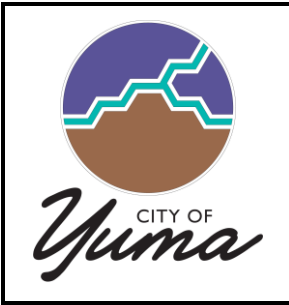


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

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 Monday, August 12, 2024, 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 12, 2024, 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 – July 8, 2024

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES –

ZONE-42599-2024: *This is a request by Dahl, Robins & Associates, Inc. on behalf of Yuma Regional Medical Center, to rezone approximately 7.4 acres from the Transitional (TR) District to the General Commercial (B-2) District, for the property located on the northwest corner of 24th Street and Elks Lane, Yuma, AZ. (Continued from July 8, 2024).*

ZONE-42601-2024: *This is a request by Dahl, Robins & Associates, Inc. on behalf of Yuma Regional Medical Center, to rezone approximately 9.4 acres from the Transitional/Infill Overlay (TR/IO) District and Limited Commercial/Infill Overlay (B-1/IO) District to the General Commercial/Infill Overlay (B-2/IO) District, for the properties located at the southeast corner of 24th Street and Avenue A, Yuma, AZ. (Continued from July 8, 2024).*

B.5 APPROVALS – NONE

C. ACTION ITEMS –

C.1 **CUP-42800-2024:** *This is a request by Gordon Jacobson, on behalf of SWA Logistics, LLC, for a Conditional Use Permit to allow an industrial use (off-loading railroad cars and warehousing) within 600’ of a residential zone and to allow a use requiring a state agency permit in the Light Industrial/Infill Overlay (L-I/IO) District. The properties are located at 1100 & 1130 S. Maple Avenue, Yuma, AZ.*

D. PUBLIC HEARINGS –

D.1 **ZONE-42650-2024:** *This is a request by Braulio Martinez, Jr., on behalf of Braulio Martinez, Sr., to rezone one parcel, approximately .17 acres, from the Low Density Residential (R-1-6) to the Medium Density Residential (R-2) District, for the property located at 2050 S.10th Avenue, Yuma, AZ. (Continued from June 24, 2024).*

D.2 **ZONE-42890-2024:** *This is a request by Brenda Maldonado of Sun of a Gun Cigars to rezone an approximately 19,166 square foot lot from the Limited Commercial (B-1) District to the General Commercial (B-2) District, for the property located at 1651 S. Arizona Avenue, Yuma, AZ.*

E. EXECUTIVE SESSION – NONE

F. INFORMATION ITEMS

F.1 STAFF

F.2 COMMISSION

F.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. § 38-431.03(A)(3).

**Planning and Zoning Commission Meeting Minutes
July 8, 2024**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, July 8, 2024, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel and Commissioners, Gregory Counts, Chelsea Malouff, Lorraine Arney, John Mahon, and Ashlie Pendleton. Vice-Chairman Josh Scott was absent.

STAFF MEMBERS present included Jennifer Albers, Assistant Director of Planning; John LeSueur, Assistant City Attorney; Erika Peterson, Senior Planner; Meredith Burns, Assistant 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 – June 24, 2024

WITHDRAWALS BY APPLICANT – None

CONTINUANCES – None

APPROVALS – None

Motion by Gregory Counts, second by Lorraine Arney to APPROVE the Consent Calendar as presented. Motion carried unanimously, (6-0) with one absent.

Action Items–

CUP-42680-2024: *This is a request by Dahl, Robins & Associates, on behalf of 32nd Street Holdings LLC, for a Conditional Use Permit to allow a new cocktail lounge in the Light Industrial (L-I) District for the property located at 4104 E. 32nd Street, Yuma, AZ.*

Meredith Burns, Assistant Planner summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Commissioner Counts asked if the dispensary and lounge would share parking spaces or if the cocktail lounge required additional parking. **Burns** said that 34 spaces will serve both businesses. **Counts** then asked if the Yuma Police Department (YPD) made any comment regarding the proposed development. **Burns** stated that no comment was received from YPD.

Commissioner Malouff expressed concerns regarding traffic and possible drunk drivers leaving the establishment. **Burns** noted that no comments regarding traffic concerns were received. **Assistant Director of Planning, Jennifer Albers** mentioned that prior to this request, the site was an existing retail site and any issues regarding traffic concerns would've been heard when the original retail use was established.

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Lorraine Arney, second by Ashlie Pendleton to APPROVE CUP-42680-2024 as presented. Motion carried unanimously, (6-0) with one absent.

Public Hearings –

ZONE-42599-2024: *This is a request by Dahl, Robins & Associates, Inc. on behalf of Yuma Regional Medical Center, to rezone approximately 7.4 acres from the Transitional (TR) District to the General Commercial (B-2) District, for the property located on the northwest corner of 24th Street and Elks Lane, Yuma, AZ. (Continued from June 10, 2024).*

Hamel asked the commission to continue the case to the meeting of August 12, 2024 as requested by the applicant.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Gregory counts, second by Lorraine Arney to CONTINUE ZONE-42599-2024 to the meeting of August 12, 2024. Motion carried unanimously, (6-0) with one absent.

ZONE-42601-2024: *This is a request by Dahl, Robins & Associates, Inc. on behalf of Yuma Regional Medical Center, to rezone approximately 9.4 acres from the Transitional/Infill Overlay (TR/IO) District and Limited Commercial/Infill Overlay (B-1/IO) District to the General Commercial/Infill Overlay (B-2/IO) District, for the properties located at the southeast corner of 24th Street and Avenue A, Yuma, AZ. (Continued from June 10, 2024).*

Hamel asked the commission to continue the case to the meeting of August 12, 2024 as requested by the applicant.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Gregory Counts, second by Lorraine Arney to CONTINUE ZONE-42601-2024 to the meeting of August 12, 2024. Motion carried unanimously, (6-0) with one absent.

INFORMATION ITEMS

Staff

None

Commission

None

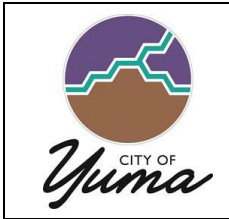
Public

None

Chairman Chris Hamel adjourned the meeting at 4:39 PM.

Minutes approved this _____ day of _____, 2024.

Chairman



STAFF REPORT TO THE PLANNING & ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – CONDITIONAL USE PERMIT
CASE PLANNER: BOB BLEVINS

Hearing Date: August 12, 2024

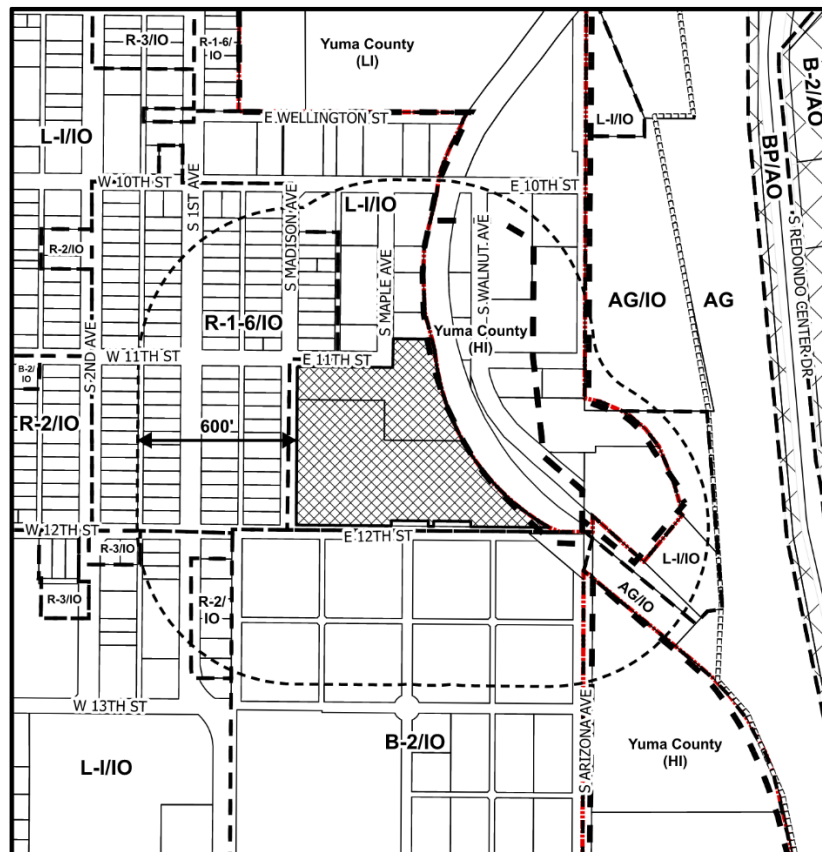
Case Number: CUP-42800-2024

Project Description/ Location:

This is a request by Gordon Jacobson, on behalf of SWA Logistics, LLC, for a Conditional Use Permit to allow an industrial use (off-loading railroad cars and warehousing) within 600' of a residential zone and to allow a use requiring a state agency permit in the Light Industrial/Infill Overlay (L-I/IO) District. The properties are located at 1100 & 1130 S. Maple Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial/Infill Overlay (L-I/IO)	Industrial	Industrial
North	Low Density Residential/Infill Overlay (R-1-6/IO): Light Industrial/Infill Overlay (L-I/IO)	Residential/Industrial	Low Density Residential/Industrial
South	General Commercial/Infill Overlay (B-2/IO)	Cemetery	Public/Quasi
East	Yuma County - Heavy Industrial	Industrial	Industrial
West	Low Density Residential/Infill Overlay (R-1-6/IO)	Residential	Low Density Residential

Location Map:



Prior site actions: Annexation: Ord. # O2007-54 (November 17, 2007); CUP-32848-2020 (Industrial use- Expired).

Staff Recommendation: Staff recommends **APPROVAL** of the Conditional Use Permit to allow an industrial use (off-loading railroad cars and warehousing) within 600' of a residential zone and to allow a use requiring a state agency permit in the Light Industrial/Infill Overlay (L-I/IO) District, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Conditional Use Permit CUP-42800-2024 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 Conditional Use Permit, the Planning and Zoning Commission is authorizing the request by Gordon Jacobson, on behalf of SWA Logistics, LLC, for a Conditional Use Permit to allow an industrial use (off-loading railroad cars and warehousing) within 600' of a residential zone and to allow a use requiring a state agency permit in the Light Industrial/Infill Overlay (L-I/IO) District. The properties are located at 1100 & 1130 S. Maple Avenue, Yuma, AZ., subject to the conditions outlined in Attachment A, and affirmatively finds that the seven Conditional Use Permit criteria set forth in Section 154-03.05(G)(2) of the City of Yuma Zoning Code have been met.

Staff Analysis: The applicant lists the uses as follows:

- "New warehouses for palletized commodity storage such as Ag Chemicals, Herbicides.
- Also Lumber storage or other commodities that may be received or shipped by railcars.
- Off-Load railroad cars with diesel fuel into semis for distribution to gas stations.
- Tanker Operations are planned to be in the far southeast corner of the property on the rail tracks.
- Off-Load Ag chemicals, herbicides- not explosive-type of chemicals, tankers and pallets. Lumber, rebar, pallets of bag concrete, etc.
- Demolish old buildings (Tin Warehouse, block house, 2 tin sheds).
- Rehabilitate old tracks and build additional tracks.
- Tracks are zoned [Yuma County] Heavy Industrial. Property is zoned [City of Yuma] Light Industrial.
- Site lighting is planned for the site.
- Security Cameras are planned for the site.
- Solid fencing will attenuate potential noise levels of equipment.
- Warehouses are planned to be either tilt-up concrete or metal buildings with the configuration will be similar to Premier Storage 2 facilities with multiple units with overhead doors. Some units will have small offices with HVAC for shipping and receiving. Restrooms will be at one end of the building.
- A mobile trailer is planned for the Rail Transload Facility operations.
- 4 planned warehouses will attenuate potential noise levels of equipment.
- Site is planned for 3 access points. 2 access off of Walnut [Arizona] Avenue and 1 access off of Maple Avenue.

- Fencing will be a solid wall surrounding 12 acres. SWA 10.5 Acres, UPRR 1.5 Acres.
- Fire Hydrants planned for and emergency vehicle access.
- Entire 12 acre site paved."

Location and Description:

The subject properties are located at 1100 and 1130 S. Maple Avenue, in the Speese Addition subdivision area and are approximately 10 acres combined. The properties have been historically used as packing facilities for citrus growers, storage, and for railroad deliveries of agricultural products, lumber, and fertilizers.

Currently, the properties feature several vacant buildings, which the applicant proposes to remove with possible exception of the eastern warehouse at the railroad siding. Several other structures on the property have been removed in the last few years along with scrap metal and debris.

Proposal:

The property owners are proposing to continue the past uses of railroad deliveries and storage of lumber, with the expanded use of the off-loading of diesel fuel onto local delivery trucks. The four new warehouses on the west side of the property will be for the storage of construction materials with the possibility of leasing to others.

The property owners intend to revive and add additional landscaping along E. 11th Street and S. Madison Avenue. In addition, a solid block wall is proposed along Madison Avenue and E. 11th Street, with a security chain-link fence along the south and west property lines.

As part of the development in cooperation with Union Pacific Railroad (UPRR), the property owner will be granting an easement to UPRR for the rail lines as part of the agreement between the two.

City Requirements:

Within the Light Industrial (L-I) District, a conditional use permit is required when any industrial building or activity is located within 600 feet of any residential zoning district and residential use, and for any use which requires a state or federal agency permit, license or other type of certification for the use or handling of dangerous materials. In this neighborhood, there are homes to the west and north.

The applicant has confirmed the only hazardous deliveries are fuels and "Ag liquid fertilizer", not hazardous waste. City of Yuma Development Engineering is requesting the Owner/Developer provide a copy of all licenses, permits, and inspection results from Yuma County, state agencies and federal agencies involved with the proposed use of the facility to the City of Yuma.

City Code requires solid walls and landscaping along Arizona Avenue, as well as along 11th Street and Madison Avenue.

1. What are the impacts of the proposed conditional use on neighboring properties and what conditions are being proposed to resolve those impacts?

SPECIFIC IMPACT AREA		ISSUE	CONDITION #
A.	Traffic	Access and circulation established with approved site plan.	5
B.	Parking	Non-issue	
C.	Lighting	Security lighting to be reviewed to comply with City Standards.	4
D.	Hours of Operation	Non-issue	
E.	Indoor/Outdoor Activities	Non-issue	
F.	Noise	Solid wall required adjacent to residential uses.	5
G.	Air Quality	Vehicle areas to be paved throughout the property.	5
H.	Hazardous Materials	Review of local, state, and federal guidelines.	3
I.	Crime Prevention (CPTED)	Security lighting and cameras to monitor the property.	3
J.	Other	None	

2. Does the site plan comply with the requirements of the zoning code?

Yes All new development on site will need to meet the development standards in the zoning code.

3. Does the proposed use and site plan comply with Transportation Element requirements?

Yes

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Maple Avenue- Local Street	29 FT H/W ROW	30 FT H/W ROW				
11 th Street- Local Street	29 FT H/W ROW	30 FT H/W ROW				
Madison Avenue- Local Street	29 FT H/W ROW	30 FT H/W ROW				
Arizona Avenue- 2 lane Collector	40FT H/W ROW	33 FT+ H/W ROW				X
Bicycle Facilities Master Plan	Arizona Avenue- Proposed Bike Lane.					
YCAT Transit System	N/A					
Issues:	None					

4. Does the proposed conditional use conform to all prior City Council actions for this site?

Yes

5. Can the P&Z Commission answer the following questions affirmatively?

(1) Is the Planning and Zoning Commission, or the City Council, authorized under the zoning code to grant the conditional use permit described in the application?

Yes The Planning & Zoning Commission has the authority to review and approve this request per Section 154-09.02(F)(1)(c), which requires a Conditional Use Permit for industrial buildings or activities within 600 feet of any residential zoning district or use.

(2) Will the establishment, maintenance, and/or operation of the requested conditional use, under the circumstances of the particular case, not be detrimental to the health, safety; peace, morals, comfort, or general welfare of persons residing, or working, in the vicinity or such proposed use, or be detrimental, or injurious, to the value of property in the vicinity, or to the general welfare of the city?

Yes The proposed use and operations, as described by the property owners, will be contained within the establishment and buildings and will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity. With proper maintenance and operational procedures, the neighboring property owners and/or businesses should not be affected.

(3) Are the provisions for ingress, egress, and traffic circulation, and adjacent public streets adequate to meet the needs of the requested conditional use?

Yes The provisions for ingress, egress, and traffic circulation and adjacent public streets, as well as proper on-site circulation are adequate to meet the needs of the requested conditional use.

(4) Are the provisions for building(s) and parking facility setbacks adequate to provide a transition from, and protection to, existing and contemplated residential development?

Yes The existing and proposed buildings and parking facilities will adequately provide a transition from, and protection to, existing residential development.

(5) Are the height and bulk of the proposed buildings, and structures, compatible with the general character of development in the vicinity of the requested conditional use?

Yes The height and bulk of the proposed buildings, and structures, are compatible with the general character of other industrial development in the vicinity of the requested conditional use. Additionally, the applicants have the intent to tear down the unsalvageable existing buildings and replace them with new buildings, which will be compatible and improve the general character of the surrounding area.

(6) Have provisions been made to attenuate noise levels and provide for adequate site, and security lighting?

Yes The site will provide the necessary means to meet the requirements regarding noise level reductions and site concerns as well as site lighting for security purposes.

(7) Has the site plan for the proposed conditional use, including, but not limited to landscaping, fencing, and screen walls and/or planting, CPTED strategies (Crime Prevention Through Environmental Design), and anti-graffiti strategies been adequately provided to achieve compatibility with adjoining areas?

Yes The proposed use of the site will include proper screening and landscaping consistent with the Crime Prevention Through Environmental Design (CPTED) principles for visual surveillance.

Public Comment Received: None.

Agency Comments: None.

Neighborhood Meeting Comments: See Attachment D

Discussions with Applicant/Agent: July 3, 2024

Proposed conditions delivered to applicant on: July 15, 2024

Final staff report delivered to applicant on: July 29, 2024

- Applicant agreed with all of the conditions of approval on: July 15, 2024
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

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

Prepared By: *Robert M. Blevins* **Date:** 07/15/2024

Robert M. Blevins
Principal Planner Robert.Blevins@yumaaz.gov (928) 373-5189

Approved By: *Jennifer L. Albers* **Date:** 7/17/24

Jennifer L. Albers,
Assistant Director of Planning

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions of approval are roughly proportionate to the impacts associated with the conditional use and expected development on the property.

**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.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

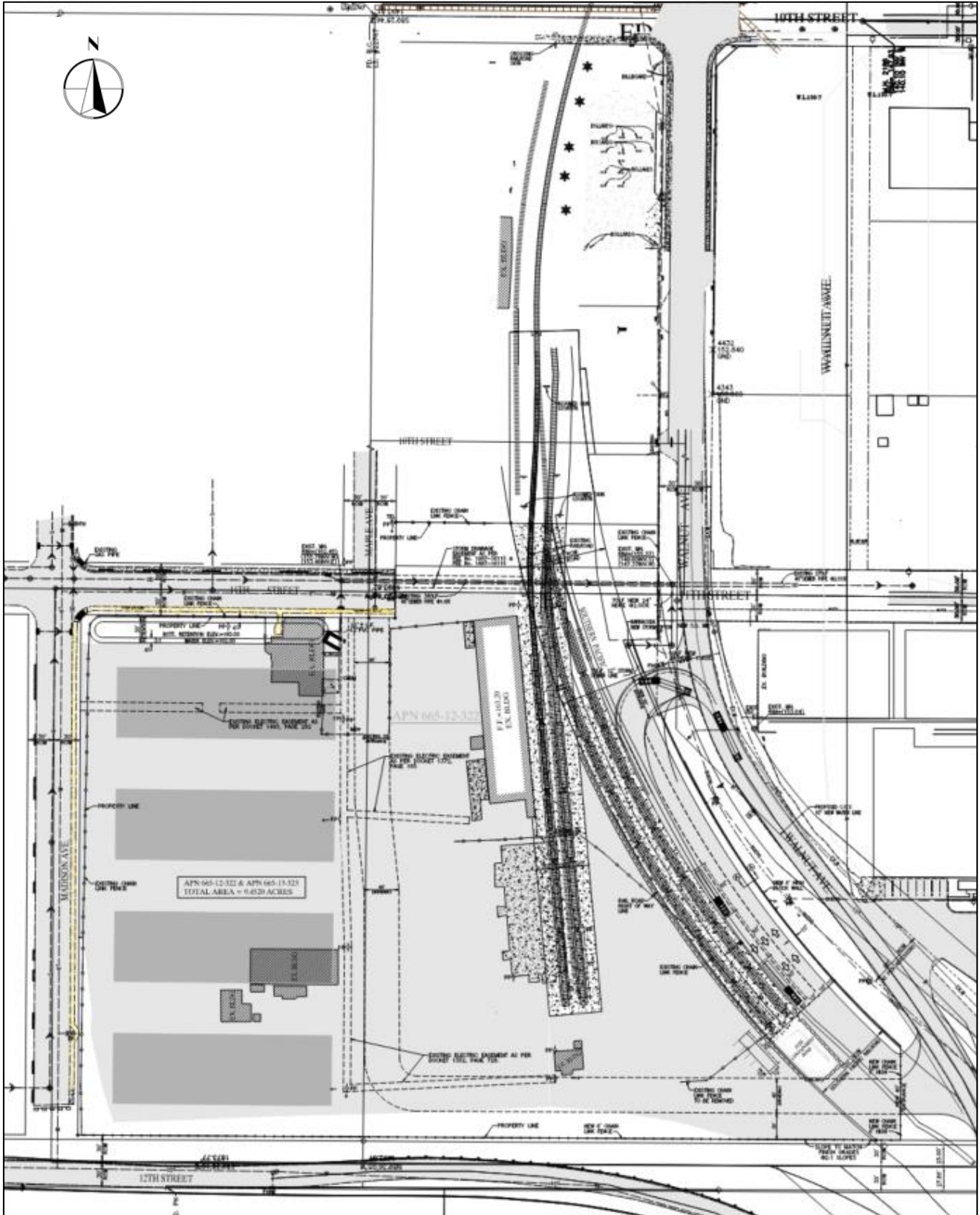
3. The Owner/Developer shall provide a copy of all licenses, permits, and inspection results, from Yuma County and state and federal agencies involved with the proposed use of the facility, to the City of Yuma for review and records retention.

Community Planning, Robert M. Blevins, Principal Planner (928) 373-5189:

4. All new parking lot and exterior building lighting, other than internally-lit signs, must be shielded and/or directed downwards so as not to have light trespass onto the right-of-way or neighboring properties. As part of any new electrical and building permit process, a photometric data site plan must be submitted, showing the light emissions to be contained upon the property. If using LED exterior lighting, the color temperature of the LEDs must be 3000 K or lower.
5. Any substantial modification to the overall site design as represented on the site plan will require a public hearing and be subject to the approval of the Planning and Zoning Commission. A substantial modification to the site plan would include, but not necessarily be limited to, the relocation of vehicular access, the modification of storm water retention or the relocation of a building or structure.
6. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Conditional Use Permit or prior to the issuance of any Building Permit, Certificate of Occupancy or City of Yuma Business License for this property. In the event that the conditions are not completed within this time frame, the Conditional Use Permit shall be null and void.
7. A lot tie needs to be recorded for APN(s): 665-12-322 and 665-12-323, prior to the issuance of building permits for new structures.
8. In any case where a Conditional Use Permit has not been used within one year after the granting thereof, it shall be null and void.
9. Prior to the expiration date of the Conditional Use Permit, the applicant has the option to file for a one-year time extension.

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
SITE PLAN



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun 07/19/24
- 300' Vicinity Mailing: 06/24/24
- 34 Commenting/Reviewing Agencies noticed: 06/27/24
- Hearing Date: 08/12/24
- Comments due: 07/08/24
- Site Posted on: 07/09/24
- Neighborhood Meeting: 07/03/24

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	07/01/24	X		
Yuma County Engineering	YES	06/27/24	X		
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	06/27/24	X		
Yuma County Planning & Zoning	YES	06/28/24	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Yuma Proving Ground	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 Game and Fish	NR				
Ft. Yuma Quechan Indian Tribe	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	07/02/24	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	07/02/24	X		
Building Safety	YES	07/08/24	X		
City Engineer	YES	07/11/24		X	
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS**

Date Held: 07/03/24

Location: At the property at 5 p.m.

Attendees: Gordon Jacobson, Applicant.
2 neighboring property owners, Dale Poage and Maximo Zamora.
City of Yuma Staff: Bob Blevins

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

APPLICANT:

CLEANING UP THE PROPERTY.

WILL DEMOLISH ALL REMAINING BUILDINGS BUT MIGHT REHAB EAST WAREHOUSE. IT NEEDS TO ACCOMMODATE FORKLIFTS.

BUILDING BLOCK WALL AROUND THE PROPERTY.

WILL BUILD 4 SEPARATE METAL BUILDINGS WITH SPRINKLERS FOR LUMBER AND CONSTRUCTION MATERIALS AND MAYBE LEASE OUT SOME SPACE.

FENCE OFF AT THE EXISTING EAST END OF 11TH STREET AND NO NEW BUILDINGS THERE.

NO EXITS TO BE ON MADISON AVENUE. EXITS WILL BE AT INTERSECTION OF 11TH AND MAPLE AVENUE AND ON ARIZONA AVENUE.

EMPLOYEES OCCASIONALLY AT NIGHT IF DELIVERIES.

NEIGHBORS:

GOOD THING FOR THE NEIGHBORHOOD BECAUSE IT WILL BE OCCUPIED.

**ATTACHMENT E
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City	State	Zip Code
ANCIENT ORDER OF UNITED WORKMEN NO 7	1415 S 1ST AVE	YUMA	AZ	85364
ARVISO JOCELYN	2933 W 20TH PLACE	YUMA	AZ	85364
ATONDO HERLINDA	1168 S MADISON AVE	YUMA	AZ	85364
ATONDO WILLIAM A	1182 S MADISON AVE	YUMA	AZ	85364
BAIRES BARTOLO & VANESSA CPWROS	1125 S SECOND AVE	YUMA	AZ	85364
BUTRON RAMON PONCE & YOLANDA CPWROS	1130 S 1ST AVE	YUMA	AZ	85364
CABALLERO CARMEN	1105 S 2ND AVE	YUMA	AZ	85364
CANIZALES ALEXANDER AND MARTHA A JT	3606 W 20TH PL	YUMA	AZ	85364
CARRILLO JESSE & RACHEL C JT	1051 S MADISON AVE	YUMA	AZ	85364
CARVAJAL OFELIA	7233 W ROSE LN	GLENDALE	AZ	85303
CARVAJAL OFELIA	7233 W ROSE LN	GLENDALE	AZ	85303
CEDILLO HORTENSE C	1079 S MADISON AVE	YUMA	AZ	85364
CEDILLO RACHAEL	1051 S MADISON AVE	YUMA	AZ	85364
CHRISTEL SOL & PAULETTE JT	11693 S IRONWOOD DR	YUMA	AZ	85367
CHRISTEL SOL & PAULETTE JT	11693 S IRONWOOD DR	YUMA	AZ	85367
CORREA JESSE	1075 S MADISON AVE	YUMA	AZ	85364
CROSSROADS MISSION AZ N-P CORP	PO BOX 1161	YUMA	AZ	85366
DUNN GRAIN CO AZ CORP	1129 S ARIZONA AVE	YUMA	AZ	85365
DUNN TIMOTHY M & EILEEN E TR 4-17-02	6324 E TELEGRAPH ST	YUMA	AZ	85365
DUNN TIMOTHY M & EILEEN E TR 4-17-02	6324 E TELEGRAPH ST	YUMA	AZ	85365
EAGLE LEASING INC	100 EAGLE RIDGE DR	MIDLAND CITY	AL	36350
ESPARZA FRANCES C & JUAN G & GUILLERMO	1112 S 1ST AVE	YUMA	AZ	85364
ESPINOZA JUAQUIN REYES	2298 S MARY AVE	YUMA	AZ	85365
ESTES INSULATION INC	1045 S MAPLE AVE	YUMA	AZ	85364
FEDERICO SANDRA LEE	1101 S 1ST AVE	YUMA	AZ	85364
FEDERICO SANDRA LEE	1101 S 1ST AVE	YUMA	AZ	85364
FEDERICO SANDRA LEE	1101 S 1ST AVE	YUMA	AZ	85364
FLORES CONSTANTINO	337 S 7TH AVE	YUMA	AZ	85364
G B U INC	13169 S AVENUE 4 1/2 E	YUMA	AZ	85365
GALVEZ MANUEL J ET AL	1261 S 1ST AVE	YUMA	AZ	85364
GALVEZ MANUEL J ET AL	1261 S 1ST AVE	YUMA	AZ	85364
GALVEZ RIGOBERTO ORTEGA	1127 S 2ND AVE	YUMA	AZ	85364
GAMEZ MELYNIA	1107 S 5TH AVE PMB 108	YUMA	AZ	85364
GARCIA CONSUELO D	1058 S MADISON AVE	YUMA	AZ	85364
GARCIA CONSUELO D	1058 S MADISON AVE	YUMA	AZ	85364
GARCIA CONSUELO D	1058 S MADISON AVE	YUMA	AZ	85364
GARCIA ROSA ICELA & JOSE JESUS	1120 S 1ST AVE	YUMA	AZ	85364
GASCA JOSE J	1114 S 1ST AVE	YUMA	AZ	85364
GONZALEZ DAVID & ALEJANDRA	182 W ROSEMARY DR	CHANDLER	AZ	85248
GREEN SONYA G	1222 W 16TH PL	YUMA	AZ	85364
GUERRA DEBORAH	1520 S 8TH AVE	YUMA	AZ	85364
HARO NOHEMI	1109 S 2ND AVE	YUMA	AZ	85364
HERNANDEZ SALLY	1103 S 2ND AVE	YUMA	AZ	85364
HORN JOHN PATRICK & MARGARET ALICE AB TRUST 7-16-200	P.O. BOX 214	VISTA	CA	92085
JIMENEZ ALBERTO	1164 MADISON AVENUE	YUMA	AZ	85364
LAUREL RAY ANTHONY II	3773 S 39TH DR	YUMA	AZ	85365
LOPEZ ALFRED THOMAS JR	1067 S MADISON AVE	YUMA	AZ	85364
LORONA GREGORIA O	1209 S 1ST AVE	YUMA	AZ	85364

Property Owner	Mailing Address	City	State	Zip Code
MADRIGAL MARCIAL MORENO	1134 S 1ST AVE	YUMA	AZ	85364
MARQUEZ ARACELI	1035 WOODCREST LANE	VISTA	CA	92081
MARTINEZ JUAN R ROSAS & DIANA	1052 S 1ST AVENUE	YUMA	AZ	85364
MARTINEZ ROSA L	1211 S 1ST AVE	YUMA	AZ	85364
MCNEECE PROPERTIES LLC	PO BOX 1280	EL CENTRO	CA	92244
MENDIBLES MANUEL A & DOLORES A	7477 CENTRAL AVE	LEMON GROVE	CA	91945
MONTANO JOSE J &	1050 S MADISON AVE	YUMA	AZ	85364
MURRIETTA CARLOS M & MARY TRUST 6-15-2018	1020 S MADISON AVE	YUMA	AZ	85364
MURRIETTA GILBERT M JR	1010 MADISON AVENUE	YUMA	AZ	85364
MURRIETTA GILBERT M JR	1010 MADISON AVENUE	YUMA	AZ	85364
MURRIETTA THERESA FRANCES	1018 S MADISON AVE	YUMA	AZ	85364
NEXT LEVEL HOME BUYERS LLC	2903 W 12TH PL	YUMA	AZ	85364
NEXT LEVEL HOME BUYERS LLC	2903 W 12TH PL	YUMA	AZ	85364
NEXT LEVEL HOME BUYERS LLC	2903 W 12TH PL	YUMA	AZ	85364
OCHOA BARBARA G	1222 W 16TH PL	YUMA	AZ	85364
ORONA OVID A & MICHELLE	1128 S 1ST AVE	YUMA	AZ	85364
PEREZ ELIZABETH	1005 S 1ST AVE	YUMA	AZ	85364
PEREZ FRANK R & DENISE D JT	1120 S 2ND AVE	YUMA	AZ	85364
PEREZ JESSE C	1020 S 1ST AVE	YUMA	AZ	85364
PEREZ JESSE C	1020 S 1ST AVE	YUMA	AZ	85364
PEREZ YOLANDA	1020 S 1ST AVE	YUMA	AZ	85364
PHILLIPS NEWTON A & NINA E JT	2920 BRIARWOOD RD UNIT J15	BONITA	CA	91902
PINA SHARON L	1059 S MADISON AVE	YUMA	AZ	85364
POAGE DALE F TRUST 2-4-2014	1440 E LAGUNA PL #7	YUMA	AZ	85365
POAGE DALE F TRUST 2-4-2014	1440 E LAGUNA PL #7	YUMA	AZ	85365
PONCE STELLA C	54 E 11TH ST	YUMA	AZ	85364
PUNTES PEDRO	1180 S MADISON AVE	YUMA	AZ	85364
QUIJADA EULALIA LOPEZ	1051 S 1ST AVE	YUMA	AZ	85364
QUINTERO MARIA	PO BOX 1903	WINTERHAVEN	CA	92283
RAMIREZ DANIEL R	1110 S 1ST AVENUE	YUMA	AZ	85364
RAMOS MARTIN R & LETICIA H TRUST 11-3-00	327 E 10TH ST	YUMA	AZ	85364
RAMOS ROBERT V & OLGA M TRUST 11-16-78	PO BOX 51	YUMA	AZ	85366
RIVERA ERNESTO & RIVERA CARLOS FRANCISCO & RIVERA JI	1028 S 1ST AVENUE	YUMA	AZ	85364
RMR RENTALS	240 WELLINGTON ST	YUMA	AZ	85364
RMR RENTALS AN AZ PARTNERSHIP	PO BOX 128	YUMA	AZ	85366
RMR RENTALS AN AZ PARTNERSHIP	PO BOX 128	YUMA	AZ	85366
RODRIGUEZ ADRIANA	1041 S 1ST AVE	YUMA	AZ	85364
SAMANIEGO KARINA ARVIZU	1074 S MADISON AVE	YUMA	AZ	85364
SANCHEZ SABIAN A	10247 E 38TH LN	YUMA	AZ	85365
SCHUMAN PERRY L & BETTY J TRUST 9-25-86	1229 S 8TH AVE	YUMA	AZ	85364
SCHUMAN PERRY L & BETTY J TRUST 9-25-86	1229 S 8TH AVE	YUMA	AZ	85364
SHAY FAMILY REAL ESTATE LTD PART	6796 MISSION ST	YUMA	AZ	85365
SHAY FAMILY REAL ESTATE LTD PART	6796 MISSION ST	YUMA	AZ	85365
SHAY OIL CO	PO BOX 1249	YUMA	AZ	85366
SOLIS ERICK	1238 SUNSET DR	YUMA	AZ	85364
STAMPLEY NATHAN RYAN	1038 S 1ST AVE	YUMA	AZ	85364

Property Owner	Mailing Address	City	State	Zip Code
SWA LOGISTICS LLC	1335 S 5TH AVE	YUMA	AZ	85364
SWA LOGISTICS LLC	1335 S 5TH AVE	YUMA	AZ	85364
SWA LOGISTICS LLC	1335 S 5TH AVE	YUMA	AZ	85364
SWA LOGISTICS LLC	1335 S 5TH AVE	YUMA	AZ	85364
TRUJILLO ARNOLD ACOSTA &	1910 W 10TH ST	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
UNION PACIFIC RAILROAD CO	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179
VALDEZ HILARY MICHELLE	PO BOX 4754	YUMA	AZ	85364
VALLE MIGUEL	2969 W 31ST ST	YUMA	AZ	85364
VILLA JACK	1840 S 10TH AVE	YUMA	AZ	85364
VILLA JACK	1840 S 10TH AVE	YUMA	AZ	85364
VILLASENOR JORGE A & YOLANDA JT	1027 S 1ST AVE	YUMA	AZ	85364
VILLASENOR JORGE A & YOLANDA JT	1027 S 1ST AVE	YUMA	AZ	85364
WEILER JOSEPHINE & WELSH MARGARET &	1128 S MADISON 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
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364
YUMA COUNTY OF	198 S MAIN ST	YUMA	AZ	85364
YUMA COUNTY OF	198 S MAIN ST	YUMA	AZ	85364
YUMA COUNTY OF	198 S MAIN ST	YUMA	AZ	85364
ZADEH FAMILY TRUST 8-8-2023	1077 W ROSS RD	EL CENTRO	CA	92243
ZAMORA MAXIMO R AND LETICIA TRUST 4-1-09	513 S 16TH AVE	YUMA	AZ	85364
ZAMORA MAXIMO R AND LETICIA TRUST 4-1-09	513 S 16TH AVE	YUMA	AZ	85364
ZAPATA GILBERTO C	1185 S 1ST AVE	YUMA	AZ	85364
ZAPATA JULIE ANN	1177 S 1ST AVE	YUMA	AZ	85364
ZAPATA JULIE ANN	1166 S MADISON AVE	YUMA	AZ	85364
ZEREGA RODRIGUEZ AGUSTIN	PO BOX 1831	SAN LUIS	AZ	85349

**ATTACHMENT F
NEIGHBOR MAILING**

This is a request by Gordon Jacobson, on behalf of SWA Logistics, LLC, for a Conditional Use Permit to allow an industrial use (off-loading railroad cars and warehousing) within 600' of a residential zone and to allow a use requiring a state agency permit in the Light Industrial/Infill Overlay (L-I/IO) District. The properties are located at 1100 & 1130 S. Maple Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
CUP-42800-2024**

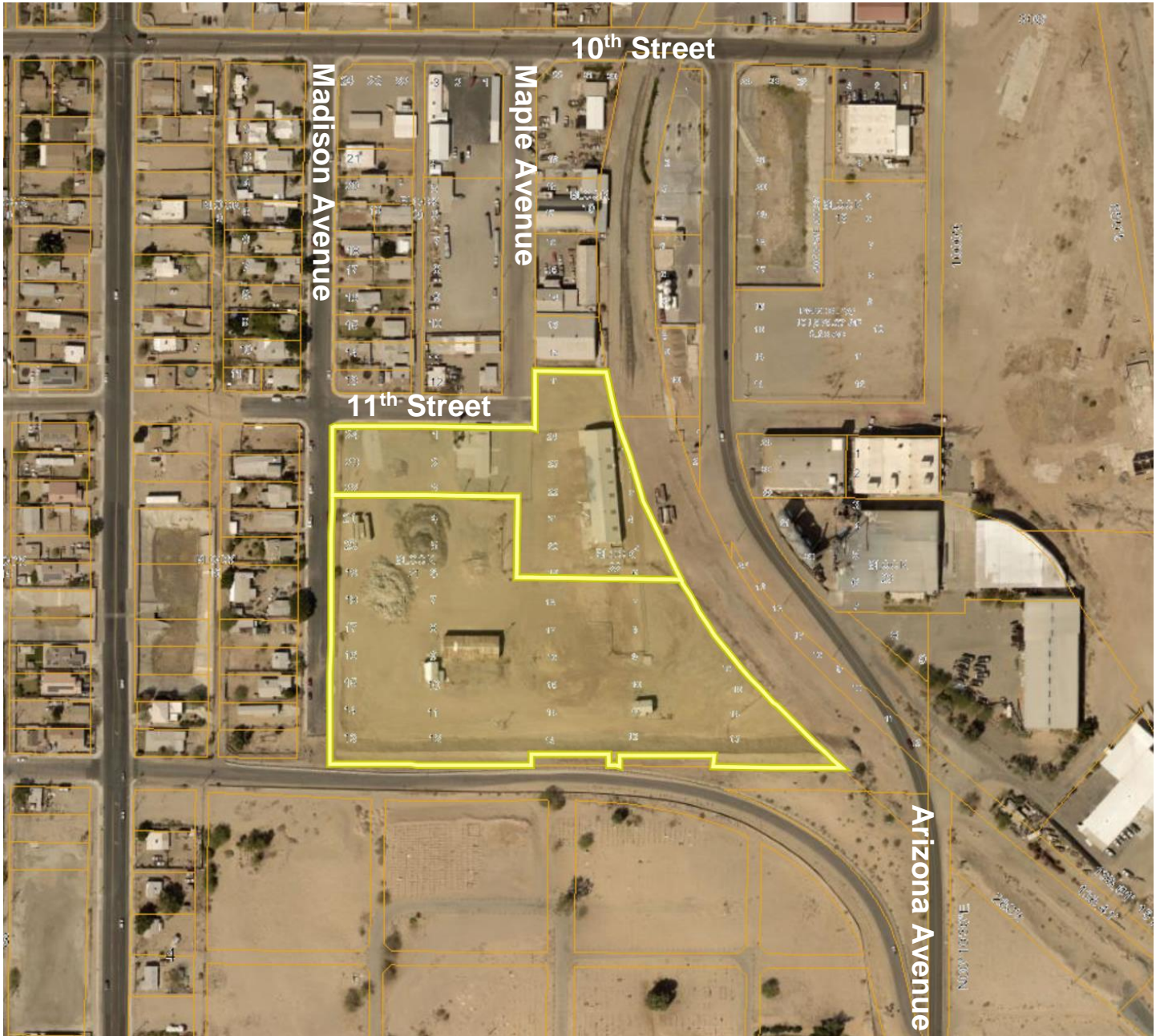
NEIGHBORHOOD MEETING
07/3/2024 @ 5PM
ON-SITE

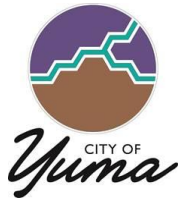
PUBLIC HEARING
08/12/2024 @ 4:30 PM
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 600' of the 1100 & 1130 S. Maple Ave, 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 Robert Blevins by phone at (928) 373-5189 or by email at Robert.Blevins@YumaAz.gov

**ATTACHMENT G
AERIAL PHOTO**





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

Hearing Date: August 12, 2024

Case Number: ZONE-42650-2024

Project Description/Location: This is a request by Braulio Martinez, Jr., on behalf of Braulio Martinez, Sr., to rezone one parcel, approximately .17 acres, from the Low Density Residential (R-1-6) to the Medium Density Residential (R-2) District, for the property located at 2050 S.10th Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
North	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
South	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
East	Low Density Residential (R-1-6) District	Single-Family Residence	Low Density Residential
West	Medium Density Residential (R-2) District	Duplexes	Medium Density Residential

Location Map



Prior site actions: Annexation: Ordinance 672, (July 21, 1956); Subdivision: Atmar Subdivision No. 2 (August 5, 1952)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-42650-2024 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 the property from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District for the property located at 2050 S. 10th Avenue, 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 approximately 62 feet wide and 125 feet in depth, with frontage on S. 10th Avenue. This lot has a single family home.

The applicant is requesting to rezone the property from the Low Density Residential (R-1-6) District to the Medium Density Residential (R-2) District. The property owner is requesting this rezone with the intention to develop another dwelling unit on the existing property. The applicant intends to demolish the existing pool and construct a second detached dwelling unit at the rear of the property. The access and parking to the new dwelling will be from 10th Avenue along the north side of the property.

The subject property is located within the area of the City that was subdivided in the 1952. This neighborhood is a mix of residential homes, multi-family homes and commercial business uses.

The property is bordered by single-family homes to the east, north and south and duplexes on the west. This request is in conformance with the Land Use Element of the General Plan.

1. Does the proposed zoning district conform to the Land Use Element? No

Land Use Element:									
Land Use Designation:				Medium 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? No

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck

10 th Avenue – Local Road	30 FT H/W ROW	30 FT H/W ROW				
22 nd Street – Local Road	30 FT H/W ROW	30 FT H/W ROW				
Bicycle Facilities Master Plan	10th Avenue – Existing Bike Route					
YCAT Transit System	Purple Route 6/6A					
Issues:	None					

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: Sanguinetti Memorial Park			Future: Sanguinetti Memorial Park																																											
Community Park:	Existing: Smucker Memorial Park			Future: Smucker Memorial Park																																											
Linear Park:	Existing: East Main Canal			Future: East Main Canal																																											
Issues:	None																																														
Housing Element:																																															
Special Need Household:	N/A																																														
Issues:	None																																														
Redevelopment Element:																																															
Planned Redevelopment Area:	None																																														
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		<table border="1"> <thead> <tr> <th colspan="2">Dwellings & Type</th> <th rowspan="2">Projected Population</th> <th rowspan="2">Police Impact</th> <th colspan="2">Water Consumption</th> <th rowspan="2">Wastewater Generation</th> </tr> <tr> <th>2-4 Units</th> <th></th> <th>Officers</th> <th>GPD</th> <th>AF</th> </tr> </thead> <tbody> <tr> <td>Maximum</td> <td>Per Unit</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>2.07</td> <td>4</td> <td>0.01</td> <td>857</td> <td>1.0</td> <td>290</td> </tr> <tr> <td>Minimum</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>1</td> <td>2.07</td> <td>2</td> <td>0.00</td> <td>428</td> <td>0.5</td> <td>145</td> </tr> </tbody> </table>		Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation	2-4 Units		Officers	GPD	AF	Maximum	Per Unit						2	2.07	4	0.01	857	1.0	290	Minimum							1	2.07	2	0.00	428	0.5	145				
Dwellings & Type		Projected Population	Police Impact	Water Consumption				Wastewater Generation																																							
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2	2.07	4	0.01	857	1.0	290																																									
Minimum																																															
1	2.07	2	0.00	428	0.5	145																																									
Fire Facilities Plan:	Existing: Fire Station No. 2			Future: Fire Station No. 2																																											
Water Facility Plan:	Source:	City	X	Private	Connection:	6" Water - Alley																																									
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 6" Sewer - Alley																																									
Issues:	None																																														
Safety Element:																																															
Flood Plain Designation:	X			Liquefaction Hazard Area:	Yes		No	X																																							
Issues:	None																																														
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/No The property was subdivided for single family homes in 1952. But since then the area has been identified for Medium Density development in the General Plan.

Public Comments Received

Name:	Glen Wagner				Contact Information:						
Method of Contact:	Phone	X	FAX		Email		Letter		Other		
Mr. Wagner had no concerns with the rezone. He just wanted additional information about the rezone.											

Neighborhood Meeting Comments:

See Attachment C

Proposed conditions delivered to applicant on: May 23, 2024

Final staff report delivered to applicant on: May 29, 2024

- Applicant agreed with all of the conditions of approval on: May 23, 2024
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

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

Prepared By: *Zenia Fiveash*

Date: May 29, 2024

Zenia Fiveash
Assistant Planner
Zenia.Fiveash@yumaaz.gov

(928) 373-5000, x3040

Reviewed By: *Jennifer L. Albers*

Date: 5/29/24

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 06/13/2024

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, Zenia Fiveash, Assistant Planner, (928) 373-5000 x3040

3. 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
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 5/31/24
- **300' Vicinity Mailing:** 5/06/24
- **34 Commenting/Reviewing Agencies noticed:** 5/09/24
- **Site Posted on:** 5/08/24
- **Neighborhood Meeting:** 5/15/24
- **Hearing Date:** 6/24/24
- **Comments Due:** 5/20/24

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

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

Date Held: 5/15/24

Location: 2050 S. 10th Avenue

Attendees:

Neighbors: Fernando Esparza & Jimmy Fiser

Applicant: Braulio Martinez, Sr. & Braulio Martinez, Jr

Staff: Zenia Fiveash

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

- Fernando Esparza – He had concerns about adequate parking only.
- Jimmy Fiser – He had concerns about adequate parking only.

**ATTACHMENT D
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City/State/Zip Code		
ACEVEDO GERARDO C &	2068 S 9TH AVE	YUMA	AZ	85364
ARELLANO CRISTAL	2075 S 10TH AVE	YUMA	AZ	85364
AVILA MARCUS	2056 S 10TH AVE	YUMA	AZ	85364
BALB TRUST 12-22-2017	1915 S 39TH ST #73	MESA	AZ	85206
CAMINO OTERO REAL ESTATE INVESTMENTS LLC	340 W 32ND ST #504	YUMA	AZ	85364
CARLITOS TRUST 11-5-2021	2050 S 9TH AVE	YUMA	AZ	85364
CASTILLO LILLIAN G	2049 S 11TH AVE	YUMA	AZ	85364
CHAVEZ MARCUS	2039 S 11TH AVE	YUMA	AZ	85364
CORRAL PEDRO & DANIA	PO BOX 779	SOMERTON	AZ	85350
DRAVEN LIVIER VALDEZ	2100 S 11TH AVE	YUMA	AZ	85364
ENOCKSON KARL L & MARY L 1999 TR 7-13-99	PO BOX 3572	MANHATTAN BEACH	CA	90266
ENOCKSON KARL L & MARY LOUISE 1999 TRUST 7-13-1999	PO BOX 3572	MANHATTAN BEACH	CA	90266
FAZZ SERGIO & JUANITA	2044 S 9TH AVE	YUMA	AZ	85364
FIGUEROA DIANA	PO BOX 462	YUMA	AZ	85366
FISER SUSAN P	2057 S 10TH AVE	YUMA	AZ	85364
FLORENCE DENNIS J & LINDA S	2038 S 10TH AVE	YUMA	AZ	85364
FRANCO RODOLFO & TERESA JT	2045 S 10TH AVE	YUMA	AZ	85364
GARCIA JACQUELINE	2026 S 10TH AVE	YUMA	AZ	85364
GARIBAY TRUST 3-12-2020	4113 W 17TH PL	YUMA	AZ	85364
JOE & FRAN COLOMBO LLC	1147 LOSTINDA ST	EL CAJON	CA	92019
LANDEROS RAMON	2020 S 11TH AVE	YUMA	AZ	85364
LE DOANH DUC	5660 W MANZANITA DR	GLENDALE	AZ	85302
LEE FAMILY TRUST UTA 1-12-05	3877 E KING RANCH DR	YUMA	AZ	85365
LEE LORREINE	2045 S 11TH AVE	YUMA	AZ	85364
LOPEZ JUAN PEDRO TORRES	2021 S 10TH AVE	YUMA	AZ	85364
MANFREDI ROBERT WARREN	400 S MAIN ST	YUMA	AZ	85364
MARTINEZ BRAULIO M SR TRUST 12-21-2018	14043 HILLSIDE DR	JAMUL	CA	91935
MARTINEZ PABLO	14105 S 4TH AVE EXT	YUMA	AZ	85365
MAXWELL REVOCABLE TRUST 3-26-79	2208 E 27TH ST	YUMA	AZ	85365
MEZA FERNANDO A ESPARZA	2032 S 10TH AVE	YUMA	AZ	85364
OLEA JESUS G	2020 S 10TH AVE	YUMA	AZ	85364
PEREZ BENJAMIN & MARIA G JT	1061 S HEREFORD	YUMA	AZ	85364
PEREZ DIDIER	2063 S 10TH AVE	YUMA	AZ	85364
PEREZ MAYRA L	2032 S 9TH AVE	YUMA	AZ	85364
PHAN PHUONG D	3851 W 25TH LN	YUMA	AZ	85364
PIMBLE MICHAEL F	2033 S 10TH AVE	YUMA	AZ	85364
RANGEL RAMIRO HECTOR & MIREYA	2044 S 10TH AVE	YUMA	AZ	85364
REYES MERCEDES S	2074 S 10TH AVE	YUMA	AZ	
SHEETZ DARRELL L & IDA MARIE JT	2077 S 11TH AVE	YUMA	AZ	85364
SHINN IAN T	2069 S 10TH AVE	YUMA	AZ	85364
SHIPP MARIA R	645 S 9TH AVE	YUMA	AZ	85364
T3AZ LLC	5840 E 27TH PL	YUMA	AZ	85365

TRUJILLO ALFREDO TRUST 12-20-2001	13474 PIERCE STREET	SALINAS	CA	93906
VALDEZ CYRA	2062 S 9TH AVE	YUMA	AZ	85364
VELAZQUEZ ROSARIO C	2039 S 10TH AVE	YUMA	AZ	85364
VILLAPUDUA ENRIQUE ESPINOZA & DELIA V JT	2062 S 10TH AVE	YUMA	AZ	85364
WAGNER GLEN E	2027 S 10TH AVE	YUMA	AZ	85364
WARM PROPERTIES CA LLC	PO BOX 1452	LA JOLLA	CA	92038

**ATTACHMENT E
NEIGHBOR MAILING**

This is a request by Braulio Martinez, Jr., on behalf of Braulio Martinez, Sr., to rezone one parcel, approximately .17 acres, from the Low Density Residential (R-1-6) to the Medium Density Residential (R-2) District, for the property located at 2050 S.10th Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42650-2024**

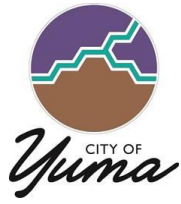
PUBLIC HEARING
8/12/2024 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 2050 S. 10th Avenue, Yuma, AZ, you are invited to attend the public meeting to voice your comments. If you have questions or wish to submit written comments, please contact Zenia Fiveash by phone at (928) 373-5000 ext. 3040 or by email at Zenia.Fiveash@YumaAz.gov

ATTACHMENT F
AERIAL PHOTO





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

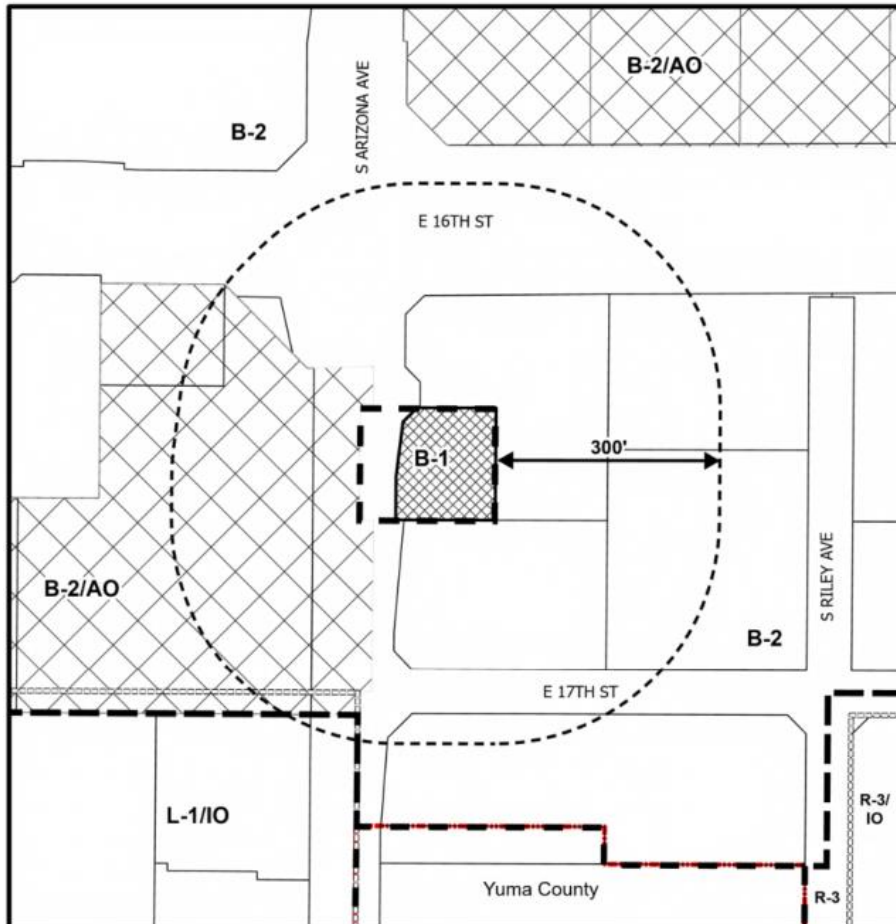
Hearing Date: August 12, 2024

Case Number: ZONE-42890-2024

Project Description/ Location: This is a request by Brenda Maldonado of Sun of a Gun Cigars to rezone an approximately 19,166 square foot lot from the Limited Commercial (B-1) District to the General Commercial (B-2) District, for the property located at 1651 S. Arizona Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Limited Commercial (B-1)	Sun of a Gun Cigars	Commercial
North	General Commercial (B-2)	Cretin's Restaurant	Commercial
South	General Commercial (B-2)	Navy Federal Credit Union	Commercial
East	General Commercial (B-2)	Cretin's Restaurant	Commercial
West	General Commercial / Aesthetic Overlay (B-2/AO)	Budgetel Hotel	Commercial

Location Map



Prior site actions: Annexation: #1649 (10/10/1977); Rezone Z78-08 from County C-2 to City Business A (Ordinance 1731, 05/03/1978).

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Limited Commercial (B-1) District to the General Commercial (B-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-42890-2024 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 the City Council for the request to rezone an approximately 19,166 square foot lot from the Limited Commercial (B-1) District to the General Commercial (B-2) District, for the property located at 1651 S. Arizona Avenue, 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 property is the site of Sun of a Gun Cigars. The 1,676 square foot building was built in 1980 for the Marine Air Federal Credit Union, which later moved to a new building to the south.

Zoning & General Plan:

The Limited Commercial (B-1) District lists a cocktail lounge or bar as needing a Conditional Use Permit. Sun of a Gun Cigars recently applied for sign permits to advertise a "beer garden" and the promotion of wine sales.

Since the subject property is completely surrounded by developed General Commercial (B-2) properties, and as an alternative to a Conditional Use Permit for a specific use, it was decided to proceed with a rezoning to B-2 which allows a cocktail lounge or bar as a permitted use. Additionally- there are no residences within 300 feet of the subject property.

The request to rezone the property from the Limited Commercial (B-1) District to the General Commercial (B-2) District is in conformance with the Commercial Land Use Category in the General Plan.

1. Does the proposed zoning district conform to the Land Use Element?

Yes.

Land Use Element:									
Land Use Designation:				Commercial					
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
Arizona Avenue- 2 Lane Collector Street	40 FT H/W ROW	50 FT+ H/W ROW				X
Bicycle Facilities Master Plan	Arizona Avenue – Proposed Bike Lane					
YCAT Transit System	Arizona Avenue- Green Route					
Issues:	None					

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 Memorial Complex					Future: Kennedy Memorial Complex			
Linear Park:	Existing: East Main Canal					Future: East Main Canal			
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	X	No						
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 Population	Police Impact	Water Consumption		Wastewater Generation
			<i>Non-residential</i>						
			Maximum	Per Unit		Officers	GPD	AF	GPD
			0	0	0	0.00	0	0.0	0
Minimum									
0			0	0	0.00	0	0.0	0	
Fire Facilities Plan:	Existing: Fire Station No. 4					Future: Fire Station No. 4			
Water Facility Plan:	Source:	City	X	Private	Connection:	16" line on Arizona Avenue			
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 8" line on 16 th St.			
Issues:	None								
Safety Element:									
Flood Plain Designation:	X				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.

Public Comments Received: None Received.

External Agency Comments: None Received.

Neighborhood Meeting Comments: N/A.

Proposed conditions delivered to applicant on: July 16, 2024

Final staff report delivered to applicant on: July 29, 2024

- Applicant agreed with all of the conditions of approval on: July 16, 2024
- Applicant did not agree with the following conditions of approval: (list #'s)

Attachments

A	B	C	D	E
Conditions of Approval	Agency Notifications	Neighbor Notification List	Neighbor Mailing	Aerial Photo

Prepared By: *Robert M. Blevins* **Date:** 07/16/24
 Robert M. Blevins
 Principal Planner Robert.Blevins@yumaaz.gov (928) 373-5189

Reviewed By: *Jennifer L. Albers* **Date:** 7/16/24
 Jennifer L. Albers
 Assistant Director of Planning

Approved By: *Alyssa Linville* **Date:** 08/01/2024
 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, Bob Blevins, Principal Planner (928) 373-5189:

3. 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
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 07/19/24
- **300' Vicinity Mailing:** 06/24/24
- **34 Commenting/Reviewing Agencies noticed:** 06/27/24
- **Hearing Date:** 08/12/24
- **Comments due:** 07/08/24
- **Site Posted on:** 07/09/24

External List (Comments)	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	YES	07/01/24	X		
Yuma County Engineering	YES	06/27/24	X		
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	06/27/24	X		
Yuma County Planning & Zoning	YES	06/28/24	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	07/03/24	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	07/10/24	X		
Fire	YES	08/28/24	X		
Building Safety	YES	07/08/24	X		
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT C
NEIGHBOR NOTIFICATION LIST**

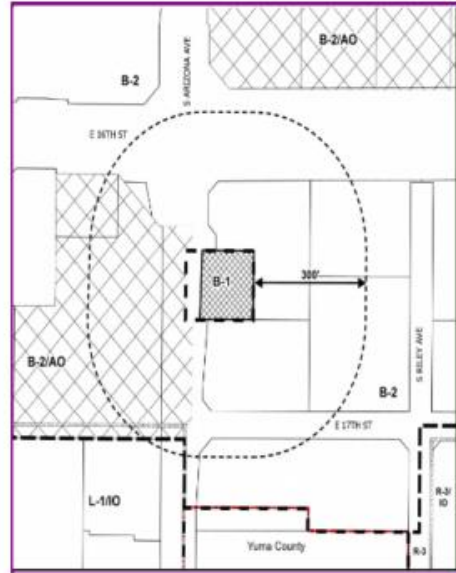
Property Owner	Mailing Address	City	State	Zip Code
FTS AUTOMOTIVE CENTER INC	1701 S ARIZONA AVE	YUMA	AZ	85364
KINGMAN HOTEL PARTNERS LLC	1700 EUREKA RD STE 160	ROSEVILLE	CA	95661
LAU KAM WO & LILY L TRUST 8-12-98	2079 ADMIRAL PL	SAN JOSE	CA	95133
NAVY FEDERAL CREDIT UNION	PO BOX 24626	MERRIFIELD	VA	22119
SOL ZEED LLC	14 CARAWAY COURT	PRINCETON	NJ	08540
UNDERHILL TRANSFER CO	PO BOX 562	YUMA	AZ	85366
WEST COAST LODGING LLC	1640 S ARIZONA AVE	YUMA	AZ	85364
WEST COAST LODGING LLC	1640 S ARIZONA AVE	YUMA	AZ	85364
WESTERN NEWS&INFO INC AZ CORP	8303 E HWY 69	PRESCOTT VALLEY	AZ	86314

**ATTACHMENT D
NEIGHBOR MAILING**

This is a request by Brenda Maldonado of Sun of a Gun Cigars to rezone an approximately 19,166 square foot lot from the Limited Commercial/Infill Overlay (B-1/IO) District to the General Commercial/Infill Overlay (B-2/IO) District, for the property located at 1651 S. Arizona Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42890-2024**

PUBLIC HEARING
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City Hall Council Chambers
One City Plaza, Yuma, AZ



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ATTACHMENT E
AERIAL PHOTO

