


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, October 28, 2024, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.

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|---|--|
|  | <p>Agenda</p> <p>Planning and Zoning Commission Meeting City Hall Council Chambers One City Plaza, Yuma, AZ Monday, October 28, 2024, 4:30 p.m.</p> |
|---|--|

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 – October 14, 2024

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES – **Continue to November 25, 2024**

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 August 12, 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 August 12, 2024).*

B.5 APPROVALS – NONE

C. ACTION ITEMS –

C.1 **CUP-43234-2024:** *This is a request by Nidya De La Torre on behalf of Royalty Blessed Investments, LLC, for a Conditional Use Permit to allow a dance and yoga studio in the Transitional/Infill Overlay (TR/IO) District, for the property located at 1417 S. 5th Avenue, Suite 1, Yuma, AZ.*

D. PUBLIC HEARINGS –

D.1 **ZONE-43152-2024:** *This is a request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 3 to address timelines for the review of zoning, variance and conditional use permit applications. (Continued from October 14, 2024).*

D.2 **ZONE-43195-2024:** *This is a request by Dahl, Robins, and Associates, Inc. on behalf of Brian L Hall Trust, dated 12-1-2005, to rezone approximately 28.5 acres from the Medium Density Single-Family Residential (R-2-5) District to the Medium Density Residential/ Planned Unit Development (R-2/PUD) District, for a portion of the property located at the southeast corner of S. Avenue 7E and E. 40th Street, 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
October 14, 2024**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday October 14, 2024, at the City of Yuma, Public Works Training Room, 155 W.14th Street, Yuma, AZ.

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

STAFF MEMBERS present included Jennifer Albers, Assistant Director of Planning; Erika Peterson, Senior Planner; John LeSueur, Assistant City Attorney; Andrew McGarvie, Engineering Manager; and Lizbeth Sanchez, Administrative Specialist.

Vice-Chairman Joshua Scott called the meeting to order at 4:30 p.m. and noted there was a quorum present.

CONSENT CALENDAR

MINUTES – September 23, 2024

WITHDRAWALS BY APPLICANT – None

CONTINUANCES –

SUBD-42905-2024: *This is a request by Dahl, Robins & Associates, on behalf of Hard Red Turtle, LLC, for approval of the preliminary plat for the HRT Subdivision Unit Nos. 1, 2, 3, 4 and 5. This subdivision will contain approximately 77.1 acres and is proposed to be divided into 304 residential lots, ranging in size from approximately 6,061 square feet to 20,384 square feet, for the properties located at the southeast corner of Avenue 6E and 48th Street, Yuma, AZ. (Continued to January 27, 2024).*

APPROVALS – None

Motion by Gregory Counts second by Lorraine Arney to APPROVE the Consent Calendar as presented. Motion carried unanimously, (4-0) with three absent.

Action Items– NONE

Public Hearings –

GP-42834-2024: *This is a Major General Plan Amendment request by Dahl, Robins & Associates, Inc., on behalf of 19 A, LLC, to change the land use designation from Low Density Residential, Resort, Recreation & Open Space, Business Park, and Public/Quasi-Public to Industrial for approximately 160 acres, for the properties located at the northeast corner of County 19th Street and Avenue A, Yuma, AZ.*

Erika Peterson, Senior Planner summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

Tom Pancrazi, 350 W. 16th Street, Yuma, AZ, was available for questions.

Commissioner Counts asked if the groves were old and non-producing. **Pancrazi** replied that the groves are producing but that there is need in the area for industrial uses. **Counts** then asked if the future

development would consist of solar or utilities. **Pancrazi** said it would most likely be solar or a clean energy project.

PUBLIC COMMENT

None

Motion by Lorraine Arney second by Chelsea Malouff to APPROVE GP-42834-2024 as presented. Motion carried unanimously, (4-0) with three absent.

ZONE-43152-2024: *This is a request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 3 to address timelines for the review of zoning, variance and conditional use permit applications.*

Jennifer Albers, Assistant Director of Planning, requested the Commission continue the case to October 28th, to provide staff time to address potential changes to the text amendment.

Motion by Gregory Counts, second by Chelsea Malouff to CONTINUE ZONE-43152-2024 to October 28, 2024. Motion carried unanimously, (4-0) with three absent.

INFORMATION ITEMS

Staff

None

Commission

None

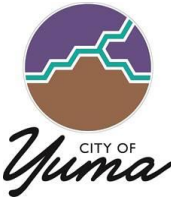
Public

None

Vice-Chairman Joshua Scott adjourned the meeting at 4:38 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: AMELIA DOMBY

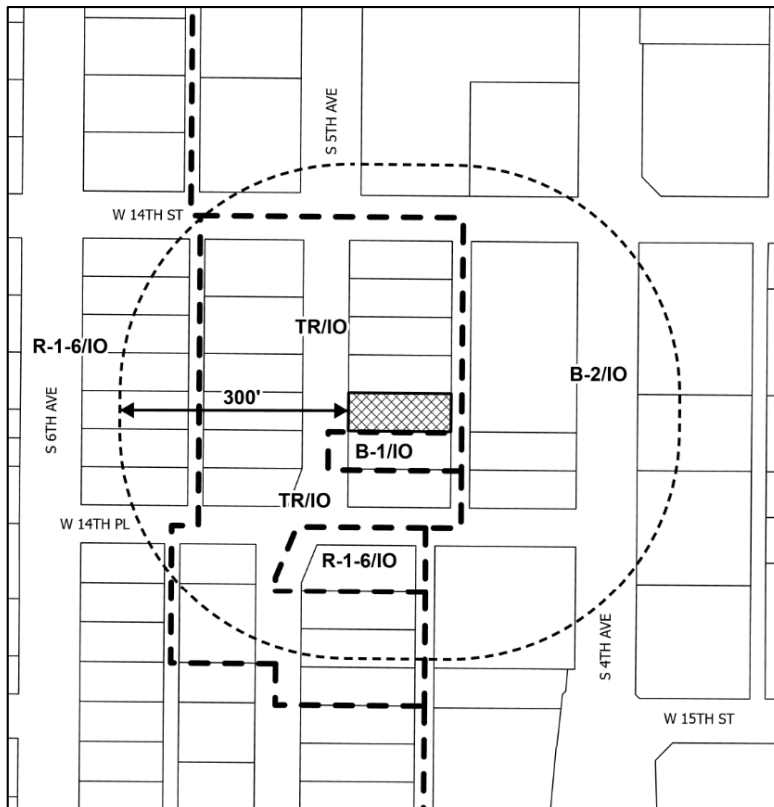
Hearing Date: October 28, 2024

Case Number: CUP-43234-2024

Project Description/Location: This is a request by Nidya De La Torre on behalf of Royalty Blessed Investments, LLC, for a Conditional Use Permit to allow a dance and yoga studio in the Transitional/Infill Overlay (TR/IO) District, for the property located at 1417 S. 5th Avenue, Suite 1, Yuma, AZ.

| | Existing Zoning | Use(s) on-site | General Plan Designation |
|--------------|-----------------------------------|-----------------------------------|--------------------------|
| Site | Transitional (TR) District | Newly Constructed Vacant Building | Mixed Use |
| North | Transitional (TR) District | Office Building | Mixed Use |
| South | Limited Commercial (B-1) District | Office Building | Mixed Use |
| East | General Commercial (B-2) District | Commercial Suites | Commercial |
| West | Transitional (TR) District | Office Building | Mixed Use |

Location Map:



Prior site actions: Annexation: Ord. 449 (November 6, 1945); Rezone: Ord. 1219 (August 1, 1961) Pre-development Meeting: September 3, 2024

Staff Recommendation: Staff recommends **APPROVAL** of the Conditional Use Permit to allow a dance and yoga studio, for the property located at 1417 S. 5th Avenue, Suite 1, Yuma, AZ in the in the Transitional/Infill Overlay (TR/IO) District, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Conditional Use Permit CUP-43234-2024 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 Nidya De La Torre on behalf of Royalty Blessed Investments, LLC, for a Conditional Use Permit to allow a dance and yoga studio in the Transitional/Infill Overlay (TR/IO) District, for the property located at 1417 S. 5th Avenue, Suite 1, 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 subject property is located at 1417 S. 5th Avenue, Suite 1. This property is located within the Transitional/Infill Overlay (TR/IO) District and is approximately 6,748 square feet in size.

The applicant is requesting a Conditional Use Permit to allow a dance and yoga studio within the newly constructed building in Transitional/Infill Overlay (TR/IO) District.

In total, the recently constructed building on this property is approximately 2,000 square feet in size. Suite one is approximately 1,000 square feet in size. The parking requirement for a yoga/dance studio is one space for each 400 square feet of gross floor area. Requiring a total of 3 parking spaces for this request. Currently, the property provides a total of 7 paved on-site parking spaces.

The applicant states:

“Evolve dance center (EDC) is aimed towards small, select groups for yoga/dance classes as well as one-on-one private dance training. Evolve Dance Center’s mission is to provide affordable, high-quality classes for those in our community. Our vision is to create a nurturing and noncompetitive environment for others, to be a haven of creativity, inspiration, empowerment, and inclusivity.

“EDC will be offering yoga classes to limited class sizes of 3 with the maximum of 5 people. Private classes are normally one-on-one training. Business hours will follow from 10am – 8pm, Monday through Thursday and closed on holidays. The primary teacher will be Camila Gonzalez with one other staff member with the potential to add 4 separate instructors who will all be teaching at different times. Nidya De La Torre will be behind the management part of the business.

“Looking ahead, EDC is looking to expand in size (both building and clients) to offer more services for those in our community with a goal of tripling our client base by 2026.’

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 | None | |
| B. | Parking | Provide sufficient parking | #1 |
| C. | Lighting | None – Sufficient lighting provided with building plans. | #1 |
| D. | Hours of Operation | None – Residences are separated by 5 th Avenue and adjacent offices. | |
| E. | Indoor/Outdoor Activities | None | |
| F. | Noise | None – Indoor use. | |
| G. | Air Quality | None | |
| H. | Hazardous Materials | None | |
| I. | Crime Prevention (CPTED) | None | |
| J. | Other | None | |

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

Yes.

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 |
| 5 th Avenue – 2 Lane Collector | 40 FT H/W | 30 FT H/W | | | | |
| Bicycle Facilities Master Plan | Existing Bike Route – 5 th Avenue | | | | | |
| YCAT Transit System | Yellow Route 95 | | | | | |
| Issues: | None | | | | | |

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

Yes. The proposed Conditional Use conforms to all prior City Council actions for this site.

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 and Zoning Commission has the authority to review and approve this request per section 154-08.01 (D)(1), which requires a Conditional Use Permit for any facility for group assembly of clubs and organizations or physical training.

(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 applicant stated that this proposed dance and yoga studio will not be detrimental and added this new studio will benefit the community. The dance center puts health and

personal wellbeing first. The dance and yoga studio will be conducted indoors within the newly constructed building. In addition, the hours of operation will be 10am-8pm Monday through Thursday.

(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. This property is located along 5th Avenue. Access is provided along 5th Avenue as well as through the alley. There are three parking spaces provided in front of the building and 4 additional spaces provided in the rear.

(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 newly constructed building is not adjacent to residential development. The property is adjacent to office buildings and a multi-tenant commercial building.

(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 current bulk and height of the existing building is compatible with the surrounding development. In addition, this building was constructed this year meeting the development standards of the Transitional/Infill Overlay (TR/IO) District.

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

Yes. The building has sufficient exterior lighting, and the dance and yoga studio will be conducted indoors. In addition, the applicant stated music will be at a volume where it will not disturb surrounding neighbors.

(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. Landscaping has been provided along 5th Avenue and in the rear. The proposed Conditional Use Permit will not alter the existing site.

Public Comments Received: None Received.

Agency Comments: See Attachment E.

Neighborhood Meeting Comments: No Meeting Required.

Discussions with Applicant/Agent: September 6, 2024, October 1, 2024

Proposed conditions delivered to applicant on: October 1, 2024

Final staff report delivered to applicant on: October 14, 2024

- Applicant agreed with all of the conditions of approval on: October 1, 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 | H |
|------------------------|-----------|------------|----------------------|-----------------|----------------------------|-------------------|--------------|
| Conditions of Approval | Site Plan | Site Photo | Agency Notifications | Agency Comments | Neighbor Notification List | Neighbor Postcard | Aerial Photo |

Prepared By: *Amelia Domby* **Date:** **October 4, 2024**
 Amelia Domby
 Principal Planner Amelia.Domby@yumaaz.gov (928) 373-5000, x1234

Approved By: *Alyssa Linville* **Date:** **October 9, 2024**
 Alyssa Linville,
 Director of Planning and Neighborhood Services

**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:

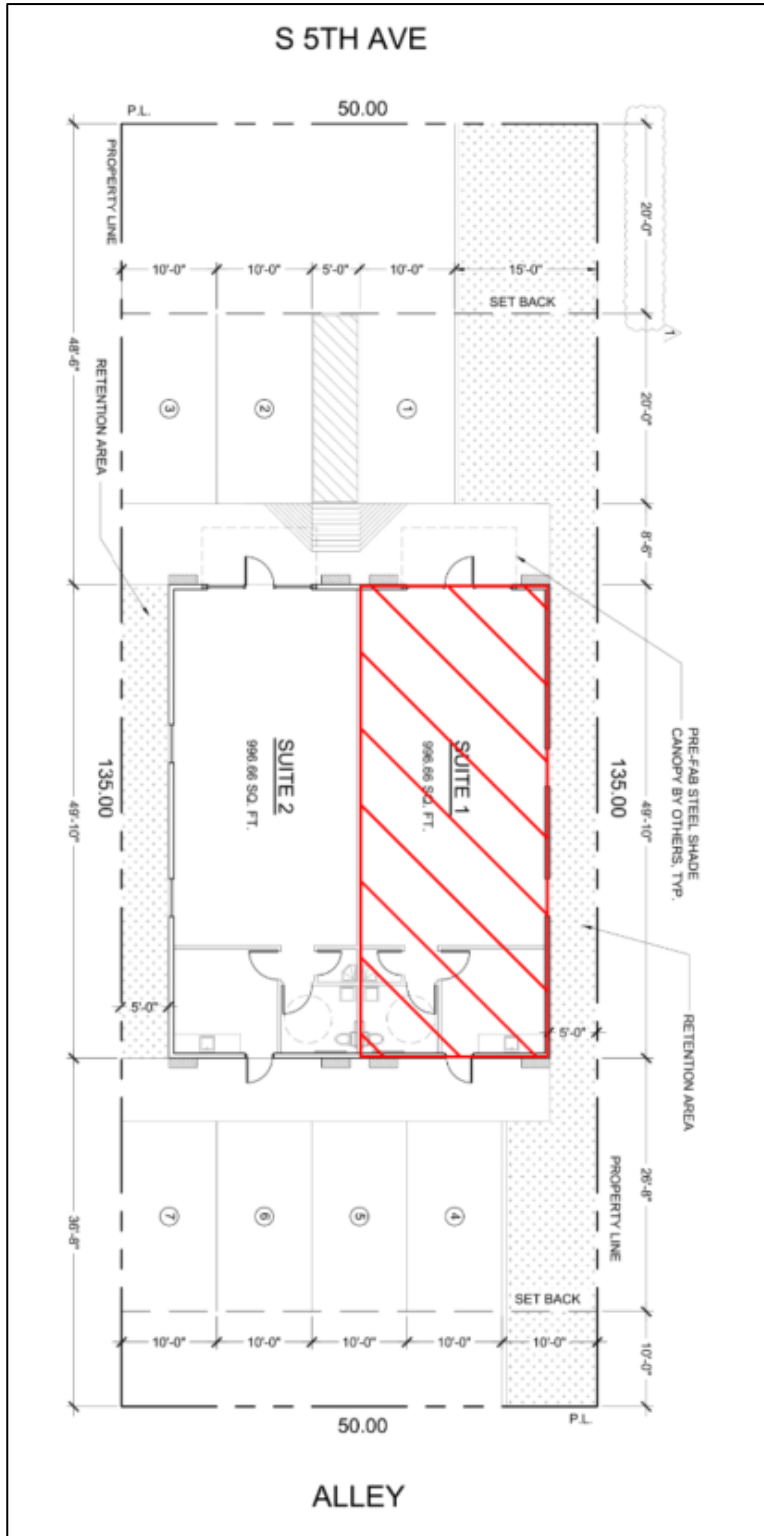
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Community Planning: Amelia Domby, Principal Planner, (928) 373-5000, 3034

3. 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.
4. 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.
5. 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.
6. 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
SITE PHOTOS



**ATTACHMENT D
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun 10/04/24
- 300' Vicinity Mailing: 09/09/24
- 34 Commenting/Reviewing Agencies noticed: 09/12/24
- Site Posted on: 10/21/24
- Neighborhood Meeting: N/A
- Hearing Date: 10/28/24
- Comments due: 10/23/24

| External List (Comments) | Response Received | Date Received | "No Comment" | Written Comments | Comments Attached |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority | YES | 9/16/24 | X | | |
| Yuma County Engineering | NR | | | | |
| Yuma County Public Works | NR | | | | |
| Yuma County Water Users' Assoc. | YES | 9/16/24 | X | | |
| Yuma County Planning & Zoning | YES | 9/20/24 | 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 Game and Fish | 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 | 9/18/24 | 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 | 9/24/24 | | | X |
| Building Safety | YES | 9/24/24 | X | | |
| City Engineer | NR | | | | |
| Traffic Engineer | NR | | | | |
| MCAS / C P & L Office | NR | | | | |
| Utilities | NR | | | | |
| Public Works | NR | | | | |
| Streets | NR | | | | |

ATTACHMENT E
AGENCY COMMENTS

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

Condition(s) No Condition(s) Comment

Enter conditions here: No conditions from Building Safety. Occupant load factor for Dance/Yoga Classroom per 2018 IBC, Table 1004.5 is 50 SF/person. Approximate total occupant load for this space of 987 SF would be 20 persons and classified as a Group B - Business Occupancy.

DATE: 9-24-2024 NAME: Alan Kircher TITLE: Building Safety Manager
CITY DEPT: Building Safety
PHONE: 928-373-5169
RETURN TO: Amelia Domby
Amelia.Domby@YumaAZ.gov

**ATTACHMENT F
NEIGHBOR NOTIFICATION LIST**

| Property Owner | Mailing Address | City | State | Zip |
|---|---------------------------|-------------|--------------|------------|
| ALRENWALD-THERANOVA AZ LLC | 2359 W 13TH LN | YUMA | AZ | 85364 |
| BEARD MONICA | 1460 S 4TH AVE | YUMA | AZ | 85364 |
| BECERRA RICARDO H & MARIA E JT | 3180 S ELM ST | YUMA | AZ | 85364 |
| BEELER PROPERTY HOLDINGS LLC | 1502 S 4TH AVE | YUMA | AZ | 85364 |
| BEST SOUTHWEST SERVICES INC | 2147 S COPPER VIEW WAY | YUMA | AZ | 85365 |
| CANSECO ANGEL | 1421 S 6TH AVE | YUMA | AZ | 85364 |
| CASTILLO CARLOS A & IRIS K | 2855 S 4TH AVE STE 118 | YUMA | AZ | 85364 |
| CLEMENTS WILLIAM M & DIANNE P TRUST | 1421 S 5TH AVE | YUMA | AZ | 85364 |
| DE LA TORRE HECTOR | 1898 S 36TH DR | YUMA | AZ | 85364 |
| FACTUM AZ LLC | PO BOX 2076 | YUMA | AZ | 85366 |
| GALINDO FRANCISCO & ELDAA O TRUST 12-30-2011 | 6849 E TOPKE ST | TUCSON | AZ | 85715 |
| GARZA SANTIAGO P & NORA A JT | PO BOX 1030 | YUMA | AZ | 85366 |
| HURTADO CONSUELO | 1323 S ARENA DR | YUMA | AZ | 85364 |
| HURTADO HECTOR & MARIA G JT | 1426 5TH AVE | YUMA | AZ | 85364 |
| JOHNSON RACHEL L | 1431 S 6TH AVENUE | YUMA | AZ | 85364 |
| LULYS GLASS AZ LLC | 1425 S 5TH AVE | YUMA | AZ | 85364 |
| MALOUFF GREGORY & CAROLYN JEANINE TRUST 3- 7-2018 | 593 S 4TH AVE | YUMA | AZ | 85364 |
| MEDINA MYRNA PATRICIA | PO BOX 1030 | YUMA | AZ | 85366 |
| MTMM LLC | 1700 S 1ST AVE STE 200 | YUMA | AZ | 85364 |
| NONA INVESTMENTS LLC | 4119 W 23RD ST | YUMA | AZ | 85364 |
| NONAS INVESTMENT PROPERTIES LLC | 4119 W 23RD ST | YUMA | AZ | 85364 |
| PORTILLO MIGUEL QUINTANA & MARIA C | | | | |
| PERAZA CPWROS | PO BOX 2862 | SOMERTON | AZ | 85350 |
| RALEY JAY | 1441 S 6TH AVE | YUMA | AZ | 85364 |
| REYES RICARDO G & BERTHA ESTHER JT | 1401 S 6TH AVE | YUMA | AZ | 85364 |
| ROYALTY BLESSED INVESTMENTS LLC | 2241 S 45TH DR | YUMA | AZ | 85364 |
| ROYALTY BLESSED INVESTMENTS LLC | 2241 S 45TH DR | YUMA | AZ | 85364 |
| ROYALTY BLESSED INVESTMENTS LLC | 2241 S 45TH DR | YUMA | AZ | 85364 |
| SABAPATHY ANAND | 3181 S 4TH AVE | YUMA | AZ | 85364 |
| SADIK AND JURJIS LLC | 1334 S 4TH AVE | YUMA | AZ | 85364 |

| | | | | |
|----------------------------------|---------------------|---------|----|-------|
| SHARIF MOUSTAFA LLC | 1416 S 5TH AVE | YUMA | AZ | 85364 |
| SMITH JIM D | 221 S 2ND AVE STE 1 | YUMA | AZ | 85364 |
| SMITH JIM D | 221 S 2ND AVE STE 1 | YUMA | AZ | 85364 |
| TEETER JOEL D & TERESA MARIE | 1443 S 5TH AVE | YUMA | AZ | 85364 |
| U-HAUL REAL ESTATE CO NV CORP | PO BOX 29046 | PHOENIX | AZ | 85038 |
| URZUA JOSE G | 1411 S 6TH AVE | YUMA | AZ | 85364 |
| VIZCAINO LOUIS & MARISA | 1449 S 5TH AVE | YUMA | AZ | 85364 |

**ATTACHMENT G
NEIGHBOR MAILING**

This is a request by Nidya De La Torre on behalf of Royalty Blessed Investments, LLC, for a Conditional Use Permit to allow a dance and yoga studio in the Transitional/Infill Overlay (TR/IO) District, for the property located at 1417 S. 5th Avenue, Suite 1, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
CUP-43234-2024**

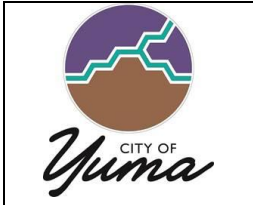
PUBLIC HEARING
10/28/2024 @ 4:30 PM
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 1417 S. 5th Avenue, Yuma, AZ. You are invited to attend this meeting to voice your comments. If you have questions or wish to submit written comments, please contact Amelia Dombay by phone at (928) 373-5000 ext. 3034 or by email at Amelia.Dombay@YumaAz.gov

ATTACHMENT H
AERIAL PHOTO





**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: JENNIFER ALBERS**

Hearing Date October 28, 2024

Case Number: ZONE-43152-2024

Project Description: This is a request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 3 to address timelines for the review of zoning, variance and conditional use permit applications.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to address timelines for the review of zoning, variance and conditional use permit applications.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-43152-2014 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council to address timelines for the review of zoning, variance and conditional use permit applications.

Staff Analysis: The purpose of this text amendment is to align the City of Yuma zoning code with recent State of Arizona statute changes for the review of zoning map amendment applications. Recent changes in statute with regard to the time allowed to review an application for completeness has prompted staff to review the City code and propose the attached text amendment.

As required by Senate Bill 1162, the proposed amendment establishes a 30-day timeline for staff review of applications for completeness. And further requires a written response from the City identifying any deficiencies in the application within that 30-days. The legislature implemented this change to require cities and counties to review applications in a timely process. This appears to be an issue in other parts of Arizona but has never been an issue within the City of Yuma. Staff review of applications typically happens within 1 to 2 days and this legislative change is not anticipated to have any effect on current City processes. Senate Bill 1162 also provides direction on allowing time extensions for zoning map amendments.

Senate Bill 1162 also adds clarification as to which properties would be included in a filed protest for a zoning application. Currently if the owners of 20% or more of those located within the requested change or within 150 feet of a requested change file a protest in writing this will prompt the requirement that a three-fourths vote of the City Council will be necessary for a zoning change request to be successful. The statute change is to exclude government properties from the 20% requirement. This legislative change will likely make it easier for private properties owners to initiate a protest and prompt the three-fourths vote of City Council.

Staff originally intended to expand the 30-day review timeline to include variance and conditional use permit requests to be consistent in how we review applications and provide responses to applicants. But at this time staff has removed that

portion of the text amendment pending an evaluation of how the new process will have an effect on case schedules. Application review for other case types can be addressed at a later date.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?

Yes The City of Yuma 2022 General Plan reflects the Visions and Strategic Plan of the City Council for the City. This text amendment supports a Strategic Outcome to be Respected and Responsible as a trusted steward of City Resources and to be relied upon to provide premier services and regional leadership.

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?

Yes This amendment supports the Zoning ordinance and brings the text into alignment with State statute.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

No

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

No

5. What are the potential impacts of the proposed amendment?

There are no potential negative impacts identified with the proposed text amendment.

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?

N/A

7. Does the proposed amendment conform to prior City Council actions regarding this issue?

Yes This amendment supports City Council's commitment to provide premier services to the Yuma community.

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Attachments:

| A | B |
|------------|---------------------|
| Draft Text | Agency Notification |

Prepared By: *Jennifer L. Albers*

Date: 10/17/24

Jennifer L. Albers

Assistant Director of Planning Jennifer.Albers@YumaAZ.gov (928) 373-5180

Approved By: *Alyssa Linville*

Date: 10/18/24

Alyssa Linville

Director, Planning and Neighborhood Services

ATTACHMENT A
DRAFT TEXT

SECTION 1: That the Yuma City Code, Title 15, Chapter 154, Article 3, Section 3 Zoning Amendments Paragraph (B) be amended to insert the bolded text and delete the strike through text:

(B) *Application for amendment of zoning map.* The **zoning** application shall be made on the form provided and shall be accompanied by a nonreturnable filing fee in accordance with the fee schedule adopted by City Ordinance No. 1943, and successors. Said application shall bear the property owners signatures and addresses, the legal description and land area of each property included in the application, the total land area represented by the application, a map of the area and other attachments as noted on the application ~~and a list of the names and addresses of all owners of property within a radius of 300 feet of the exterior boundaries of the property being the subject of the application, using for this purpose the name and address shown on the county assessment roll.~~

- (1) **Administrative completeness review time frame.** The City shall determine whether the application is administratively complete within thirty (30) days after receiving the application. If the application is deemed administratively incomplete, the City will provide the applicant with a written notice that includes a comprehensive list of the specific deficiencies. Upon issuance of the written notice, the administrative completeness review time frame and overall time frame contained in this Section are suspended until the City receives the resubmitted application. The City shall have fifteen (15) days to review the resubmitted application and determine whether every deficiency has been resolved for administrative completeness.
- (2) **Approval or Denial of Zoning Applications.** After determining that a zoning application is administratively complete, the City Council of the City of Yuma shall approve or deny the application within one hundred eighty (180) days. The City may extend the time frame to approve or deny beyond one hundred eighty (180) days as follows:
 - a. Staff may grant a one-time extension of not more than thirty (30) days for extenuating circumstances; or
 - b. Staff may grant extensions in thirty (30) days increments at the request of the applicant.
- (3) **Exceptions.** This Section does not apply to:
 - a. Land that is designated as a district of historical significance pursuant to ARS § 9-462.01(a); and
 - b. An area that is designated as historic on the national register of historic places;
 - c. Land that is already zoned as a planned area development (PAD).

SECTION 2: That the Yuma City Code, Title 15, Chapter 154, Article 3, Section 3 Zoning Amendments Paragraph (J) Sub-paragraph (1) be amended to insert the bolded text and delete the strike through text:

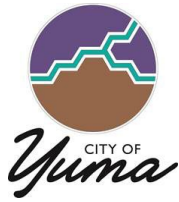
- (1) If the owners of 20% or more, **excluding government property**, either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side thereof extending 150 feet therefrom, or of those directly opposite thereto extending 150 feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by the favorable vote of three-fourths of all members of the City Council.

**ATTACHMENT B
AGENCY NOTIFICATION**

- Legal Ad Published: The Sun 09/20/24
- 34 Commenting/Reviewing Agencies noticed: 08/27/24
- Neighborhood Meeting: N/A
- Hearing Date: 10/14/24
- Comments due: 09/09/24

| External List (Comments) | Response Received | Date Received | “No Comment” | Written Comments | Comments Attached |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority | NR | | | | |
| Yuma County Engineering | NR | | | | |
| Yuma County Public Works | NR | | | | |
| Yuma County Water Users' Assoc. | Yes | 9/3/24 | X | | |
| Yuma County Planning & Zoning | NR | | | | |
| Yuma County Assessor | NR | | | | |
| Arizona Public Service | NR | | | | |
| Time Warner Cable | NR | | | | |
| Southwest Gas | NR | | | | |
| Qwest Communications | NR | | | | |
| Bureau of Land Management | NR | | | | |
| YUHS District #70 | NR | | | | |
| Yuma Elem. School District #1 | NR | | | | |
| Crane School District #13 | NR | | | | |
| A.D.O.T. | NR | | | | |
| Yuma Irrigation District | NR | | | | |
| Arizona Game and Fish | NR | | | | |
| United States Postal Service | NR | | | | |
| Yuma Metropolitan Planning Org. | NR | | | | |
| El Paso Natural Gas Co. | NR | | | | |
| Western Area Power Administration | Yes | 8/29/24 | X | | |
| MCAS - Yuma | Yes | 8/30/24 | X | | |
| City of Yuma Internal List (Conditions) | Response Received | Date Received | “No Conditions” | Written Conditions | Comments Attached |
| Police | NR | | | | |
| Parks & Recreation | NR | | | | |
| Development Engineering | NR | | | | |
| Fire | Yes | 8/29/24 | X | | |
| Building Safety | NR | | | | |
| City Engineer | NR | | | | |
| Traffic Engineer | NR | | | | |
| MCAS / C P & L Office | NR | | | | |
| Utilities | NR | | | | |
| Public Works | NR | | | | |
| Streets | NR | | | | |

| Neighborhood Meeting | Comments Available |
|-----------------------------|---------------------------|
| None Required | N/A |



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

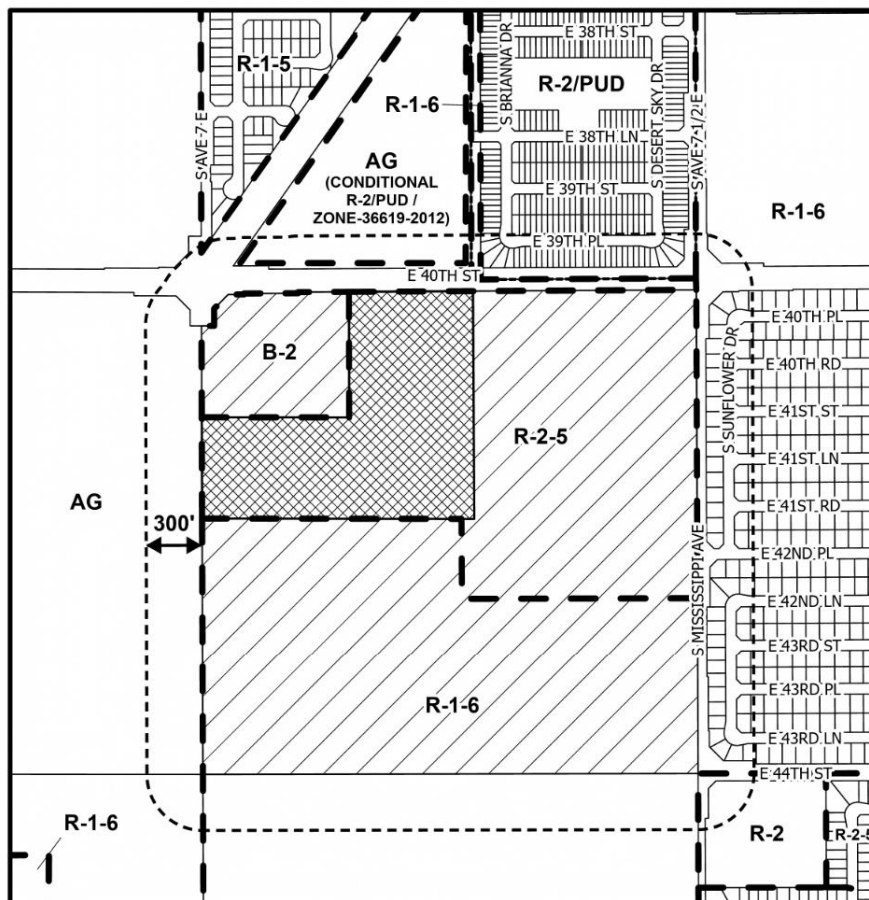
Hearing Date: October 28, 2024

Case Number: ZONE-43195-2024

Project Description/Location: This is a request by Dahl, Robins, and Associates, Inc. on behalf of Brian L Hall Trust, dated 12-1-2005, to rezone approximately 28.5 acres from the Medium Density Single-Family Residential (R-2-5) District to the Medium Density Residential/Planned Unit Development (R-2/PUD) District, for the property located at the southeast corner of S. Avenue 7E and E. 40th Street, Yuma, AZ.

| | Existing Zoning | Use(s) on-site | General Plan Designation |
|--------------|--|-----------------------|---------------------------------|
| Site | Agriculture (AG) | Undeveloped | Medium Density Residential |
| North | Agriculture (AG) (Conditional R-2/PUD ZONE-36619-2012) | Undeveloped | Medium Density Residential |
| South | Low Density Residential (R-1-6) | Undeveloped | Low Density Residential |
| East | Medium Density Single-Family Residential (R-2-5) | Undeveloped | Medium Density Residential |
| West | Agriculture (AG) | Undeveloped | Commercial |

Location Map



Prior site actions: Annexation: Ordinance 097-81 (January 2, 1998); General Plan Amendment: Res. R2019-044 (October 16, 2019/Low Density Residential Use to Medium Density Residential)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Medium Density Single-Family Residential (R-2-5) District to the Medium Density Residential/Planned Unit Development (R-2/PUD) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-43195-2024 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 recommended approval to City Council for the request to the Medium Density Residential/Planned Unit Development (R-2/PUD) District for the property located at , southeast corner of S. Avenue 7E and E. 40th Street, Yuma, AZ subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The applicant proposes developing the subject property for the Desert Sky Unit 4 townhome development. Currently, the site is undeveloped land. The applicant is proposing to construct 204 units on approximately 28.5 acres. With this request, the applicant is seeking to rezone the property from Medium Density Single-Family Residential (R-2-5) District to the Medium Density Residential/Planned Unit Development (R-2/PUD) District.

Density

The average lot area per dwelling unit, including common area but excluding area occupied by public or private streets, shall not be less than that required by the zoning district regulations otherwise applicable to the site. In density computations, common area shall include only open space and recreational areas that are to be used exclusively for the residents of the development who receive an undivided ownership and responsibilities for such area §154-14-07 (C)(4).

The zoning district regulation applicable to this project is the Medium Density Residential District (R-2) regulations contained within §154-07-01. The R-2 District requires a minimum lot size of 4,500 square feet.

The total lot area of this subdivision, which includes the common areas, but not the street is 938,919 square feet. The density calculation: 208 lots divided by the area, gives an average lot area of 4,514 square feet.

Development Standards

“Planned Unit Development are intended to permit greater flexibility and, consequently more creative and imaginative design for the development of residential areas than generally is possible under conventional zoning designations (§154-14.07 (A)).”

The proposed development with the PUD overlay would allow the following dimensional variations:

- An increase in the number of 4,500 square foot lots from 72 lots to 103 lots.

- A decrease in the minimum lot size from 4,500 square feet to 3,300 square feet.
- A decrease in the minimum lot width from 50' to 30'.
- Staggered front yard setbacks of 15' and 20' (20' is the standard front yard setback).
- A reduction in the side yard setbacks from 7' on each side to zero feet on each side.
- An increase in maximum lot coverage from 35% to 70%. The increase in lot coverage allows for the future addition of patios and/or sheds.

Amenities

“PUDs are further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of urban amenities and preservation of natural scenic qualities of open spaces (§154-14.07 (A)).”

The applicant has agreed to the following amenities for the proposed PUD:

1. A landscaped retention basin.
2. A 50'-wide linear tract (Tracts B and C) featuring a walking path and shade trees connecting this phase of the development to the phases north of 40th Street. Additionally, this linear tract will be extended to 44th Street upon future development to the south.
3. Each residential lot will feature irrigation, bermuda grass and a tree located in the front yard.

Dwelling Unit Design and Massing Plan

The applicant proposes five different floor plans and two different garage roof designs. The units will include a combination of asphalt and tile roofing with the air conditioning units on the rear roofs. The elevations for these floor plans are available in Attachment C.

The massing plan illustrates the arrangement of the units with the staggered setbacks, the interconnected walking paths, the retention basin/common area, and the walking path connecting the two phases of development. The massing plan is provided in Attachment D.

The proposed Planned Unit Development Overlay (PUD) District permits an increase in density far beyond what would be allowed under the underlying zoning district. This increase in density is financially beneficial to the applicant. The tradeoff for the increased density is that the applicant provides a higher level of urban amenities and preservation of natural scenic qualities of open spaces for the benefit of the residents of the PUD. The proposed amenities for this phase of development along with the required amenities in phase one, meet the intent for a Planned Unit Development as outlined in the City Code.

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

| | | | | | | | |
|--------------------------|----------------|----------------------------|-----------------|--|-------------|--|--------|
| 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?
Yes

| FACILITY PLANS | | | | | | |
|--|--|---------------|---------|--------|--------|-------|
| Transportation Master Plan | Planned | Existing | Gateway | Scenic | Hazard | Truck |
| 40 th Street 4- Lane Minor Arterial | 50 FT H/W ROW | 62 FT H/W ROW | | | | |
| Bicycle Facilities Master Plan | 40 th Street – Proposed Bike Lane | | | | | |
| YCAT Transit System | None | | | | | |
| 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: Saguaro Park | | | Future: | | | |
| Community Park: | Existing: None | | | Future: South Mesa Community Park | | | |
| Linear Park: | Existing: None | | | Future: "A" Canal Linear Park | | | |
| 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 | | N/A | | |
| Conservation, Energy & Environmental Element: | | | | | | | |
| Impact on Air or Water Resources | Yes | | No | X | | | |
| Renewable Energy Source | Yes | | No | X | | | |
| Issues: | None | | | | | | |
| Public Services Element: | | | | | | | |
| Population Impacts Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person | Multi-Family | | Population | Impact | Consumption | | Generation |
| | Maximum | Per Unit | | Officers | GPD | AF | GPD |
| | 386 | 1.6 | 618 | 1.17 | 127,843 | 143.2 | 43,232 |
| | Minimum | | | | | | |
| | 149 | 1.6 | 238 | 0.45 | 49,349 | 55.3 | 16,688 |
| Fire Facilities Plan: | Existing: Fire Station No. 7 | | | Future: | | | |
| Water Facility Plan: | Source: | City | X | Private | Connection: | 10" PVC Line | |
| Sewer Facility Plan: | Treatment: | City | X | Septic | Private | Connection: 12" PVC Line | |
| Issues: | None | | | | | | |
| Safety Element: | | | | | | | |
| Flood Plain Designation: | Flood Zone 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 | |
| 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

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: 10/17/24

Final staff report delivered to applicant on: 10/18/24

- Applicant agreed with all of the conditions of approval on: 10/18/24
- 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 |
|------------------------|----------------------------|-------------------|--------------|----------------------|
| Conditions of Approval | Conceptual Site Plan | Elevations | Massing Plan | Agency Notifications |
| F | G | H | I | |
| Agency Comments | Neighbor Notification List | Neighbor Postcard | Aerial Photo | |

Prepared By: *Zenia Fiveash*

Date: 10-17-24

Zenia Fiveash
Assistant Planner
Zenia.Fiveash@yumaaz.gov

(928) 373-5000, x3040

Reviewed By: *Jennifer L. Albers*

Date: 10/17/24

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 10/18/24

Alyssa Linville
Director, Planning and Neighborhood Services

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

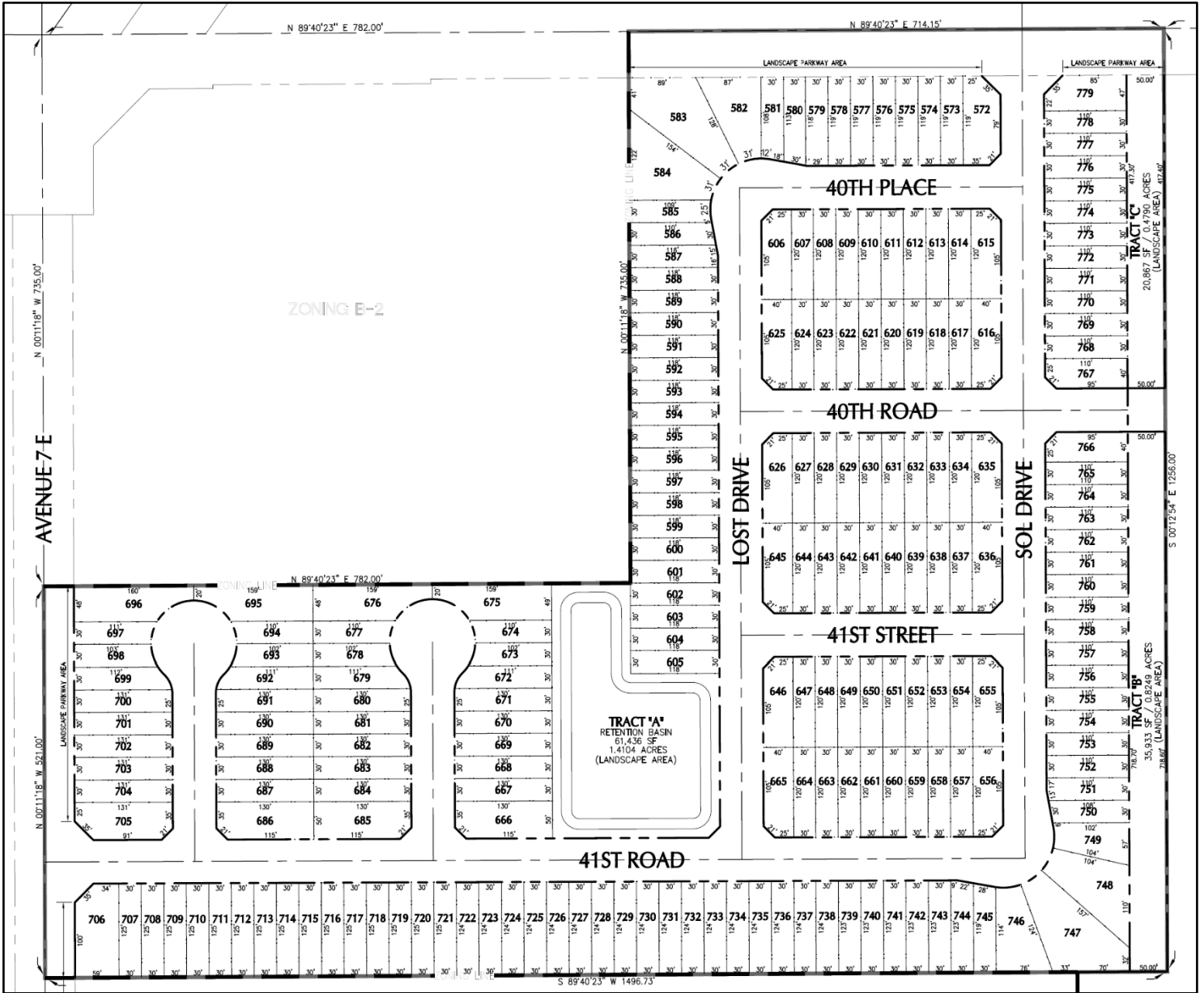
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

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

4. The common area/retention basin shall be designed to include the following amenities:
 - a. Landscaping in a cohesive manner similar to that of the completed common area/retention basin located in Desert Sky Units No. 1, 2, and 3.
 - b. A 50'-wide linear tract (Tracts B and C) featuring a walking path and shade trees connecting this phase of the development to the phases north of 40th Street.
5. Front yard irrigation, grass, and a 15-gallon tree for each unit shall be installed as a phased installation project, not to exceed 10 completed units.
6. Each of the conditions listed above shall be completed within five (5) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

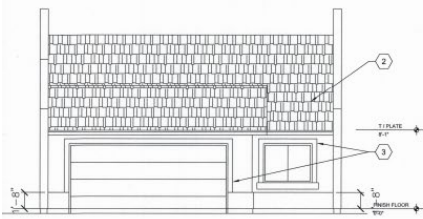
Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B CONCEPTUAL SITE PLAN



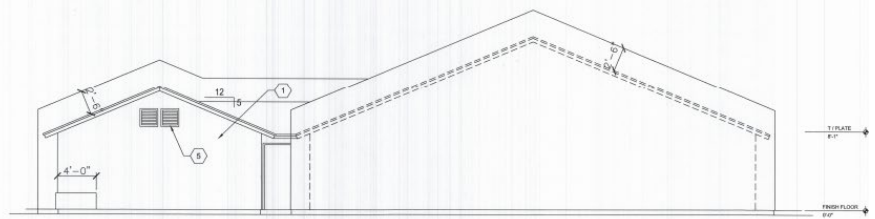
ATTACHMENT C ELEVATIONS

Model 1236:



1 Front Elevation

SCALE: 3/16"=1'-0"



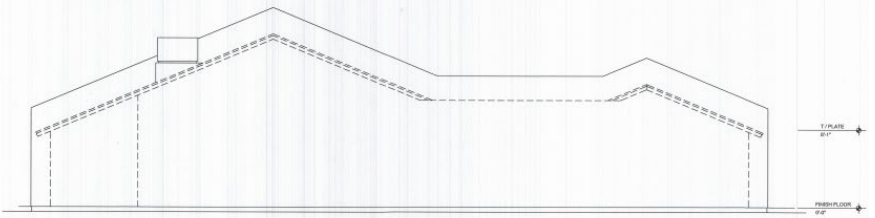
1 Right Side Elevation

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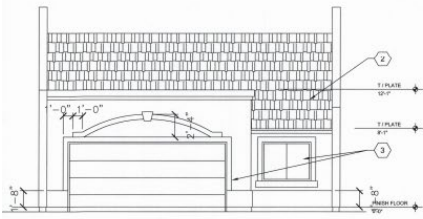
1 Rear Elevation

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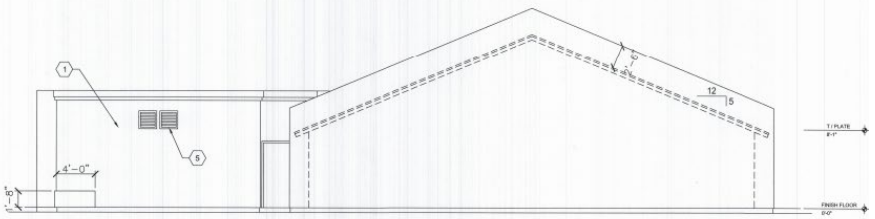
1 Left Side Elevation

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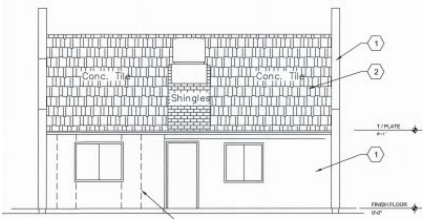
1 Front Elevation

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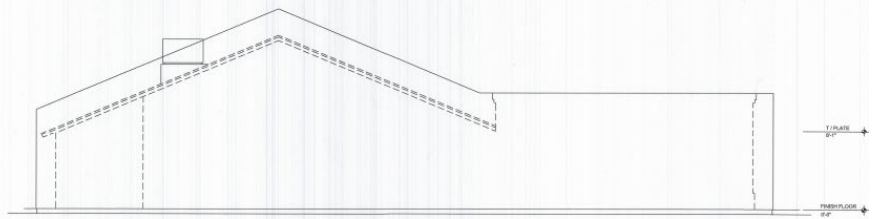
1 Right Side Elevation

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1 Rear Elevation

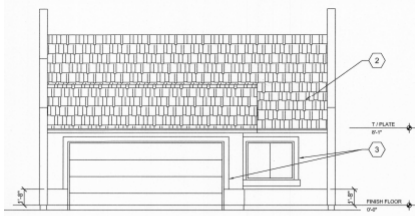
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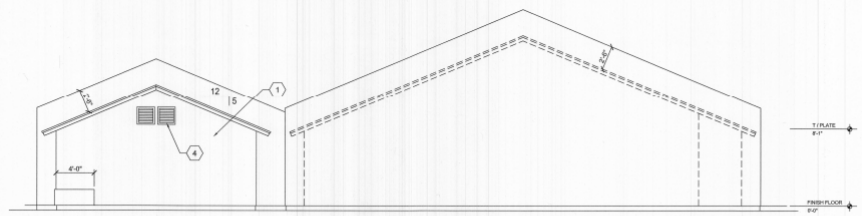
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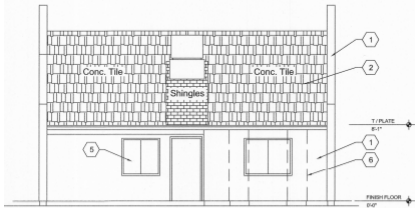
Model 1280:



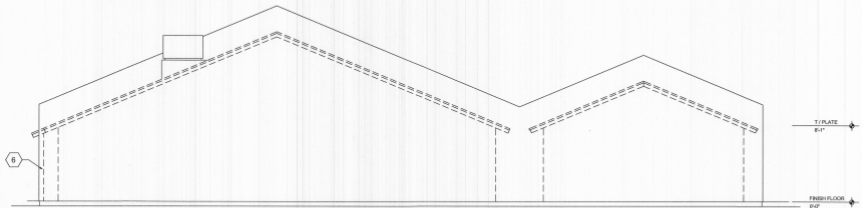
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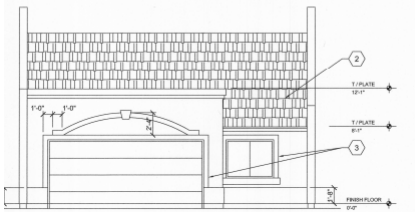
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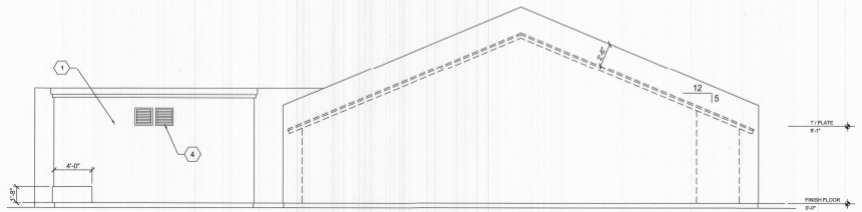
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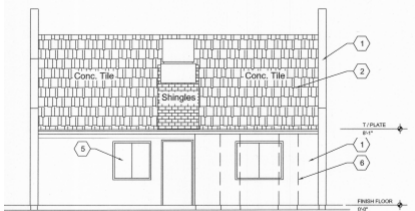
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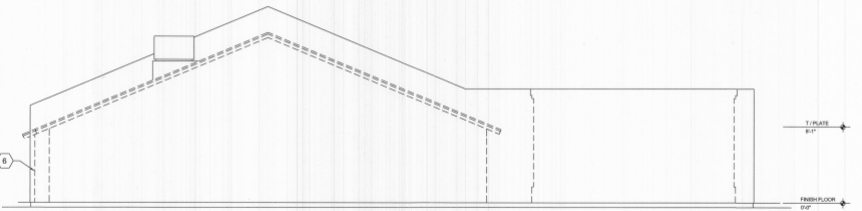
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1 Right Side Elevation
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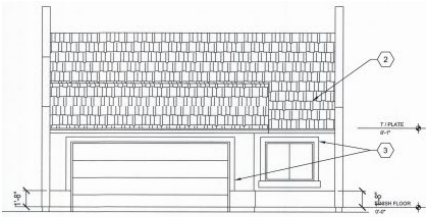


1 Rear Elevation
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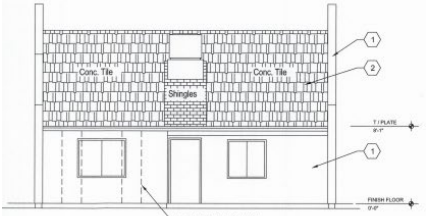
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Model 1316:



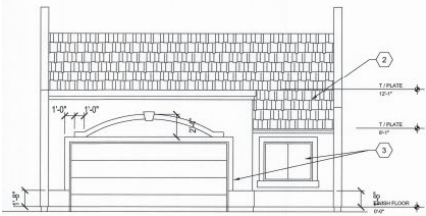
1 Front Elevation

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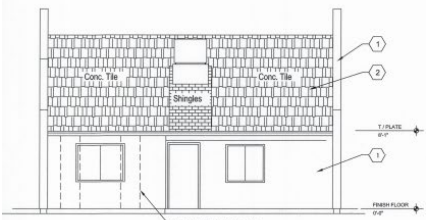
1 Rear Elevation

SCALE: 3/16"=1'-0"



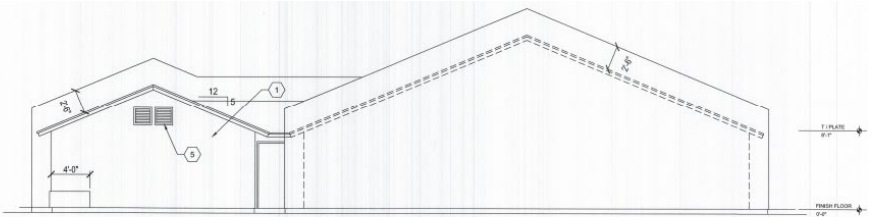
1 Front Elevation

SCALE: 3/16"=1'-0"



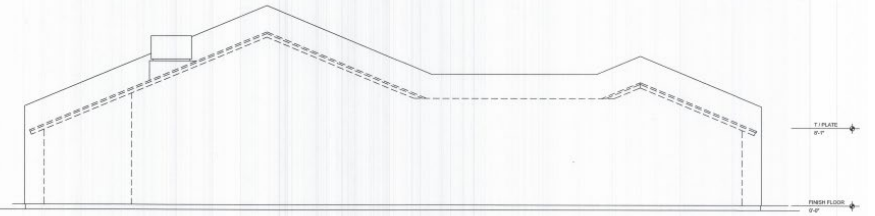
1 Rear Elevation

SCALE: 3/16"=1'-0"



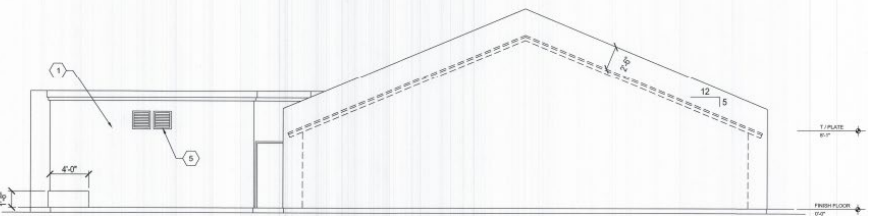
1 Right Side Elevation

SCALE: 3/16"=1'-0"



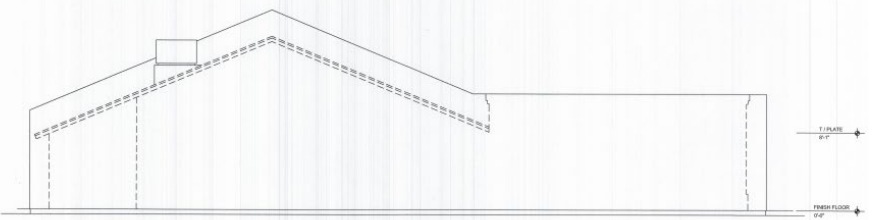
1 Left Side Elevation

SCALE: 3/16"=1'-0"



1 Right Side Elevation

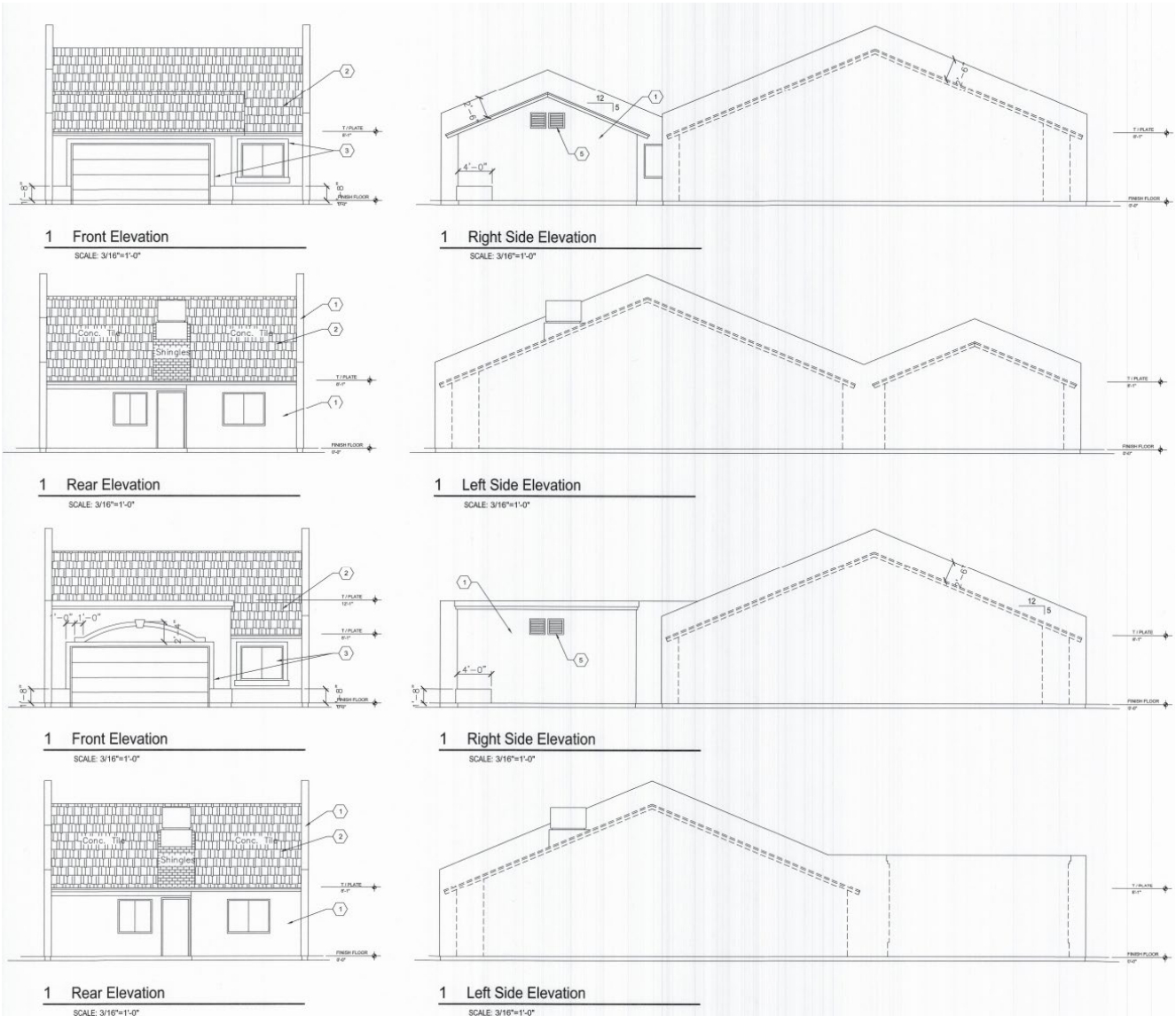
SCALE: 3/16"=1'-0"



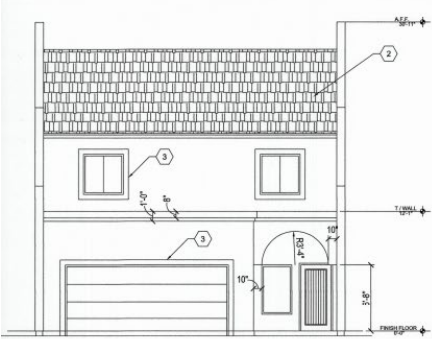
1 Left Side Elevation

SCALE: 3/16"=1'-0"

Model 1386:

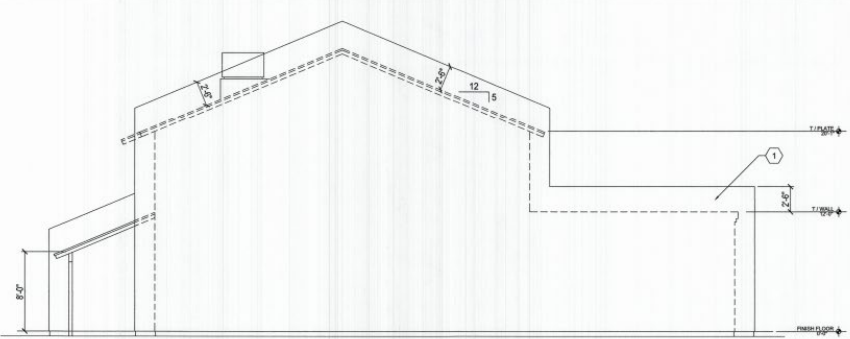


Model 1906:



1 Front Elevation

SCALE: 3/16"=1'-0"



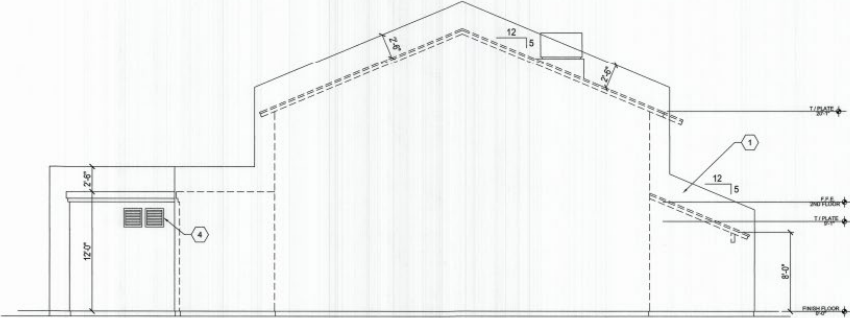
1 Left Side Elevation

SCALE: 3/16"=1'-0"



1 Rear Elevation

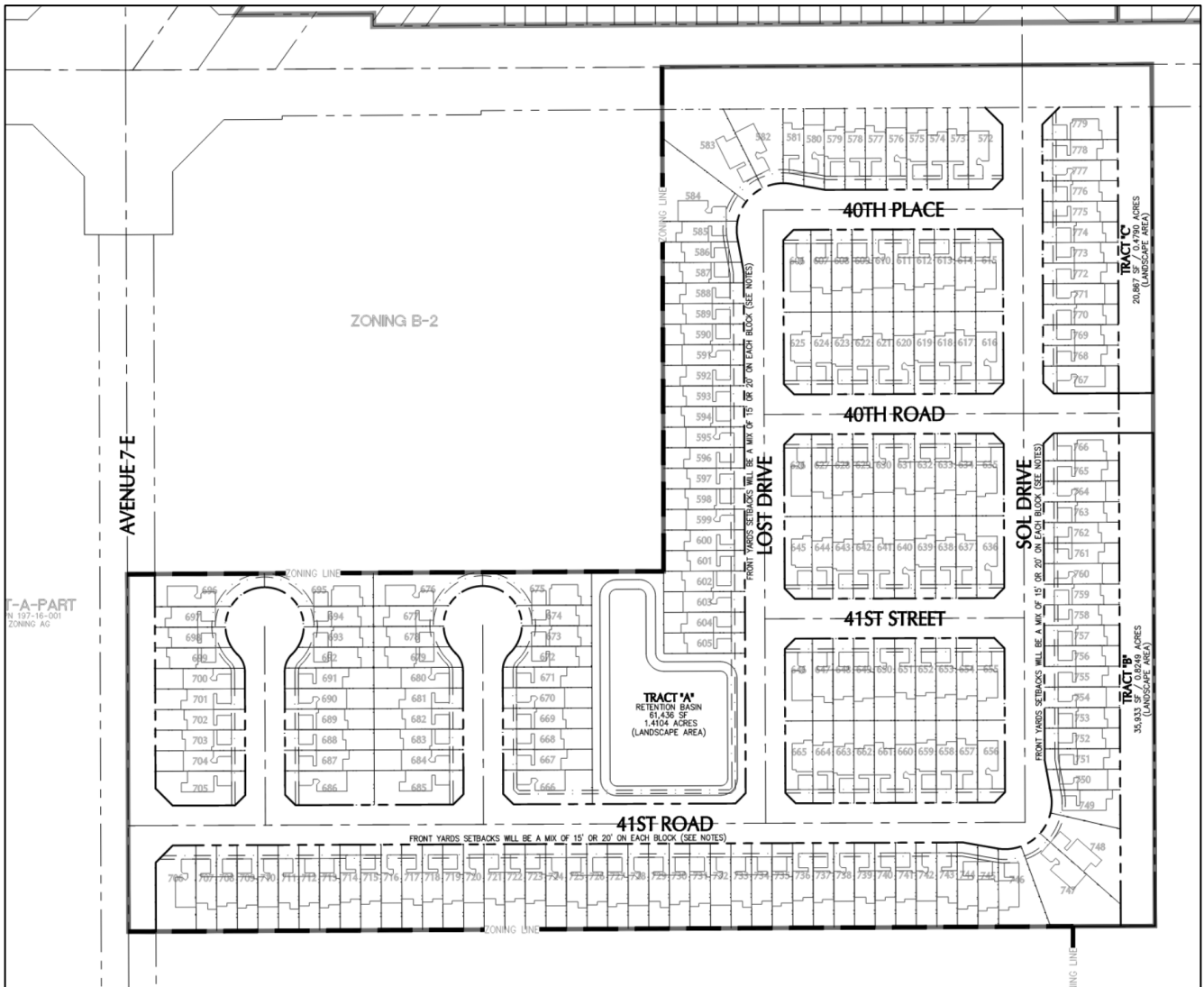
SCALE: 3/16"=1'-0"



1 Right Side Elevation

SCALE: 3/16"=1'-0"

ATTACHMENT D MASSING PLAN



**ATTACHMENT E
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 9/30/24
- **300' Vicinity Mailing:** 9/09/24
- **34 Commenting/Reviewing Agencies noticed:** 9/23/24
- **Site Posted on:** 10/21/24
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 10/28/24
- **Comments due:** 9/23/24

| External List (Comments) | Response Received | Date Received | "No Comment" | Written Comments | Comments Attached |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority | 9/16/24 | | X | | |
| Yuma County Engineering | NR | | | | |
| Yuma County Public Works | NR | | | | |
| Yuma County Water Users' Assoc. | 9/16/2 | | 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 | 9/17/24 | | | | 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 | 9/16/24 | | X | | |
| Building Safety | NR | | | | |
| City Engineer | NR | | | | |
| Traffic Engineer | NR | | | | |
| MCAS / C P & L Office | 9/19/24 | | | | X |
| Utilities | NR | | | | |
| Public Works | NR | | | | |
| Streets | NR | | | | |

ATTACHMENT F
AGENCY COMMENTS

Western Area Power Administration (WAPA) has no objections to the rezoning of the subject property, however WAPA does have facilities that may be potentially impacted. Please have the landowner contact WAPA prior to ANY construction activities within our right of way.

DATE: 9/18/24 NAME: Dennis Patane TITLE: Realty Specialist
AGENCY: Western Area Power Administration-DSW Region
PHONE: 602 605-2713
RETURN TO: Zenia Fiveash
Zenias.Fiveash@YumaAZ.gov

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

Condition(s) No Condition(s) Comment

Enter conditions here: The subject parcel (APN 197-15-001) is located approximately 1.75 miles from the Barry M. Goldwater Range West (BMGR-W) northern boundary. It is requested that Avigation easement and Range Disclosure Statements be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, BMGR, and its associated flight paths. Please send a copy of the recorded easements to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE: 19 Sep 2024 NAME: Antonio Martinez TITLE: Community Liaison Specialist
CITY DEPT: MCAS Yuma
PHONE: 928-269-2103
RETURN TO: Zenia Fiveash
Zenias.Fiveash@YumaAZ.gov

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

Condition(s) No Condition(s) Comment

Enter conditions here:

The Owner/Developer shall dedicate 40 feet halfwidth right-of-way along the Avenue 7E frontage for a collector street per the City of Yuma Transportation Master Plan. Plus widening for turn lanes at the intersections of Avenue 7E and 40th Street, and Avenue 7E and 44th Street, per Figure 3 of the 2005/2007 Major Roadways Plan.

The Owner/Developer shall dedicate 50 feet halfwidth right-of-way along the 40th Street frontage for a Minor Arterial street per City of Yuma Transportation Master Plan. Plus widening for turn lanes at the intersections of Avenue 7E & 40th Street and 40th Street and Avenue 7½E/Mississippi Avenue, per Figure 3 of the 2005/2007 Major Roadways Plan.

The Owner/Developer shall dedicate 40 feet halfwidth right-of-way along the Avenue 7½E/Mississippi Avenue frontage for a mid-section collector street. Plus widening for turn lanes at the intersections of Avenue 7½E/Mississippi Avenue and 40th Street, and 44th Street and Avenue 7½E/Mississippi Avenue, per Figure 3 of the 2005/2007 Major Roadways Plan.

The Owner/Developer shall dedicate 40 feet halfwidth right-of-way along 44th Street frontage for a mid-section collector street. Plus widening for turn lanes at the intersections of Avenue 7E and 44th Street, and 44th Street and Avenue 7½E/Mississippi Avenue, per Figure 3 of the 2005/2007 Major Roadways Plan.

The Owner/Developer shall dedicate corner triangles with 40 foot legs, at all of the intersections listed above.

The Owner/Developer shall dedicate the above listed right-of-way by warranty deed or by plat.

DATE: 9/19/2024 NAME: Andrew McGarvie TITLE: Development Engineering Manager
CITY DEPT: Engineering
PHONE: 3044
RETURN TO: Zenia Fiveash
Zenias.Fiveash@YumaAZ.gov

ATTACHMENT G
NEIGHBOR NOTIFICATION LIST

| Property Owner | Mailing Address | City/State/Zip Code | | |
|--------------------------------------|----------------------|---------------------|----|-------|
| ACUNA DANIELLE | 7517 E 43RD LN | YUMA | AZ | 85365 |
| AGUIRRE CARLOS J & MARIA D JT | 4076 S SUNFLOWER DR | YUMA | AZ | 85365 |
| AGUIRREBARRENA TYLER O | 7523 E 42ND PL | YUMA | AZ | 85365 |
| AKKADIAN LLC | 4132 S HINCKLEY DR | YUMA | AZ | 85365 |
| AKKADIAN LLC | 4132 S HINCKLEY DR | YUMA | AZ | 85365 |
| ALVAREZ RODRIGO & PRICILLA | 4316 S SUNFLOWER DR | YUMA | AZ | 85365 |
| AMADOR KARLA E | 7552 E 41ST ST | YUMA | AZ | 85365 |
| ANDERSON BLAKE D | 779 BEDFORD DR | SALINAS | CA | 93901 |
| ANDERSON BLAKE D | 779 BEDFORD DR | SALINAS | CA | 93901 |
| ANDERSON JASON | 4116 S SUNFLOWER DR | YUMA | AZ | 85365 |
| ARRIAGA JESUS OMAR COTA | 7564 E 43RD PL | YUMA | AZ | 85365 |
| BACHE RILEY | 4730 E CO 14 1/2 ST | YUMA | AZ | 85365 |
| BARAJAS BERNARDO | 7573 E 41ST RD | YUMA | AZ | 85365 |
| BARBOSA ANGELINA MELGOSA | 7548 E 43RD LN | YUMA | AZ | 85365 |
| BARRIENTOS DAVID L & VICTORIA L | 4140 S SUNFLOWER DR | YUMA | AZ | 85365 |
| BENEDICT EASTON A & STEPHANIE A | 7533 E 43RD LN | YUMA | AZ | 85365 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BHR HOLDINGS LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| BRAVO ERIK DIAZ | 7544 E 43RD ST | YUMA | AZ | 85365 |
| BRUGH GLEN LEE JR & CHARLOTTE I | PO BOX 1226 | RAMONA | CA | 92065 |
| BUSTER WILLIAM & BETTY | 8376 E 26TH ST | YUMA | AZ | 85365 |
| CABRERA BRITTNEY N | 7298 E 39TH PL | YUMA | AZ | 85365 |
| CALDWELL HEATHER A | 7317 E 39TH PL | YUMA | AZ | 85365 |
| CARMONA JORGE LUIS JR | 4256 S SUNFLOWER DR | YUMA | AZ | 85365 |
| CARRANZA EDWIN L & MARIA D CPWROS | 7556 E 41ST RD | YUMA | AZ | 85365 |
| CASE FAMILY TRUST 11-14-2023 | 4090 W 16TH PL | YUMA | AZ | 85364 |
| CASTILLO JOSE RENATO | 7551 E 40TH RD | YUMA | AZ | 85365 |
| CASTILLO JUAN | 7572 E 41ST RD | YUMA | AZ | 85365 |
| CASTILLO SUSANA | 14538 LIEBACHER AVE | NORWALK | CA | 90650 |
| CASTRO CELESTINO & ROSA | 7275 E 39TH PL | YUMA | AZ | 85365 |
| CAVENEY ALEXIS M | 7329 E 39TH PL | YUMA | AZ | 85365 |
| CELAYA ENRIQUE & AURORA M | 4052 S SUNFLOWER DR | YUMA | AZ | 85365 |
| CHARLES BRANDON P & CHYNA M | 4268 S SUNFLOWER DR | YUMA | AZ | 85365 |
| CHERLAND ERIKA | 7549 E 40TH PL | YUMA | AZ | 85365 |
| CHINEA JOSEPH ROBERT | 3971 S DESERT SKY DR | YUMA | AZ | 85365 |
| CONTRERAS ROBERTO CARLOS | PO BOX 10482 | SAN LUIS | AZ | 85349 |
| CORONA ELLIOT NOE ARCOS | 7541 E 42ND PL | YUMA | AZ | 85365 |
| CORRALES CHRISTOPHER | 11425 E 26TH LN | YUMA | AZ | 85367 |

| | | | | |
|--|---------------------|-------------|----|-------|
| COX JACOB MATTHEW & ERIN NICOLE | 7549 E 43RD LN | YUMA | AZ | 85365 |
| CUANDROS JOSE ALONSO AHUMADA | 7546 E 43RD PL | YUMA | AZ | 85365 |
| DEESE DANIEL FRANKLIN & SARA | 7566 E 43D LN | YUMA | AZ | 85365 |
| DESERT FIG PROPERTIES LLC | 1785 LOTUS AVE | EL CENTRO | CA | 92243 |
| DURAN MICHELLE SILVA FERNANDEZ CHRISTIE AMBER | 4206 S SUNFLOWER DR | YUMA | AZ | 85365 |
| LIVING TRUST 01-2-2022 | 2774 S FRESNO AVE | YUMA | AZ | 85364 |
| FOOTHILLS PLAZA PROPERTIES LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| GALVAN LUIS ANTONIO & GRISELDA FAVIOLA | 7316 E 39TH PL | YUMA | AZ | 85365 |
| GARCIA BARBARA L | 7557 E 41ST RD | YUMA | AZ | 85365 |
| GARCIA MANUEL J JR | 7555 E 41ST LN | YUMA | AZ | 85365 |
| GARCIA RUBEN C & SUNDAY D | 7565 E 43RD PL | YUMA | AZ | 85365 |
| GERNERT LORI A | 7257 E 39TH PLACE | YUMA | AZ | 85365 |
| GONZALEZ MATHEW & VANESSA MANZANERO | 7542 E 42ND LN | YUMA | AZ | 85365 |
| GONZALEZ ROSA P | 7564 E 40TH PL | YUMA | AZ | 85365 |
| GUERRA TRUST 11-8-2022 | 7568 E 41ST ST | YUMA | AZ | 85365 |
| HALL BRIAN L TRUST 12-1-2005 | 3064 S AVENUE B | YUMA | AZ | 85364 |
| HALL BRIAN L TRUST 12-1-2005 | 3064 S AVENUE B | YUMA | AZ | 85364 |
| HALL BRIAN L TRUST 12-1-2005 | 3064 S AVENUE B | YUMA | AZ | 85364 |
| HALL BRIAN L TRUST 12-1-2005 | 3064 S AVENUE B | YUMA | AZ | 85364 |
| HALL FAMILY RANCH LLC | 2451 S BRANDI LN | YUMA | AZ | 85364 |
| HALL FAMILY RANCH LLC | 2451 S BRANDI LN | YUMA | AZ | 85364 |
| HALL FAMILY RANCH LLC | 2451 S BRANDI LN | YUMA | AZ | 85364 |
| HALL FAMILY RANCH LLC | 2451 S BRANDI LN | YUMA | AZ | 85364 |
| HILLMAN JERRITT RUSSELL ESAU | 7554 E 41ST LN | YUMA | AZ | 85365 |
| HOLGUIN MARIA | 7382 E 39TH PL | YUMA | AZ | 85365 |
| HOLZWORTH DENVER M | 508 3RD ST SW | JAMESTOWN | ND | 58401 |
| HURTADO VERONICA ANGELITA | 7341 E 39TH PL | YUMA | AZ | 85365 |
| IDC LAND LLC | 450 WHITEBIRD ST | GRANGEVILLE | ID | 83530 |
| JONES DAVID & KALA ERYN | 7562 E 43RD ST | YUMA | AZ | 85365 |
| KATHERINE ROCCI LIVING TRUST 6- 25-2024 | 7346 E 39TH PL | YUMA | AZ | 85365 |
| KENLEY DANIEL | 4028 S SUNFLOWER DR | YUMA | AZ | 85365 |
| LARA JOEL & KAREN | 7547 E 43RD PL | YUMA | AZ | 85365 |
| LARRABEE JOSHUA MICHAEL | 7323 E 39TH PL | YUMA | AZ | 85365 |
| LIZARRAGA JOSE MENDOZA & CRUZ | 7566 E 40TH RD | YUMA | AZ | 85365 |
| LOPEZ JAVIER & BRITTNEY M | 7530 E 40TH PL | YUMA | AZ | 85365 |
| LUDINGTON BRENDAN RALPH & JENIFER | 7340 E 39TH PL | YUMA | AZ | 85365 |
| LUNA ALMA | 4292 S SUNFLOWER DR | YUMA | AZ | 85365 |
| MALLET TAMARA MARIE | 7388 E 39TH PL | YUMA | AZ | 85365 |
| MANJARREZ LIZBETH | 7553 E 41ST ST | YUMA | AZ | 85365 |
| MARQUEZ RAMON EDUARDO | 7268 E 39TH PL | YUMA | AZ | 85365 |
| MARTIN TIMMY LEE & CHRISTINE ANN | 7558 E 42ND PL | YUMA | AZ | 85365 |
| MARTINEZ ERIKA | 7376 E 39TH PL | YUMA | AZ | 85365 |
| MARTINEZ JOSE LUIS LOPEZ | 7543 E 42ND LN | YUMA | AZ | 85365 |
| MARTINEZ MARCOS ANTONIO LEON | 7371 E 39TH PL | YUMA | AZ | 85365 |

| | | | | |
|--|---------------------------|----------|----|-------|
| MATTHE FAMILY TRUST 3-5-2024 | 3015 COTTONWOOD VIEW DR | EL CAJON | CA | 92019 |
| MCCLURE CRAIG & STEPHEN & CONSTANCE ALL JT | 4036 S SUNFLOWER DR | YUMA | AZ | 85365 |
| MCFADZEAN JESSICA | 7293 E 39TH PL | YUMA | AZ | 85365 |
| MEDINA RAMON RIOS | 7548 E 40TH PL | YUMA | AZ | 85365 |
| MEJIA ALVARO AMARO | 7395 E 39TH PL | YUMA | AZ | 85365 |
| MENDOZA CRYSTAL | 7307 E 39TH PL | YUMA | AZ | 85365 |
| MIRANDA GEORGINA ISABEL | 7353 E 39TH PL | YUMA | AZ | 85365 |
| MONTALVO PEDRO & ALMA | 7402 E 39TH PL | YUMA | AZ | 85365 |
| MONTOYA IVON | 7563 E 43RD ST | YUMA | AZ | 85365 |
| MORA SERGIO D | 7352 E 39TH PL | YUMA | AZ | 85365 |
| MORAN VANESSA | 4280 SUNFLOWER DR | YUMA | AZ | 85365 |
| NAVA DANIEL & MARIA ELENA | 4304 S SUNFLOWER DR | YUMA | AZ | 85365 |
| NAVARRETE MARIA SANDRA | 4626 W 23RD LN | YUMA | AZ | 85364 |
| NEBLINA VICTOR DANIEL | 4376 S SUNFLOWER DR | YUMA | AZ | 85365 |
| PEEVLER MICHAEL R | 14806 E 55TH ST | YUMA | AZ | 85365 |
| POMPA SIDNEY | 7364 E 39TH PL | YUMA | AZ | 85365 |
| PONCE JOSHUA NOEL | 4198 S SUNFLOWER DR | YUMA | AZ | 85365 |
| PORCAYO BERTIN JR | 7561 E 42ND PL | YUMA | AZ | 85365 |
| POTTTER CHELSEA MARGARET | 4158 S SUNFLOWER DR | YUMA | AZ | 85365 |
| PRATHER BRANDON | 7347 E 39TH PL | YUMA | AZ | 85365 |
| QUIGLEY DANIEL | 10161 E 34TH LN | YUMA | AZ | 85365 |
| RAMIREZ ALEJANDRO M | 4124 S SUNFLOWER DR | YUMA | AZ | 85365 |
| RAMOS CONSUELO | 3976 S BRIANNA DR | YUMA | AZ | 85365 |
| RAMSAY JERRY & SHIRLEY | 4100 S SUNFLOWER DR | YUMA | AZ | 85365 |
| REID TYRONE DEON | 7359 E 39TH PL | YUMA | AZ | 85365 |
| ROCHA PORFIRIO I III & & MARCOS CPWROS | 4132 S SUNFLOWER DR | YUMA | AZ | 85365 |
| RODRIGUEZ AMAIRANI | 4340 S SUNFLOWER DR | YUMA | AZ | 85365 |
| RODRIGUEZ LEONEL | 7559 E 42ND PL | YUMA | AZ | 85365 |
| ROMERO MIRIAM HOLANDA | 7306 E 39TH PL | YUMA | AZ | 85365 |
| RUHL TRUST 7-25-2018 | 4328 S SUNFLOWER DR | YUMA | AZ | 85365 |
| SAGUARO DESERT SALES LLC | 7545 E 43RD ST | YUMA | AZ | 85365 |
| SANTANA 142 RE HOLDINGS AZ LLC | 340 PALLADIO PKWY STE 521 | FOLSOM | CA | 95630 |
| SEALE BROOKE N | 7408 E 39TH PL | YUMA | AZ | 85365 |
| SEYFERT JACQUELINE | 7383 E 39TH PL | YUMA | AZ | 85365 |
| SIORDIA MANUEL A & ALEXANDRA D CPWROS | 4084 S SUNFLOWER DR | YUMA | AZ | 85365 |
| SORENSEN CHRISTOPHER & KATHARINE | 7569 E 41ST ST | YUMA | AZ | 85365 |
| STEINBUCH MAXX DAVID | 7560 E 24ND LN | YUMA | AZ | 85365 |
| STEPHENS-EDMONDS RANCH LLC | 1223 POPLAR ST | RAMONA | CA | 92065 |
| TANDARICH TODD & ANGELA CPWROS | 7574 E 42N PL | YUMA | AZ | 85365 |
| TEMPLETON CODY & ANA C | 4352 S SUNFLOWER DR | YUMA | AZ | 85365 |
| URIAS ADALISA I | PO BOX 6115 | YUMA | AZ | 85366 |
| VEJAR LUIS ANGEL | 7403 E 39TH PL | YUMA | AZ | 85365 |
| VIRGEN GALILEA GUADALUPE TORRES | 7567 E 40TH RD | YUMA | AZ | 85365 |
| WATSON MARY N | 3064 S AVE B | YUMA | AZ | 85364 |
| WEIL JOHN A & CRISTYN E CPWROS | 3771 E LAS CRUCES LN | YUMA | AZ | 85365 |

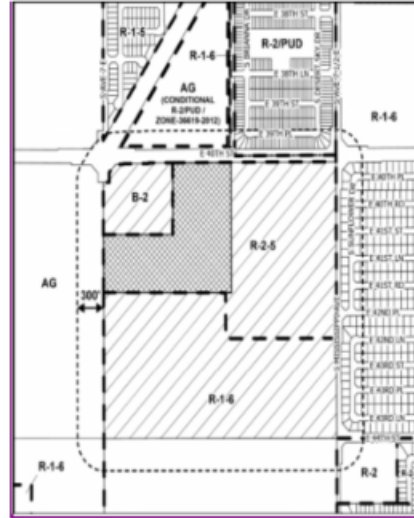
| | | | | |
|-------------------------------------|----------------|-----------|----|-------|
| WESTERN SANDS LAND INC AZ CORP | 3064 S AVE B | YUMA | AZ | 85364 |
| YUMAS DESERT SKY DEVELOPMENT LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| YUMAS DESERT SKY DEVELOPMENT LLC | 3064 S AVE B | YUMA | AZ | 85364 |
| ZADEH FAMILY TRUST 8-8-2023 | 1077 W ROSS RD | EL CENTRO | CA | 92243 |

**ATTACHMENT H
NEIGHBOR MAILING**

This is a request by Dahl, Robins, and Associates, Inc. on behalf of Brian L Hall Trust, dated 12-1-2005, to rezone approximately 28.5 acres from the Medium Density Single-Family Residential (R-2-5) District to the Medium Density Residential/ Planned Unit Development (R-2/PUD) District, for a portion of the property located at the southeast corner of S. Avenue 7E and E. 40th Street, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-43195-2024**

PUBLIC HEARING
10/28/2023 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of the southeast corner of S. Avenue 7E and E. 40th Street, 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 I
AERIAL PHOTO

