	2.1	731	1.38	219,240	245.6	73,080		
			Minimum								
			135	2.1	284	0.53	85,050	95.3	28,350		
Fire Facilities Plan:	Existing: Fire Station No. 5				Future: Fire Station No. 7						
Water Facility Plan:	Source:	City	X	Private		Connection:	38 th Lane- 8" PVC				
Sewer Facility Plan:	Treatment:	City	X	Septic		Private		Connection: 38 th Lane Sewer Line			
Issues:	Utility extensions required to the site										
Safety Element:											
Flood Plain Designation:	500 Year Flood Zone				Liquefaction Hazard Area:	Yes		No	X		
Issues:											
Growth Area Element:											
Growth Area:	Araby Rd & Interstate 8	X	Arizona Ave & 16 th St		Avenue B & 32 nd St.						
	North End		Pacific Ave & 8 th St		Estancia		None				
Issues:											

NOTIFICATION

- **Legal Ad Published: The Sun** 7/24/21
- **Display Ad Published:**7/24/21
- **660' Vicinity Mailing:** 7/12/21
- **54 Commenting/Reviewing Agencies noticed:** 5/18/21
- **Site Posted:** 6/3/2021
- **Neighborhood Meeting:** 6/8/2021
- **Hearing Dates:** 8/9/21 & 8/23/21
- **Comments Due:** 7/19/21

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	5/19/21	X	
Yuma County Public Works	NR			
Yuma County Airport Authority	YES	5/20/21	X	
Yuma County Chamber of Commerce	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	YES	5/25/21	X	
Arizona Fish & Game Dept.	YES	5/19/21		X
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)	NR			
USDA – NRCS	NR			
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	YES	5/20/21	X	
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			
El Paso Natural Gas Co.	NR			
Western Area Power Administration	YES	5/19/21		X

City of Yuma Internal List	Response Received	Date Received	"No Comment"	Written Comments
Susan Smith, Police	NR			
Rod Hamilton, Police	NR			
Jason Nau, Parks and Rec – Admin	NR			
Ron Ramirez, Parks and Rec – Grounds	NR			
Jeff Kramer, City Engineer	NR			
Traffic Engineer	NR			
Andrew McGarvie, Engineering	NR			
Kayla Holiman, Fire – Prevention	NR			
Randal Crist, DCD – Building Safety	NR			
Jeremiah McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

Neighborhood Meeting	Comments Available
June 8 th , 2021	None received.
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

ATTACHMENT D
AERIAL PHOTO

