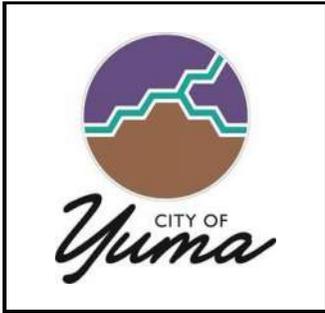


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

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 March 23, 2020, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.



REVISED Agenda
Planning and Zoning Commission Meeting
Location Change: City Hall Council Chambers
One City Plaza
Yuma, AZ

Monday, March 23, 2020, 4:30 p.m.

Consistent with the March 13, 2020 Arizona Attorney General informal opinion Relating to Arizona's Open Meeting Law and COVID-19, in order to protect the public and reduce the chance of COVID-19 transmission, the meetings of the City of Yuma Planning and Zoning Commission will be conducted remotely through technological means.

City Hall Council Chambers will be closed to the public.

Members of the public may view the meetings live on City Channels 73 and 72 and live-streamed on the City of Yuma website. Recordings of the meetings will be available on the City's website after the meeting.

Public comment regarding any **agenda** item shall be limited to those provided in written format to the Planning and Zoning Commission secretary at email address planning@yumaz.gov no later than 15 minutes prior to the start of the scheduled meeting. Comments received timely will be read into the record when the referenced agenda item is discussed.

CALL TO ORDER

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.

APPROVAL OF MINUTES

February 24, 2020 (3 of 4 required: Hamel, Counts, Hengl, and Arney)

WITHDRAWALS BY APPLICANT –

1. **GP-28299-2019:** This is a General Plan Amendment request by Shelley Anderson on behalf of the Anderson E W & Elizabeth Trust 4/2/76, to change the land use designation from Low Density Residential to High Density Residential for approximately 1.54 acres, for the properties located between 8th Place, 9th Street, 14th Avenue and Arena Drive. (This is the second of two public hearings.) (Continued from March 9, 2020)

TIME EXTENSIONS – NONE

CONTINUANCES – NONE

APPROVALS –

1. **SUBD-29031-2020:** This is a request by Dahl, Robins & Associates, Inc., on behalf of KDC of Yuma, LLC, for approval of the preliminary plat for the Patagonia Subdivision. This subdivision will contain approximately 29.39 acres, and is proposed to be divided into 21 residential lots, ranging in size from 43,581 square feet to 102,795 square feet. The property is located near the southeast corner of Avenue 9E and 24th Street, Yuma, AZ. (Continued from March 9, 2020)
2. **CUP-29082-2020:** This is a request by Enterprise Leasing Co of Phoenix, LLC, on behalf of Jim D. Smith, for a Conditional Use Permit for retail sale or rental of goods in the Light Industrial/Airport Overlay (L-I/AD) District, on the property located at 2811 S Ave 2 ½ E, Yuma, AZ. (Continued from March 9, 2020)
3. **ZONE-29231-2020:** This is a request by Dahl, Robins, and Associates, on behalf of Jeffrey Conte, to rezone approximately 18.34 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, for the property located at the northwest corner of Arizona Avenue and 34th Street, Yuma, AZ.
4. **CUP-29214-2020:** This is a request by Land Development Consultants, LLC., on behalf of Circle K Stores, Inc., for a Conditional Use Permit to allow the retail sale of motor fuels and a convenience market on a 2.28 acre parcel in the Agriculture (AG) / Conditional General Commercial (B-2) District, for the property located at 6544 E. 32nd Street.

PUBLIC HEARINGS – The Planning & Zoning Commission will be considering a vote or action on the following cases. Any vote or action will be considered separately for each case. As a part of the public hearing process, the City Planning & Zoning Commission is authorized to consider appropriate alternate Zoning Districts, which are no more intensive in development activity than the requested Zoning District. Additionally, the Commission is authorized to supplement requested rezoning actions with the Aesthetic Overlay (AO) District and/or the Public Designation (P) District as may be deemed appropriate.

NONE

INFORMATION ITEMS

1. STAFF
2. COMMISSION
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
February 24, 2020**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, February 24, 2020, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present included Chairman Hamel, and Commissioners Gregory Counts, Barbara Hengl, Lorraine Arney. Vice-Chairman Dammeyer was absent. There are two vacancies.

STAFF MEMBERS present included Kenneth McCoy, Assistant City Attorney; Agustin Cruz, Senior Civil Engineer; Alyssa Linville, Assistant Director DCD / Zoning Administrator; Robert Blevins, Principal Planner; Richard Munguia, Senior Planner; Jennifer Albers, Principal Planner; Cheri Skinner, Associate Planner; and Charysse Casillas, Administrative Assistant.

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

ELECTION OF OFFICERS

Commissioner Counts nominated Chris Hamel as Chairman, second by **Commissioner Hengl**.
Motion carried unanimously (4-0) with Chris Hamel as Chairman.

Commissioner Hamel nominated Fred Dammeyer as Vice-Chairman, second by **Commissioner Counts**.
Motion carried unanimously (4-0) with Fred Dammeyer as Vice-Chairman.

CONSENT CALENDAR

MINUTES – January 27, 2020

WITHDRAWALS BY APPLICANT – None

CONTINUANCES – None

APPROVALS –

1. **SUBD-28737-2019:** This is a request by Vega and Vega Engineering, on behalf of Proxima Centauri Development, LLC, for approval of the final plat for the Autumn Valley Subdivision, proposed to be divided into 22 residential lots ranging in size from 6,000 square feet to 11,559 square feet. The property is located at the southeast corner of 16th Street and 44th Avenue, Yuma, AZ. (*Continued from February 10, 2020.*)
2. **ZONE-28855-2019:** This is a request by Land Development Consultants, LLC., on behalf of Circle K Stores, Inc., to rezone a 2.28-acre parcel from Agriculture (AG) to General Commercial (B-2), for the property located at 6544 E. 32nd Street. (*Continued from February 10, 2020.*)

Motion by Counts, second by Hengl, to APPROVE the Approvals section of the Consent Calendar. The minutes of January 27, 2020 were deferred to the next scheduled meeting. Motion carried unanimously (4-0, with 1 absent).

PUBLIC HEARINGS

GP-28299-2019: This is a General Plan Amendment request by Shelley Anderson on behalf of the Anderson E W & Elizabeth Trust 4/2/76, to change the land use designation from Low Density Residential to High Density Residential for approximately 1.54 acres, for the properties located between 8th Place, 9th Street, 14th Avenue and Arena Drive. (*Continued from February 10, 2020.*)

Jennifer Albers, Principal Planner, summarized the staff report.

QUESTIONS FOR STAFF

Hengl asked about the number of units or square footage of units to be constructed on the property. **Albers** said the applicant had intended to sell the property for future development with the maximum number of units being twenty-eight.

Arney inquired about the increased traffic in the area. **Albers** said the case was being presented for the General Plan Amendment which did not include a building design or site plan lay out. **Albers** continued to say the hearing was for density only and the local roads in the area already exceeded the City’s minimum requirements.

APPLICANT / APPLICANT’S REPRESENTATIVE

Shelley Anderson, 1000 S. 5th Avenue, Yuma, AZ, was available for questions.

Hamel asked if the applicant was the property owner and if he would be the builder if the rezone was approved. **Anderson** advised he was not the owner and confirmed he would not be in charge of the construction.

PUBLIC COMMENT

Christie Stanart, 965 S. Teri Drive, Yuma, AZ, expressed her concerns about the potential for increased traffic and increased criminal activity. **Stanart** also commented on the lack of communication mailed to the residents whom do not primarily speak English, as they were not properly informed of the General Plan Amendment.

Jaime Hernandez, 1440 W. 9th Place, Yuma, AZ, said his concern was related to increased traffic and preferred the construction of single family homes on the lots.

Mary Evitch, 1369 W. 9th Street, Yuma, AZ, voiced concerns about an increase in traffic flow causing more vehicular and or pedestrian accidents, and improper usage of traffic signals in the area.

Karina Hernandez, 1550 W. Vicky Lane, Yuma, AZ, stated she did not receive notice of the rezone. She also questioned why single family homes were not proposed as the apartment complexes in the area had experienced issues retaining residents.

MOTION

Motion by Counts, second by Arney to CLOSE Case Number GP-28299-2019. Motion carried unanimously (4-0, with 1 absent).

SUBD-28854-2019: This is a request by Dahl, Robins & Associates, Inc., on behalf of Christopher George Merziotis Trust, for approval of the final plat for the Spirit Park Subdivision. This subdivision will contain approximately 19.31 acres, and is proposed to be divided into 13 industrial lots, ranging in size from 44,907 square feet to 116,023 square feet. The property is located at the southeast corner of Avenue 3E and the 38th Street alignment, Yuma, AZ. *(Continued from February 10, 2020.)*

Alyssa Linville, Assistant Director of DCD / Zoning Administrator, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT’S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION

Motion by Counts, second by Hengl to APPROVE Case Number SUBD-28854-2019. Motion carried unanimously (4-0, with 1 absent).

CUP-28856-2019: This is a request by Katherine Nickle, on behalf of Javier and Maria Almeida, for a Conditional Use Permit to allow a skin care salon and construction office in the Light Industrial/Airport Overlay (L-I/AD) District. The property is located at 2580 S. 24th Street, Suite B and C, Yuma, AZ. *(Continued from February 10, 2020.)*

Cheri Skinner, Associate Planner, summarized the staff report, recommending **APPROVAL.**

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT’S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION

Motion by Hengl, second by Arney to APPROVE Case Number CUP-28856-2019. Motion carried unanimously (4-0, with 1 absent).

INFORMATION ITEMS

Staff

Linville, commented there were two vacancies on the board that required to be filled.

Commission

None

Public

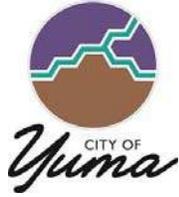
None

ADJOURNMENT

The meeting was adjourned at 5:04 p.m.

Minutes approved this _____ day of _____, 2020

Chairman



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – GENERAL PLAN AMENDMENT
Case Planner: Jennifer L. Albers**

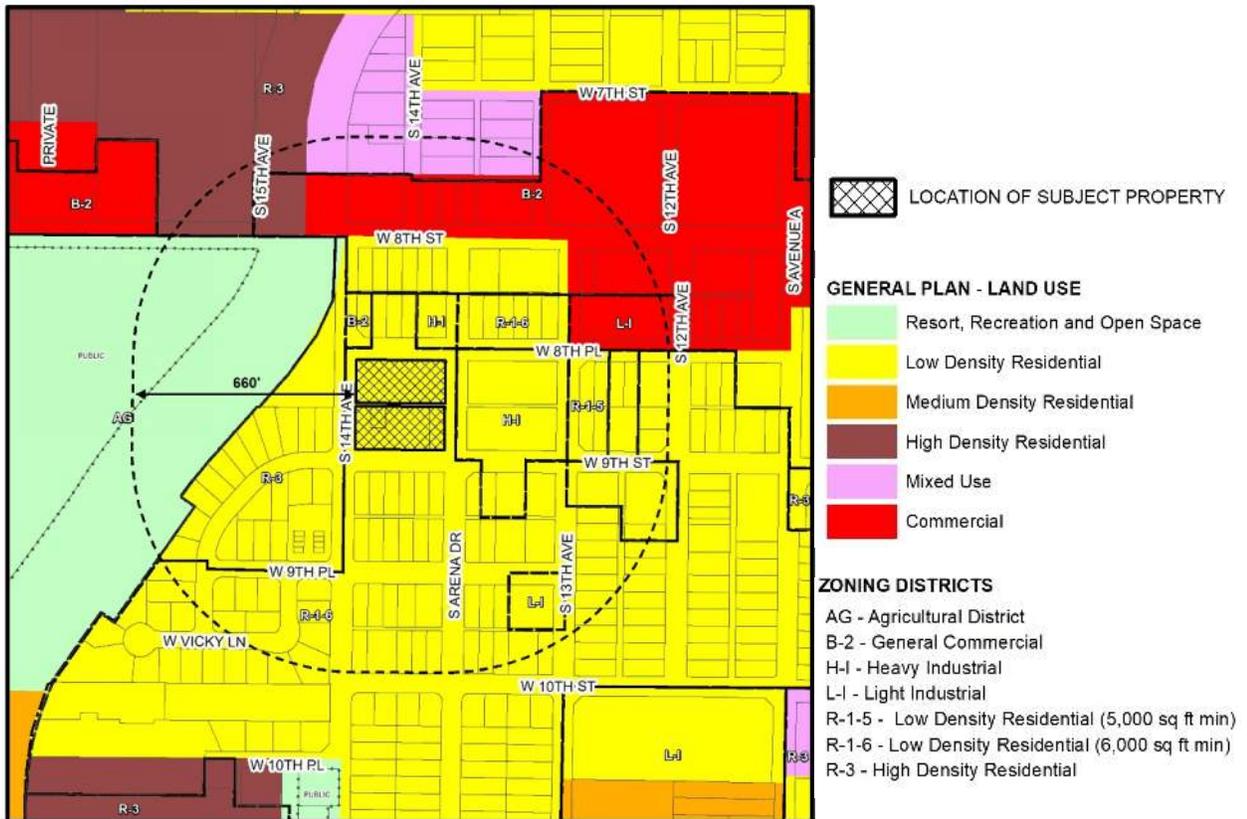
Hearing Date: March 23, 2020

Case Number: GP-28299-2019

Project Description/Location: This is a General Plan Amendment request by Shelley Anderson on behalf of the Anderson E W & Elizabeth Trust 4/2/76, to change the land use designation from Low Density Residential to High Density Residential for approximately 1.54 acres, for the properties located between 8th Place, 9th Street, 14th Avenue and Arena Drive.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential/ Infill Overlay (R-1-6/IO)	2 structures – 1 single family home vacant and 1 duplex	Low Density Residential
North	Infill Overlay/General Commercial (B-2/IO), Low Density Residential (R-1-6/IO) and Heavy Industrial (H-I/IO)	Retail fire wood sales, single family homes and auto body shop	Low Density Residential
South	Low Density Residential/ Infill Overlay (R-1-6/IO)	Single family homes	Low Density Residential
East	Heavy Industrial/Infill Overlay (H-I/IO)	Industrial steel operation	Low Density Residential
West	High Density Residential/Infill Overlay (R-3/IO)	Single family homes and Stormwater Basin	Low Density Residential

Location Map



Prior site actions: Code Enforcement CODE-BS004981-2018 – vacant/unsafe structure

Public Comment February 24, 2020 Public Hearing:

Christie Staneart, 965 S. Teri Drive, Yuma, AZ, expressed her concerns about the potential for increased traffic and increased criminal activity. **Staneart** also commented on the lack of communication mailed to the residents whom do not primarily speak English, as they were not properly informed of the General Plan Amendment.

Jaime Hernandez, 1440 W. 9th Place, Yuma, AZ, said his concern was related to increased traffic and preferred the construction of single family homes on the lots.

Mary Evitch, 1369 W. 9th Street, Yuma, AZ, voiced concerns about an increase in traffic flow causing more vehicular and or pedestrian accidents, and improper usage of traffic signals in the area.

Karina Hernandez, 1550 W. Vicky Lane, Yuma, AZ, stated she did not receive notice of the rezone. She also questioned why single family homes were not proposed as the apartment complexes in the area had experienced issues retaining residents.

Staff Recommendation: Staff recommends the Planning and Zoning Commission DENY the request to change the land use designation for 1.54 acres from Low Density Residential to High Density Residential.

Suggested Motion: Move to DENY the request for a General Plan amendment to change the land use designation for approximately 1.54 acres from Low Density Residential to High Density Residential located between 8th Place, 9th Street, 14th Avenue and Arena Drive.

Staff Analysis: This is a General Plan Amendment request by Shelley Anderson on behalf of the Anderson E W & Elizabeth Trust 4/2/76, to change the land use designation from Low Density Residential to High Density Residential for approximately 1.54 acres, for the properties located between 8th Place, 9th Street, 14th Avenue and Arena Drive.

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

The proposed High Density Residential land use designation (13 to 18 dwelling units per acre) supports the following types of zoning: High Density Residential District (R-3), Residence-Manufactured Housing District (R-MH), Recreational Vehicle Subdivision District (RVS) and Manufactured Housing Park District (MHP).

The applicant's intent in changing the land use designation is to develop a multi-family residential development under the High Density Residential (R-3) zoning district at a future date.

Density

The current land use designation of Low Density Residential would allow from 2 to 8 dwelling units to be constructed on the subject 1.54 acres. Historically, 12 residential lots existed on this block similar in size to the parcels to the north and south. The City would recognize the previous lot configuration of 12 parcels for this block if a development was going to be pursued of that size.

The requested High Density Residential land use designation would allow from 20 to 28 dwelling units to be constructed in a multi-family development. The applicant intends to have a future property owner pursue a rezone to the High Density Residential (R-3) zoning district.

Population

Information from the 2013-2017 American Community Survey provides data on population by housing unit type. The information shows an average household size of 2.8 persons per single-family dwelling and 1.7 persons per multi-family dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Low Density Residential:
 - Minimum 2 homes – Expected population: 6
 - Maximum 8 homes – Expected population: 22
- High Density Residential:
 - Minimum 20 homes – Expected population: 34
 - Maximum 28 homes – Expected population: 48

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

- Low Density Residential:
 - Minimum expected population: 6 – School Age: 1
 - Maximum expected population: 22 – School Age: 4
- High Density Residential:
 - Minimum expected population: 34 – School Age: 7
 - Maximum expected population: 48 – School Age: 10

Transportation

The property is located between 8th Place, 9th Street, 14th Avenue and Arena Drive. Access to the property will be from one of those local streets. The nearest major roadway is 8th Street to the north.

According to the City of Yuma Transportation Master Plan, 8th Street operates at a Level of Service (LOS) of C or above, meaning that there are stable conditions with movements somewhat restricted due to higher volumes but not objectionable to motorists. The Yuma Metropolitan Planning Organization identifies average annual daily traffic counts for 2018 as 16,905 vehicles on 8th Street east of Magnolia Avenue. 8th Street is identified as a Minor Arterial roadway.

14th Avenue functions as a residential collector through the area and has traffic signal controlled intersections at 8th Street and 16th Street with a further connection to 24th Street. The development proposal for the site notes access to the subject development will be from 14th Avenue and Arena Drive by making use of the existing dedicated alley right-of-way that splits the block of the subject properties.

Housing

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

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

residents.

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

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

Redevelopment

The properties are located within the 8th Street Study Area and border the Avenues South Study Area. Both Study Areas were identified for consideration as Redevelopment or Revitalization areas due to age of the housing, large vacant lots and legacy industrial sites. These areas would benefit from tools to mitigate blighted conditions such as a rental inspection program, assistance with owner-occupied rehabilitation projects and proactive code enforcement. Infill development will help with revitalization of these study areas. These properties are included in the City of Yuma Infill Overlay District and as such may be eligible for reduced fees and flexible development standards which are intended to encourage investment and maintenance of the existing neighborhoods and stabilize and enhance property values.

Public Services

Education

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

According to the Yuma Elementary School District One School Boundary Maps, the elementary students in the subject area are within the boundary of O.C. Johnson Elementary School located at 1201 W. 12th Street and junior high school students are within the boundary of Woodard Junior High School at 2250 S. 8th Avenue.

According to the Yuma Union High School District, the high school students are within the boundary of Yuma High School located at 400 S. 6th Avenue.

Utility Infrastructure

Water and sewer utility lines are in proximity to the site and serve a majority of the parcels in the area. Any new single family development on the site will be required to install a 6" water transmission line for approximately 325 feet from 14th Avenue to Arena Drive. The cost of that installation has proved to be a deterrent for single family home subdivision proposals on the site. Whereas, a multi-family development could access the water transmission lines from the other street alignments to provide service to the entire site.

1. Does the proposed amendment impact any elements of the General Plan?

No The elements of the General Plan will not be impacted by the proposed amendment.

Transportation Element:

FACILITY PLANS

Transportation Master Plan	Planned	Existing
14 th Avenue – Local	29' HW	33' HW
8 th Place and Arena Dr. – Local	29' HW	33' HW
Median Disclosure	No	

2. Does the proposed amendment impact any of the facility plans?

No The change in land use will not significantly impact any of the facility plans.

3. Is the proposed amendment in conflict with Council's prior actions?

Yes The properties have been identified for Low Density Residential development since the 1953 City of Yuma Comprehensive Plan was developed. That Low Density Residential development was reaffirmed in 1983, 1996, 2002 and 2012 with subsequent updates to and adoptions of the General Plan.

The subject request to High Density Residential is to a land use designation that would allow a more intense zoning designation and is in conflict with the current zoning on the property. The last City Council zoning action on the property was in 1965 to designate the zoning to a Low Density Residential Zoning.

The request will conflict with Goal 1 of the Land Use Element "Create a community where all uses and activities are mutually in balance." The proposed change in density would decrease the mutual balance between the homes located to the north, south and west of the subject area.

Scheduled Public Hearings:

- City of Yuma Planning and Zoning Commission: February 24, 2020
- City of Yuma Planning and Zoning Commission: March 23, 2020
- City of Yuma City Council: April 1, 2020

- Public Comments Received:** See Attachment A
- Agency Comments:** See Attachment B
- Neighborhood Meeting Comments:** See Attachment D

Final staff report delivered to applicant on: 2/27/20

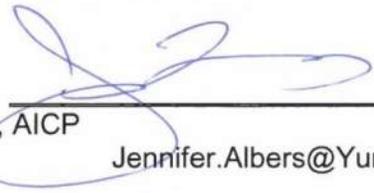
- Applicant agreed with staff's recommendation:
- Applicant did not agree with staff's recommendation: 2/27/20
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D	E
Public Comments	Agency Comments	Staff Worksheet	Neighborhood Meeting Comments	Aerial Photo

Prepared By:

Jennifer L. Albers, AICP
Principal Planner



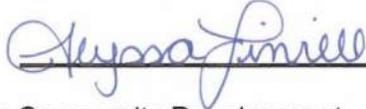
Date:

3/10/20

Jennifer.Albers@YumaAZ.gov (928) 373-5180

Reviewed By:

Alyssa Linville,
Assistant Director Community Development



Date:

03/10/20

**ATTACHMENT A
PUBLIC COMMENTS**

Name:	Norma Valle – 1/22/20			Contact Information:	(928) 246-7953		
Method of Contact:	Phone	X	FAX	Email	Letter	Other	
<p>Comment: Renters are not needed in the community. Need homeowners who will be here for years not renters who are here for 6 months. Have already seen crime as a result of rental units nearby and don't want to see it increase.</p>							
Name:	Neil Walker – 1/24/20			Contact Information:	(928) 343-0673		
Method of Contact:	Phone	X	FAX	Email	Letter	Other	
<p>Comment: Question about whether would be RV Park or Apartments.</p>							
Name:	Mary Evitch – 1/22/20			Contact Information:	evitch7@aol.com		
Method of Contact:	Phone		FAX	Email	X	Letter	Other
<p>Comment: January 22, 2020</p> <p>Dear Ms. Alders and City of Yuma Mayor and Constituents for the City of Yuma</p> <p>Enclosed you will find the letter I have written regards my concerns after attending the Neighborhood meeting on December 5, 2019. The subject presented was: the request to change the current Low Density Residential Plan to one of High Density Residential.</p> <p>The Neighborhood letter is attached to this email. It reviews many of the concerns voiced at the meeting along with my concerns with the change and educational needs of children along the importance of their safety and elderly safety.</p> <p>Please read and share your thoughts with me and to help me understand. Since it was understood during this meeting that the same kind of houses across from this empty lot with two condemned homes setting on it. Could have the same kind of homes built on it. This would give the Neighborhood a more consistency of appearance.</p> <p>Thanking you in advance and look forward to your response.</p> <p>Cordially, Mary Evitch RN CMSRN MSN Certified in Spiritual Direction Certified in Stephen Ministry</p> <p>----- January 21, 2020 Mary Evitch: evitch7 @ aol.com Jennifer: Albers@YumaAZ.gov City of Yuma: General Plan amendment: Case number GP-28299-2019 Dear City of Yuma Council and Jennifer Albers: I attended the first neighborhood meeting held on December 5, 2019. The City of Yuma representative Jennifer Albers was there along with the property owner representative (son). The consensus of the meeting was not in favor of changing the current zoning of property. Many important factors were raised making this change. For example the previous people that had rented the buildings from the Anderson family, concern was with increase of crime; as some families had already experienced some problems. Another concern was the amount of traffic for the area, one neighbor voiced concern since she had experienced several car accidents with the increase of traffic on the street which connects 16th Street and 8th Street due to the increased speed</p>							

of the drivers. It was voiced the street needs more lighting and a recommended speed for the area, so hopefully the drivers adhere to the posted speed limit. This brings up **the concern I voiced for safety of children and of the elderly** due to **poor adherence to the Stop sign on 9th street and arena drive.** I grew up in this area I recall the time a young child was riding his bike and a car did not stop, ran over the child. She returned to stop sign, after; since she thought she had ran over a cat. Two families ran out of their homes at hearing the child scream, my family (my mother and siblings); and the Amavisca family. The driver made a complete ride around the block with the boys' bike was pinned to the grill of her vehicle. The child spent six months in a Spika cast for the injury he received. I myself avoided an accident recently, as a business truck from the **local refrigeration company ran the stop sign at the corner of 9th street and arena drive,** as he was talking on his phone. I honked my horn but he did not even acknowledge the horn beep; as he continued to talk on his cell phone. On any given day you can sit outside my house and see how many people driving on 9th Street and Arena Drive; do not make a complete stop. Some people stop the length of time it takes to move their head from one side to the other. Increasing the amount of people to this area is only going to increase the chances of someone getting injured, centrally to housing area. Recently, there was a shooting in the area killing two males during the holiday season. This was shared with me by the neighbor who lives closest to that corner (occurred on 14th Street where the concern was voiced about the speed people drive). **Yet, another concern was voiced with the sewer odor which can already be smelled.** What will happen with increasing the population to this area of atmospheric concern? One other concern is the **education of the children moving into this area.**

At the meeting was the investor who did not identify himself other than asks questions about money, costs, and the limitations on his plans. I understand as Ms. Alders made a statement that more housing is needed in the Yuma area, however, the **concerns of the neighborhood should be considered when it means tripling the amount of people to a given area.** Investors come in make their investments as a gain and move on. I remember when an investor came from the Phoenix area with big plans to build homes. He ran out of money and left behind the area where the Beltran Steel Company sits today with sand hills from where he was building since he had to mobilize the sand to build his homes. Previously the Beltran Steel Company was at the top of the hill where the Arizona Refrigeration Company now exists. The neighborhood continues to have Business Company's move within the residential area. I am not clear with this since I previously understood the surrounding land was intended for residents and not necessarily small areas with more people per square foot. Ms. Alders voiced a concern that Yuma needs more housing but I am neither convinced nor sure that it needs to be this particular area only to be used to triple the amount of people. I believe there are statistics available which supports that when more people are put in a small area; many of the concerns voiced at the Neighborhood meeting as highlighted in this letter become greater issues of concern: **Most importantly crime and safety of children and the elderly and meeting the educational needs of the children.**

Why the concern with education of the children? Will the closest public school (O.C. Johnson) be able to handle the influx of children moving into this school district? Education helps open doors of opportunity for growth and job opportunity.

I hope the City of Yuma Council makes the **best humane decision with regards to safety and health, where everyone has a win/win. All of the concerns brought up by the Neighborhood meeting are very important for the concern of families within a developing Neighborhood.**

Thanking you all for reading my letter with regards to concerns for safety of a neighborhood filled with families made of children and elders which are our future and our history within Yuma as it develops throughout the years.

Cordially,

Mary Evitch RN MSN

Certified in Spiritual Direction

Certified in Stephen Ministry

Name:	Christie Stanart – 1/28/20			Contact Information:	justwhatcouldbe@gmail.com					
Method of Contact:	Phone		FAX		Email	X	Letter		Other	
Comment:										
<p>Hi Jennifer. Thank you for the opportunity to respond to the possible rezoning of the parcel of land at 8th Place and 14th Ave. Below is the content of my letter or I attached it if it is easier. I am out of state on a family emergency (grandmother has stage 4 colon cancer) but am hoping to return for the meeting. I sat down and really tried to give the proposal consideration but am having a hard time getting over the location and size. Having lived in condos and apartments, these objections are not anti-development or anti-complex. I think it a terrible location for that size. However, I would love to see development there and wish that the City of Yuma could provide some incentive for builders to adopt the area?</p> <p>-----</p> <p>January 28, 2020 – To Whom it May Concern,</p> <p>As a concerned homeowner in close proximity to the property in question, I am opposed to the rezoning of the property (case #GP-28299-2019) at 8th Place and 14th Ave. I respectfully ask for no zoning change on this parcel not because I am anti-growth but because I am a supporter of appropriate urban development. Here is a brief list of a few compelling reasons brought to light at the meeting held on 12/5/19 with other neighborhood homeowners as well as my own concerns:</p> <ol style="list-style-type: none"> 1. The current zoning of the property is very compatible with the surrounding properties. <p>Allowing the rezoning would support an inappropriate use of large scale development in an area of stability. The neighborhood in which the rezoning is proposed is an area of stability (with some issues we would prefer not be compounded). Yet, the proposed rezoning seeks significant change. While this change would be beneficial to the owner of the land who seeks to rezone it and create more opportunity for development, thus a higher probability of sale, the proposed development is large scale, out of appropriate scalability within the neighborhood visage, surrounding roads and ability of traffic to safely support the massive an unexpected change. There is not significant space or interest to expand the surrounding area and roads to support the increase in traffic flow, improve pedestrian safety, or limit imposition of size/general appearance. I believe the initial zoning took those incredibly important issues into consideration and zoned it appropriately. I am not indifferent to the plight of the owner who would like to sell the property. However, that should not be significant enough reason to support rezoning. I am absolutely pro-growth and were that meeting in December a meeting to gauge the development of that area for appropriate houses, rather than a large-scale apartment dwelling, the owner would have my support. I would personally love to see the property developed and the abandoned homes that currently reside there, attracting crime and creating an eye-sore, gone. The strong request to not rezone stems from the project itself, not the development of the land in question.</p> <p>It is common knowledge that 14th Ave is used as a thoroughfare for Yuma residents who do not live in the area. It is already burdened by additional significant traffic with an insufficient road infrastructure. 14th Ave simply cannot handle a dramatic increase in traffic that will occur if the rezoning is permitted. Additionally, both streets are narrow and do not allow for turn lanes that could limiting traffic flow.</p> <p>Additionally, there are several areas along 14th Ave that are high-risk for pedestrians already due to heavy traffic flow, misaligned streets, and unclear views for pedestrian crossing including an already over-trafficked walking route for neighborhood students to school. I believe that the significant increase in traffic flow that will result from this rezoning is a notable risk to students and other pedestrians.</p> <p>If this rezoning is approved and the planned development completed, the residential neighborhoods surrounding the property will witness a dramatic increase in traffic in an already heavily congested area, which will lead to more accidents, injuries, and fatalities. I have personally phoned in 3 traffic accidents behind my home on 14th Ave, less than a block from the suggested rezoning site.</p>										

2. There is no neighborhood circumstance or change in the neighborhood justifying the rezoning.

I have not been told of any circumstances that would justify asking residents to personally absorb the inappropriate zoning. I purchased my home three years ago and can state unequivocally that I would not have done so if this suggested size of complex would have been pending. There were already a myriad of issues that I accepted in an area that sees little attention addressing issues like traffic. I overlooked the abandoned homes. I overlooked the difficulty in pulling out onto 14th Ave from my street due to poor line of sight of oncoming traffic. I overlooked the three existing apartment complexes, one of which is a major eyesore. I made the very large investment based on knowns in the neighborhood and am now being asked to accept an unjustified unknown that will compound the issues I already am not happy with. The fact that it has remain undeveloped due to lack of interest in utilizing the current appropriate zoning should not be justifiable circumstance to warrant rezoning. This makes no sense. If Yuma accepts this argument, it would then allow property owners who desire the windfall of a significant up-zoning to simply apply and disregard the investments of other local owners who purchased with a certain set of knowns. Yuma should not create such an incentive by rezoning the property inappropriately without the support of the residents who will be impacted. Every single resident who attended the initial meeting was opposed to the zoning request.

3. There is an unknown impact to property value that residents not benefitting by the proposed development will be forced to accept.

Generally, rising property values indicate positive trends for a neighborhood. They signal that a neighborhood has become a desirable place to live, locate a business, and influence developers' decisions to make long-term investments in its future. For individual homeowners, who depend on home equity to provide resources for retirement or finance a child's education, home values are extremely important. Property values also may be a proxy for quality of life factors that can be hard to measure and often reflect access to good schools, jobs, shops, parks, and other amenities.

Were this a public park that the residents could access, which beautified the area, there would at least be the argument that they are benefitting from the development. In this scenario dozens and dozens of residents are only asked to accept inconvenience and the possibility that our property values will be negatively impacted, for one landowner to make a sale.

Much of the research suggests that the type of apartment complex matters less than the quality of the properties' design, management, and maintenance.

Several researchers found that larger, more concentrated affordable housing developments were more likely than smaller developments to have a negative impact on nearby property values. For example, a 1993 study by Robert Lyons and Scott Loveridge of subsidized housing in Ramsey County, Minnesota, found substantial reductions in property values when the housing was clustered, as opposed to negligible effects when subsidized units were scattered throughout a neighborhood. In a 2007 study, Ingrid Ellen and her colleagues found that federally subsidized rental housing did not generally lead to reductions in nearby property values. They did, however, suggest that larger more concentrated developments may be an exception, decreasing nearby property values within the first three years of completion.

Since I am already faced daily with an existing unsightly large complex that only detracts from my property value, I cannot vote positively in favor of a complex simply because it "might" have good management. When I brought up the unsightly complex issue at the meeting on 12/5/19, I was told that particular complex is not managed but has individual owners. That actually makes no difference to my objection. Bad management and owners/renters exist, yes. But a property of THIS magnitude without exceptional management would create a monumental depression in property values. That is just common sense. Having worked with the juvenile court system and having come into contact with a wide

area of managed housing options in Yuma I know that there are no guarantees—there are large complexes all over the city that have minimal if not terrible management oversight.

In closing, I would like to reiterate that I am pro-development. This simply is not the right project for that piece of land. Unlike Rio Sante Fe Apartments, where the bulk of the complex is hidden behind a nice park, this lot will basically be a massive high rise in the middle of single-story dwellings with nowhere to hide the impact to residential views. If I had bought a home directly across from the impending complex, I would not only object but be incredibly dismayed that I would have to look at that, from my window each day, in the sanctity of my home. You cannot buttress quality of life of current owners by simply stating there needs to be more housing in Yuma. There must be better options with less impact to traffic and a higher probability of less silhouette impact to current owners.

I would be remiss to not mention that this development falls in what has been categorized as one of Yuma's "dangerous neighborhoods" according to Arizona crime rates and statistics and a high rate of vehicular accidents. I have lived in the area for 8 years (3 in my current home and 4 in the Sunset Mesa Condos). I have called 911 for at least 3 accidents on 14th Ave, and have been a resident through at least 3 murders, 2 of which happened very recently, one house away from mine. There are 22 sex offenders registered within 1 mile of my home. There is a high level of adult foot traffic during all hours of the day and night. There is constant graffiti up and down 14th Ave. Based on the current issues previously stated, when something is developed on that particular parcel of land, it seems that the City of Yuma should take into consideration that it should be an upgrade to the area rather than risking decline of an area that is stable but could easily become unstable. Clearly bringing in a complex of that magnitude without appropriate attention to road infrastructure, current crime issues, student safety, and inability for that parcel of land to deflect any negative impact to neighborhood silhouette would be incredibly insensitive and inconsiderate of current residents.

For the foregoing reasons, I urge you to not approve this proposed rezoning.

Thank you for your valuable time and consideration,
Christie Stanearth

Name:	Bertha Gutierrez, Beatriz Moran and Mary Harlan – 2/6/20	Contact Information:	hamdlite@aol.com						
Method of Contact:	Phone	FAX	Email	X	Letter	Other			

Comment:

02-06-2020

RE: 14th Ave/Arena Dr, 8th Pl/9th St
GENERAL PLAN AMENDMENT- LDR TO HDR
CASE NUMBER GP-28299-2019

We are property owners at 1465 W 9th St. We attended the first meeting at the site of the proposed change of residential area from Low Density Residential to High Density Residential.

We expressed our great concern against the high rise building proposal due to influx of additional residents and traffic that this high density unit will bring. More congestion that 14th Ave. has already caused existing residents.

If must be, construction should be limited to single home units on proposed property.

Our sister that lives across the street does not want a high rise building across the street limiting her view.

We are also concerned as to what class of residents would be living there and bringing un-wanted activity.

Sincerely,
Bertha Gutierrez
Beatriz Moran
Mary Harlan

Name:	Jaime Hernandez			Contact Information:	1440 W. 9 th Place					
Method of Contact:	Phone		FAX		Email		Letter	X	Other	

Comment:

To: Jennifer L. Albers, City of Yuma Principal Planner

I oppose the re-zoning of the property located between Arena Avenue / 14th Avenue and between 9th Street / 8th Place in the City of Yuma (Case # GP-28299-2019) due to the following:

- 1.- There are two big apartment complexes, one South of 8th Street and another one just North of 8th Street which brings a lot of traffic driving on 14th Avenue in order to connect between 8th Street all the way to 24th Street. The traffic gets compounded with an elementary school, O.C. Johnson and in the winter months with all the harvest busses that drive to pick up field workers staying at the south apartment complex. Plus, the residents who live in the area also generate a lot of traffic on 14th AV.
- 2.-The construction of another 18 unit apartment complex will bring in 140 vehicles per day along 14th Avenue. There is already a lot of accidents at the intersection of 8th Street and 14th Avenue due to all the traffic generated in the area by the two apartment complexes, year-around residents and also the snowbirds who move to the area along 8th Street.
- 3.-There will be additional accidents due to traffic driving in excess of 35 MPH along 14th Avenue and traffic back-ups created by the vehicles turning in and out of the new proposed apartment complex.
- 4.-The property values will drop due to a new proposed apartment complex.
- 5.-Residents living West of 14th Avenue along 9th Place have only two access streets to 14th Avenue and the additional traffic will make it almost impossible to turn into or out of 14th Avenue.
- 6.-I do not think that City of Yuma needs another apartment complex in the area due to the existing South Apartment complex having a tough time renting to long term tenants.
- 7.-People who live in apartments are not the long term residents that we want to see in our areas.
- 8.-The existing zoning should remain as is and let a developer build 1500 square feet homes instead.

Please re-consider the request and deny it. We are trying to keep the place safe and clean year round for all the residents in the area. I personally have my Dad and older brother living on 9th Street behind my property. I also have a sister and younger brother living just West of 14th Avenue on 9th Place. I also have an uncle on Arena Drive and a cousin living on 12th Avenue just South of 10th Street. The area for me is considered a family place and like I said I want to keep safe for everybody.

Thanks for your considerations.

Sincerely,



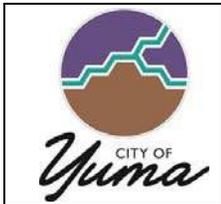
Jaime C. Hernandez
1440 W. 9th Place
Yuma, AZ. 85364 928-920-6264

**ATTACHMENT B
AGENCY COMMENTS**

DATE:	1/4/20	NAME:	Matt Buckley	TITLE:	Principal
AGENCY:	G.W. Carver Elementary School			PHONE:	(928) 502-7600
<i>Enter comments below:</i>					
<p>I am writing in support of this rezoning of the property listed in case number GP-28299-2019. This rezoning could provide more affordable residential housing in our area. In recent years, we have lost affordable housing that used to exist in this area because it has been purchased by private companies for corporate housing and is reducing the number of housing opportunities for our families. Our school has lost families due to their residences being sold and they do not have other available/affordable housing in the area. This has forced established families to have to relocate to different parts of town where affordable options are more prominent. I support this rezoning to give our families in the community more opportunities for affordable housing options.</p>					

DATE:	2/23/20	NAME:	Mary Ellen Finch	TITLE:	Community Liaison Officer
AGENCY:	MCAS Yuma			PHONE:	(928) 269-2047
<i>Enter comments below:</i>					
<p>The subject parcels fall under known flight paths and due to the residential nature of the request an Avigation Disclosure is request recognizes the noise, interference or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma/Yuma International Airport Aviation Complex and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to comment</p>					

**ATTACHMENT C
STAFF WORKSHEET**



STAFF RESEARCH – GENERAL PLAN AMENDMENT

**CASE #: GP-28299-2019
CASE PLANNER: JENNIFER L. ALBERS**

I. PROJECT DATA

Project Location:	820 S. Arena Drive										
Parcel Number(s):	664-08-045, -046, -047 and -048										
Parcel Size(s):	33,791 sf, 5,629 sf, 25,376 sf and 2,775 sf										
Total Acreage:	1.54										
Proposed Dwelling Units:	Maximum:	28	Minimum:	20							
Address:	820 S. Arena Drive										
Applicant:	Anderson E W & Elizabeth Trust 4/2/76										
Applicant's Agent:	Shelley Anderson										
Land Use Conformity Matrix:	Current Zoning District Conforms:							Yes	X	No	
Zoning Overlay:	Public	AO	Auto	B&B	Historic	Infill	X	None			

Airport	Noise Contours	65-70	70-75	75+	APZ1	APZ2	CLEAR ZONE
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	Existing Zoning	Current Use	General Plan Designation
Site	Low Density Residential/ Infill Overlay (R-1-6/IO)	2 structures – 1 single family home vacant and 1 duplex	Low Density Residential
North	Infill Overlay/General Commercial (B-2/IO), Low Density Residential (R-1-6/IO) and Heavy Industrial (H-I/IO)	Retail fire wood sales, single family homes and auto body shop	Low Density Residential
South	Low Density Residential/ Infill Overlay (R-1-6/IO)	Single Family Homes	Low Density Residential
East	Heavy Industrial/Infill Overlay (H-I/IO)	Industrial steel operation	Low Density Residential
West	High Density Residential/Infill Overlay (R-3/IO)	Single Family and Stormwater Basin	Low Density Residential

Prior Cases or Related Actions:

Type	Conforms			Cases, Actions or Agreements	
Pre-Annexation Agreement	Yes		No	N/A	
Annexation	Yes	X	No	Ordinance 787 Adopted 12/15/59	
General Plan Amendment	Yes		No	N/A	
Development Agreement	Yes		No	N/A	
Rezone	Yes		No	X	Ordinance 984 Adopted 1965 to Res "A"
Subdivision	Yes	X	No	Originally Lots 1-12 of Block 8 Timmons Addition 1903	
Conditional Use Permit	Yes		No	N/A	
Pre-Development Meeting	Yes	X	No	Date: 5/15/18	
Enforcement Actions	Yes	X	No	CODE-BS004981-2018 – vacant/unsafe structure	

Land Division Status:	Parcels are legal lots of record									
Irrigation District:	None									
Adjacent Irrigation Canals & Drains:	East Main Canal									
Water Conversion: (5.83 ac ft/acre)	8.98 Acre Feet a Year									
Water Conversion Agreement Required	Yes		No	X						

II. CITY OF YUMA GENERAL PLAN

Land Use Element:										
Land Use Designation:			Low Density Residential							
Issues:			None							
Historic District:	Brinley Avenue		Century Heights		Main Street		None	X		
Historic Buildings on Site:	Yes		No	X						
Transportation Element:										
FACILITY PLANS										
Transportation Master Plan		Planned	Existing	Gateway	Scenic	Hazard	Truck			
14 th Avenue – Local		29' HW	33' HW							
8 th Place and Arena Dr. – Local		29' HW	33' HW							
Bicycle Facilities Master Plan		14 th Avenue Bike Route								
YCAT Transit System		N/A								
Issues:		None								
Parks, Recreation and Open Space Element:										
Parks and Recreation Facility Plan										
Neighborhood Park:		Existing: Netwest Park			Future: Netwest Park					
Community Park:		Existing: Carver Park			Future: Carver Park					
Linear Park:		Existing: East Main Canal Linear Park			Future: East Main Canal Linear Park					
Issues:		None								
Housing Element:										
Special Need Household:		N/A								
Issues:		None								
Redevelopment Element:										
Planned Redevelopment Area:		8 th Street Study Area								
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 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person		Dwellings & Type <i>Multi-Family</i>		Projected Population	Police Impact	Water Consumption		Wastewater Generation		
		Maximum	Per Unit		Officers	GPD	AF	GPD		
		28	1.7	48	0.09	14,280	16.0	4,760		
		Minimum								
		20	1.7	34	0.06	10,200	11.4	3,400		
Fire Facilities Plan:		Existing: Fire Station No. 1			Future: Fire Station No. 1					
Water Facility Plan:		Source:	City	X	Private	Connection:	6" Line – Arena Dr, 14 th Ave and 9 th St			
Sewer Facility Plan:		Treatment:	City	X	Septic	Private	Connection: 8" Line - Alleyway			
Issues:		Connecting to sewer from exterior parcels potentially								
Safety Element:										
Flood Plain Designation:		500 Year Flood			Liquefaction Hazard Area:		Yes		No	X
Issues:		None								
Growth Area Element:										

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

NOTIFICATION

Legal Ad Published: The Sun 01/25/20

Display Ad Published: 01/25/20

660' Vicinity Mailing: 01/13/20

54 Commenting/Reviewing Agencies noticed: 11/19/19

Site Posted: 12/2/19

Neighborhood Meeting: 12/5/19

Hearing Dates: 02/10/20 & 02/24/20

Comments Due: 01/21/20

<i>External List</i>	<i>Response Received</i>	<i>Date Received</i>	<i>"No Comment"</i>	<i>Written Comments</i>
Yuma Metropolitan Planning Organization (ARS)	NR			
Yuma County Engineering	NR			
Yuma County Flood Control District	NR			
Yuma County Planning & Zoning (ARS)	NR			
Yuma County Public Works	NR			
Yuma County Airport Authority	Yes	12/11/19	X	
Yuma County Chamber of Commerce	NR			
Yuma County Assessor	Yes	12/10/19	X	
Greater Yuma Econ. Development Corp.	NR			
Yuma County School Superintendent	NR			
YUHS District #70 (ARS)	NR			
Yuma Elementary School District #1 (ARS)	Yes	1/4/20		X
Crane School District #13 (ARS)	NR			
City of San Luis (ARS)	NR			
City of Somerton (ARS)	NR			
Imperial County, California (ARS)	NR			
Qwest Communications (ARS)	NR			
Arizona Public Service (ARS)	NR			
Time Warner Cable (ARS)	NR			
Southwest Gas (ARS)	NR			
Arizona Department of Transportation	Yes	12/17/19	X	
Arizona Game & Fish Dept.	NR			
Arizona Department of Commerce (ARS)	NR			
Arizona State Attorney General (ARS)	NR			
Arizona Dept. of Water Resources (ARS)	NR			
Arizona State Land Department (ARS)	NR			
MCAS / C P & L Office (ARS)	NR			
Bureau of Land Management (ARS)	NR			
US Border Patrol	NR			
US Postal Service	NR			
Quechan Tribal Office	NR			
Cocopah Indian Tribe	NR			
Yuma County Water Users' Association	Yes	12/11/19	X	
Yuma Irrigation District	NR			
Yuma Mesa Irrigation Drainage District	NR			
Unit B Irrigation District	NR			
Yuma County Association of Realtor's	NR			
Yuma County Contractor's Association	NR			
AZ Society of Military Engineers (ASME)	NR			

AZ Society of Civil Engineers (ASCE)	NR			
AZ Society of Professional Engineers(ASPE)	NR			
El Paso Natural Gas Co.	NR			
Western Area Power Administration	Yes	12/11/19	X	

City of Yuma Internal List	Response Received	Date Received	“No Comment”	Written Comments
Susan Smith, Police	NR			
Rod Hamilton, Police	NR			
Damon Chango, Parks and Rec – Admin	NR			
Ron Ramirez, Parks and Rec – Grounds	NR			
Jeff Kramer, City Engineer	NR			
Joel Marcuson, Traffic Engineer	NR			
Andrew McGarvie, Engineering	NR			
Kayla Franklin, Fire – Prevention	Yes	12/11/19	X	
Alan Kircher, DCD – Building Safety	Yes	12/11/19	X	
Jeremy McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

Neighborhood Meeting	Comments Available
12/5/19	See Attachment
Prop. 207 Waiver	
Received by Owner’s signature on the application for this land use action request.	

ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS

Date Held: 12/5/19

Location: NWC 14th Avenue and 8th Place

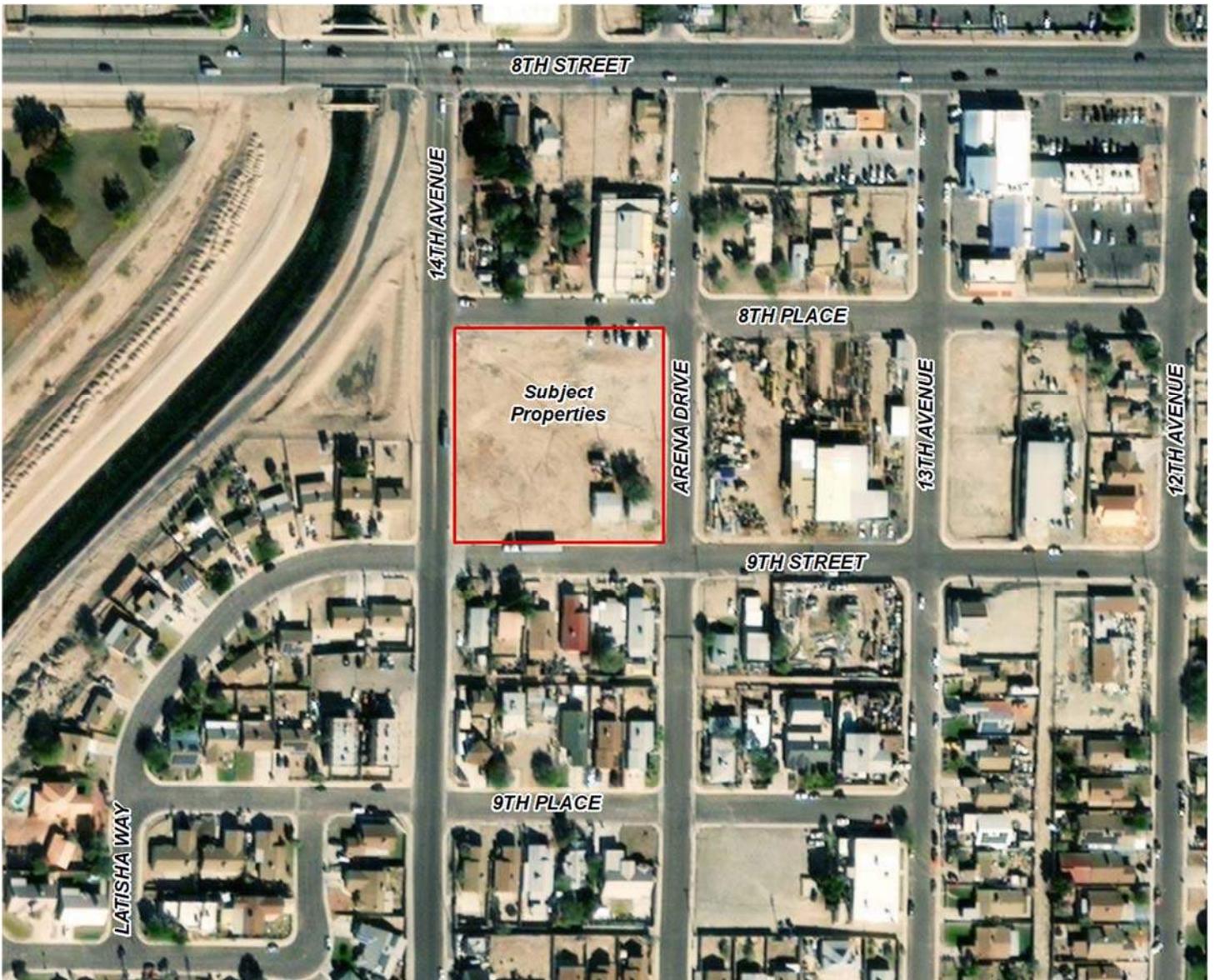
Attendees: Chris Beltran, Adolfo Enriquez, Richard Moran, Mary Evitch, Mary Harlan, Beatriz Moran, Bertha Gutierrez, Zaida Madrigal, John Loroña, Jaime C. Hernandez, Silvestre Nieves, Ismael Hernandez and Ismael Hernandez, Louis J. Loroña, Luis Hernandez, Christie Stanearth, Hector Nuñez, Jorge Hernandez, Irma Enriquez, Blanca Barrera, Maria G. Solorio, Guadalupe Solorio.

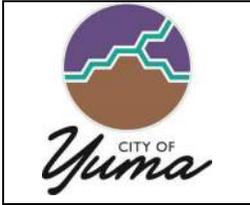
Applicant: Shelly Anderson with Agustin Tumbaga, City Staff: Jennifer Albers, Erika Peterson

SUMMARY OF ATTENDEE'S COMMENTS RELATED TO THE PROJECT:

- THE APPLICANT SUMMARIZED THE PROCESS AND SHARED THAT THE APARTMENTS WOULD BE DEVELOPED BY AN INTERESTED BUYER. NOTED THAT THIS IS FIRST STEP IN PROCESS WITH MORE DETAIL AVAILABLE AT THE REZONING STAGE.
- Q - WILL ARENA DRIVE OR THE OTHER LOCAL STREETS BY WIDENED?
A - NO THERE ARE NO PLANS TO WIDEN THE STREETS.
- Q - HOW HIGH WILL THE APARTMENTS BE?
A - AT THIS POINT AN EXACT CONFIGURATION IS NOT KNOWN BUT NO MORE THAN THREE STORIES.
- Q - IF IT IS SINGLE FAMILY HOMES, HOW BIG WILL THEY BE?
A - LIKELY WOULD BE SIMILAR TO THE NEIGHBORING HOMES.
- COMMENTS:
- TRAFFIC IS ALREADY SIGNIFICANT, ON ALL THE STREETS BUT IN PARTICULAR 14TH AVENUE, AND AN APARTMENT PROJECT WITH 28 UNITS WILL MAKE IT WORSE.
- IF THE PROJECT GOES FORWARD, A TURN LANE WILL NEED TO BE INSTALLED ON 14TH AVENUE INTO THE PROJECT.
- THERE IS CURRENTLY A PROBLEM WITH SEWER SMELL IN THE SUMMER AND THIS PROJECT WOULD MAKE IT WORSE.
- NEIGHBORS VERY CONCERNED ABOUT UPKEEP IN THE NEIGHBORHOOD AND ON THE SITE:
 - SEMIS HAVE BEEN PARKING ON THE STREETS AND THE PROPERTY
 - THE EXISTING BUILDINGS ON SITE HAVE BEEN CONDEMNED BUT PEOPLE ARE STILL GOING IN AND OUT OF THE STRUCTURES.
 - THE PROPERTY OWNER IS NOT TAKING CARE OF THE PROPERTY.
 - THE NEIGHBORHOOD IS FEELING AND LOOKING MORE RUN DOWN AND THE CITY SHOULD LOOK INTO DOING SOMETHING ABOUT IT.
- NEIGHBORS OVERWHELMINGLY AGAINST AN APARTMENT PROJECT ON THE SITE. WANT TO SEE NO CHANGE IN THE GENERAL PLAN AND HAVE SINGLE FAMILY HOMES CONSTRUCTED SIMILAR TO THE EXISTING HOMES IN THE AREA.

ATTACHMENT E
AERIAL PHOTO





STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – PRELIMINARY SUBDIVISION
CASE PLANNER: ALYSSA LINVILLE

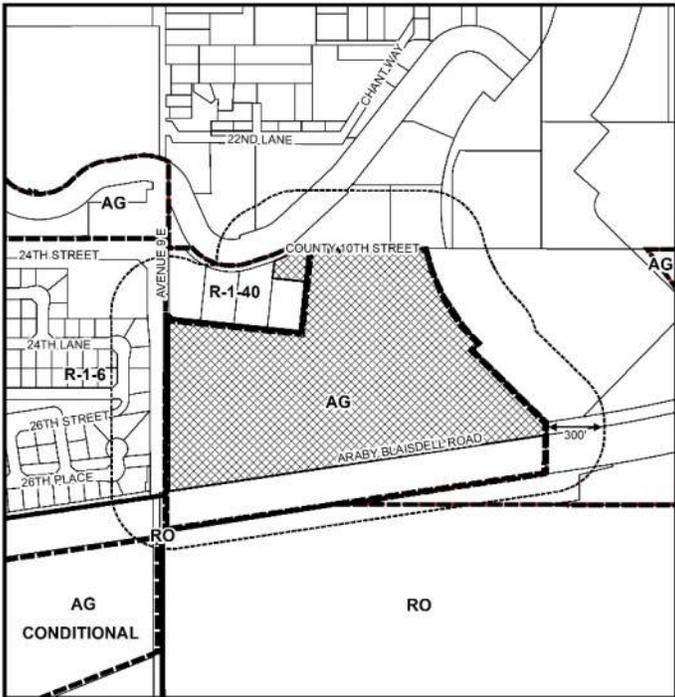
Hearing Date: March 23, 2020

Case Number: SUBD-29031-2020

Project Description/Location: This is a request by Dahl, Robins & Associates, Inc., on behalf of KDC of Yuma, LLC, for approval of the preliminary plat for the Patagonia Subdivision. This subdivision will contain approximately 29.39 acres, and is proposed to be divided into 21 residential lots, ranging in size from 43,581 square feet to 102,795 square feet. The property is located near the southeast corner of Avenue 9E and 24th Street, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Agriculture/Conditional Low Density Residential (AG/Cond. R-1-40)	Undeveloped	Low Density Residential
North	Low Density Residential (R-1-40); Yuma County (SR-1/SR-2)	Undeveloped; Residential	Low Density Residential; Resort/Recreation/Open Space
South	Agriculture (AG)	Railroad	Resort/Recreation/Open Space
East	Yuma County	Gila Gravity Main Canal	Resort/Recreation/Open Space
West	Low Density Residential (R-1-6)	Residential	Low Density Residential

Location Map



Prior site actions: Annexation: Ord. O2019-009 (March 22, 2019); General Plan Amendment: Res. R2007-69 (November 20, 2007; Resort/ Recreation/Open Space to Low Density Residential); Rezone: Ord. O2019-033 (October 2, 2019; AG to R-1-40)

Staff Recommendation: Staff recommends **APPROVAL** of the Preliminary Plat for the Patagonia Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Preliminary Plat SUBD-29031-2020 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 preliminary plat, the Planning and Zoning Commission is acknowledging the street and lot layout of Patagonia Subdivision which includes 21 lots ranging in size from 43,581 square feet to 102,795 square feet for the property located near the southeast corner of Avenue 9E and 24th Street, subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: The subject property was annexed into the City of Yuma on March 22, 2019. In prior years, the property was subject to a general plan amendment that changed the land use designation from resort/recreation/open space to low density residential. A rezone was recently approved by City Council, which rezoned the property from Agriculture to Low Density Residential (R-1-40).

The subject property consists of approximately 29 acres and features frontage along Avenue 9E. This development is slated to feature residential lots ranging in size from 43,581 square feet to 102,795 square feet. Further specified in §154-05.04, the following are some of the development standards required of a development with the Low Density Residential (R-1-40) District:

1. The maximum lot coverage in the Low Density Residential (R-1-40) District shall not exceed 35% of the lot area;
2. A minimum front yard setback of 20 feet;
3. A minimum side yard setback of 7 feet;
4. A minimum rear yard setback of 20 feet;
5. A maximum building height of 40 feet; and
6. A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

Typically, landscaping is required along the exterior of the subdivision. However, the topography along Avenue 9E poses challenges for the installation of standard landscaping materials. Therefore, staff will be working with the applicant to identify a treatment that will meet the intent of subdivision landscaping, while also providing a long term solution for the erosion issues caused by the topography within the development.

The proposed preliminary plat is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Yes.

2. Does the subdivision comply with the subdivision code requirements?

Yes.

3. Does the subdivision comply with the Transportation Element, plans and policies?

Yes.

Transportation Element	Planned	Existing	Difference	Requested
Avenue 9E – 4-Lane Minor Arterial	50 FT H/W ROW	50 FT H/W ROW	0 FT	0 FT
24 th Lane – Local Street	29 FT H/W ROW	29 FT H/W ROW	0 FT	0 FT
25 th Street – Local Street	29 FT H/W ROW	29 FT H/W ROW	0 FT	0 FT

4. Is the subdivision the site of any public facility in the General Plan?

Yes.

Public Comments Received: None Received.

External Agency Comments: See Attachment D

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: February 27, 2020

Final staff report delivered to applicant on: February 28, 2020

- Applicant agreed with all of the conditions of approval on: February 27, 2020
- 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
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Rezone Conditions	External Agency Comments	Aerial Photo	Staff Research

Prepared By: 
 Alyssa Linville, Assistant Director/Zoning Administrator
 Date: 02/28/20
Alyssa.Linville@yumaaz.gov (928)373-5000, ext. 3037

**ATTACHMENT A
PRELIMINARY PLAT
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Jay Simonton, Interim Community Development Director (928) 373-5175:

1. The conditions 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 request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
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.

City Attorney Comments: (928) 373-5058:

4. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
5. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
6. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

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

7. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along Avenue 9E. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly. Consideration can be made for access gates needed strictly for the access within utility easements.

**Community Planning Conditions: Alyssa Linville, Assistant Director/Zoning Administrator,
(928) 373-5000, ext. 3037:**

4. The Owner shall submit a final plat within one (1) year of Preliminary Plat approval. Should a Final Plat not be submitted within one (1) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

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 C
REZONE CONDITIONS**

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 Community Development Comments: Laurie Lineberry, Community Development Director (928) 373-5175:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.
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.

Engineering Department: Agustin Cruz, Senior Civil Engineer, (928) 373-5182:

4. Owner/Developer shall design, construct, and dedicate to the City of Yuma, via warranty deed or plat, a north to east turn lane along Avenue 9E into the southernmost subdivision entrance.
5. Owner/Developer shall dedicate, via warranty deed or plat, to the City of Yuma corner triangles with 25 foot legs per figure 3 of the 2005 Major Roadways Plan at both intersections with Avenue 9E.
6. Owner/Developer shall dedicate, via warranty deed or plat, to the City of Yuma a one-foot non-access easement along Avenue 9E, except at the approved subdivision entrances.

Community Planning, Alyssa Linville, Assistant Director/Zoning Administrator, (928) 373-5000, ext. 3037:

7. 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 D
EXTERNAL AGENCY COMMENTS**

COMMENT NO COMMENT

Enter comments below:

The Department recommends surveys to identify and remove burrowing owls prior to grading/ground disturbing activities. A page on burrowing owl management including links to a project clearance guide for landowners can be found at <https://www.azgfd.com/wildlife/speciesofgreatestconservneed/raptor-management/burrowing-owl-mangement>.

DATE: 1/28/19 NAME: Tyler Williford TITLE: Habitat Specialist
AGENCY: Arizona Game and Fish Department
PHONE: (928) 341-4069
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

COMMENT NO COMMENT

Enter comments below:

WAPA has 2 transmission lines (GLA-GIV 34.5kV and GLA-YUT 34.5kV) that intersect thru this development area. Please have the developer contact WAPA to discuss the filing of a License Application to determine whether WAPA has any objection to the development and determine if construction activities will adversely impact WAPA's structures and impede access within our easement area.

DATE: 1/23/20 NAME: Dennis Patane TITLE: Lands & Realty Specialist
AGENCY: Western Area Power Administration
PHONE: 602 605-2713
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

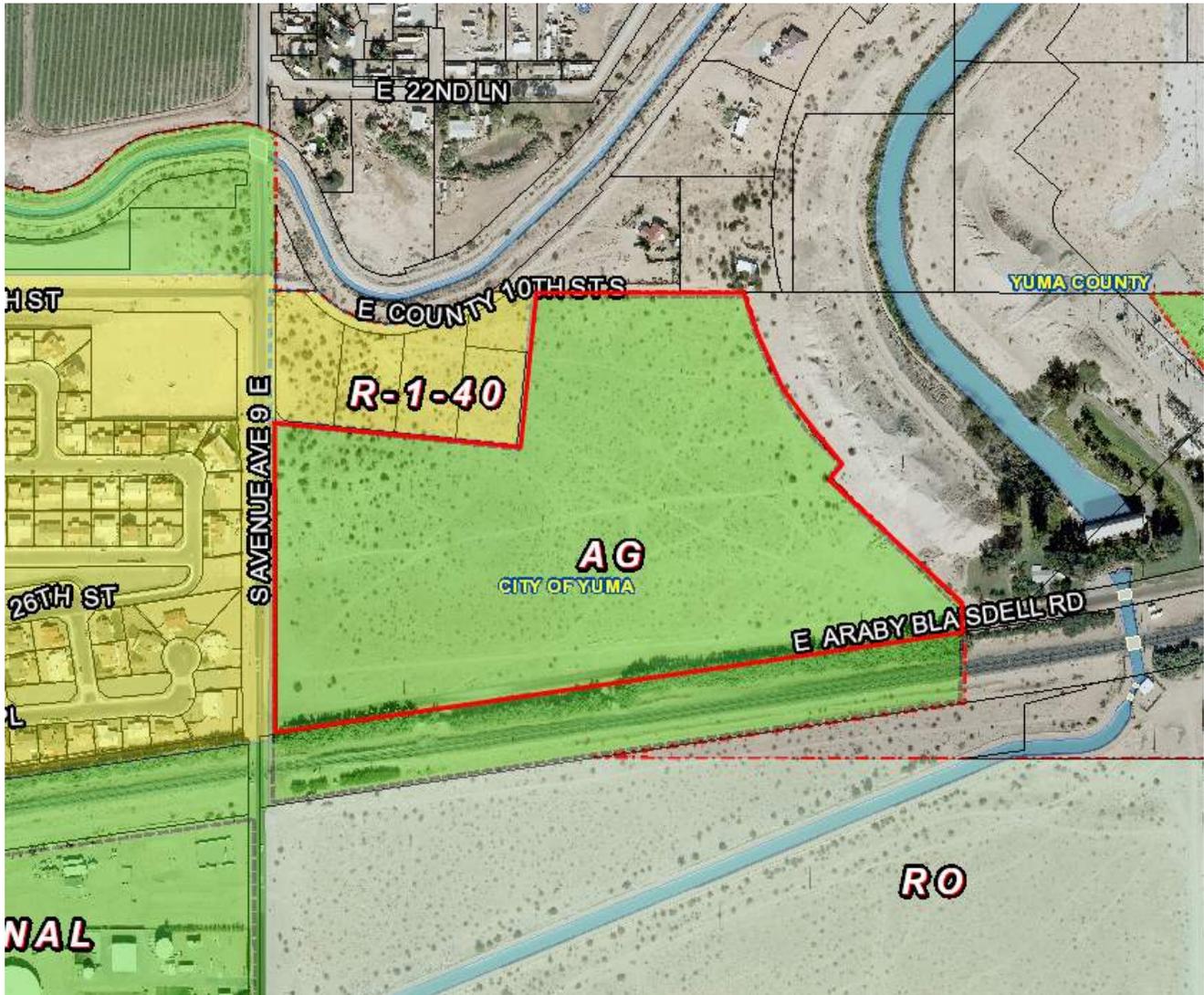
COMMENT NO COMMENT

Enter comments below:

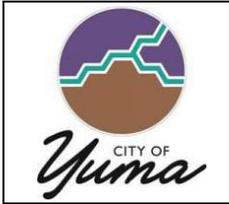
Reclamation has a significant amount of critical infrastructure abutting to and bisecting the proposed development. Any encroachment on or construction near Reclamation facilities will need to be closely coordinated with the agency. Developer / Contractor will need to ensure that the federal infrastructure is protected and preserved.

DATE: 1/23/20 NAME: Scott C. Kerns TITLE: Sr. Realty Specialist
AGENCY: U.S. Bureau of Reclamation
PHONE: (928) 343-8462
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

ATTACHMENT E
AERIAL PHOTO



**ATTACHMENT F
STAFF RESEARCH**



STAFF RESEARCH –PRELIMINARY PLAT

CASE #: SUBD-29031-2020
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:		Near the southeast corner of Avenue 9E and 24 th Street											
Parcel Number(s):		197-01-008											
Parcel Size(s):		1,280,228.4 square feet											
Total Acreage:		29.39											
Proposed Dwelling Units:		21											
Address:		N/A											
Applicant:		KDC of Yuma, LLC											
Applicant's Agent:		Dahl, Robins, & Associates, Inc.											
Land Use Conformity Matrix:		Conforms:		Yes	X	No							
Zoning Overlay:		Public	AO	Auto	B&B	Historic	Infill	None	X				
Airport	Noise Contours	65-70	70-75	75+	APZ1	APZ2	Clear Zone						
	Existing Zoning			Use(s) on-site			General Plan Designation						
Site	Agriculture/Conditional Low Density Residential (AG/COND. R-1-40)			Undeveloped			Low Density Residential						
North	Low Density Residential (R-1-40); Yuma County (SR-1/SR-2)			Undeveloped; Residential			Low Density Residential; Resort/Recreation/Open Space						
South	Agriculture (AG)			Railroad			Resort/Recreation/Open Space						
East	Yuma County			Gila Gravity Main Canal			Resort/Recreation/Open Space						
West	Low Density Residential (R-1-6)			Residential			Low Density Residential						
Prior Cases or Related Actions:													
<u>Type</u>		<u>Conforms</u>			<u>Cases, Actions or Agreements</u>								
Pre-Annexation Agreement		Yes		No	N/A								
Annexation		Yes	X	No	Ord. O2019-009 (March 22, 2019)								
General Plan Amendment		Yes	X	No	Res. R2007-69 (November 20, 2007; Resort/ Recreation/Open Space to Low Density Residential)								
Development Agreement		Yes		No	N/A								
Rezone		Yes	X	No	Ord. O2019-033 (October 2, 2019)								
Subdivision		Yes		No	N/A								
Conditional Use Permit		Yes		No	N/A								
Pre-Development Meeting		Yes		No	June 13, 2019								
Design Review Commission		Yes		No	N/A								
Enforcement Actions		Yes		No	N/A								
Avigation Easement Recorded		Yes		No	X								
Land Division Status:		Legal lot of record											
Irrigation District:		Yuma Mesa Irrigation and Drainage District (YMIDD)											
Adjacent Irrigation Canals & Drains:		South Gila Valley Main Canal; Gila Gravity Main Canal											
Water Conversion: (5.83 ac ft/acre)		171.34 Acre Feet a Year											
Water Conversion Agreement Required		Yes		No	X								

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	Subdivision						Conforms			
	Lot Size	Minimum:	43,581.83 SF		Maximum:	102,795.60 SF		Yes	X	No
Lot Depth	Minimum:	79.3 FT		Maximum:	370 FT		Yes	X	No	
Lot Width/Frontage	Minimum:	95.08 FT		Maximum:	481.12 FT		Yes	X	No	
Setbacks	Front:	20 FT	Rear:	20 FT	Side:	7 FT/10 FT		Yes	X	No
District Size	29.39	Acres						Yes	X	No
Density	1.39	Dwelling units per acre						Yes	X	No
Issues: None										

III. SUBDIVISION CODE DEVELOPMENT STANDARDS

Requirements	Conforms					
General Principles	Yes	X	No		N/A	
Streets	Conforms					
Circulation	Yes	X	No		N/A	
Arterial Streets	Yes		No		N/A	X
Existing Streets	Yes	X	No		N/A	
Cul-de-sacs	Yes	X	No		N/A	
Half Streets	Yes		No		N/A	X
Stub Streets	Yes		No		N/A	X
Intersections	Yes		No		N/A	X
Easements	Yes	X	No		N/A	
Dimensional Standards	Yes	X	No		N/A	
Issues: None						
Blocks	Conforms					
Length	Yes		No	X	N/A	
Irregular Shape	Yes		No		N/A	X
Orientation to Arterials	Yes		No		N/A	X
Business or Industrial	Yes		No		N/A	X
Issues: Exceeds typical block length which is typically no more than 1,000' long.						
Lots	Conforms					
Minimum Width	Yes	X	No		N/A	
Length and Width Ratio	Yes	X	No		N/A	
Fronting on Arterials	Yes		No		N/A	X
Double Frontage	Yes		No		N/A	X
Side Lot Lines	Yes	X	No		N/A	
Corner Lots	Yes	X	No		N/A	
Building Sites	Yes	X	No		N/A	
Street Frontage	Yes	X	No		N/A	
Issues: None						

IV. CITY OF YUMA GENERAL PLAN

Land Use Element:										
Land Use Designation:				Low Density Residential						
Issues:				None						
Historic District:	Brinley Avenue			Century Heights			Main Street		None	X
Historic Buildings on Site:			Yes		No	X				

Transportation Element:										
FACILITY PLANS										
TRANSPORTATION MASTER PLAN		Planned	Existing	Gateway	Scenic	Hazard	Truck			
Avenue 9E – 4-Lane Minor Arterial		50 FT H/W ROW	50 FT H/W ROW				X			
24 th Lane – Local Street		29 FT H/W ROW	29 FT H/W ROW							
25 th Street – Local Street		29 FT H/W ROW	29 FT H/W ROW							
Bicycle Facilities Master Plan		Bike lane at Avenue 9E and 24 th Street								
YCAT Transit System		AWC/NAU/UA Transfer Hub								
Issues:		None								
Parks, Recreation and Open Space Element:										
Parks and Recreation Facility Plan										
Neighborhood Park:		Existing: None				Future: None				
Community Park:		Existing: None				Future: Aqua Viva Water Treatment Facility Urban Lake Park				
Linear Park:		Existing: None				Future: South Gila Valley Main Canal Linear Park and Gila Gravity Main Canal Linear Park				
Issues:		None								
Housing Element:										
Special Need Household:		N/A								
Issues:		None								
Redevelopment Element:										
Planned Redevelopment Area:		N/A								
Adopted Redevelopment Plan:		North End:		Carver Park:		None:		X		
Conforms:		Yes		No		N/A				
Conservation, Energy & Environmental Element:										
Impact on Air or Water Resources		Yes		No		N/A				
Renewable Energy Source		Yes		No		N/A				
Issues:		None								
Public Services Element:										
<u>Population Impacts</u> Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person		Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation		
		<i>Single Family</i>								
		Proposed	Per Unit		Officers	GPD	AF	GPD		
		21	2.8	59	0.11	17,640	19.8	5,880		
Fire Facilities Plan:		Existing: Station No. 5				Future: Station No. 5				
Water Facility Plan:		Source:	City	X	Private	Connection		16" AC		
Sewer Facility Plan:		Treatment:	City		Septic	X	Private			
Issues:		Water line extension required.								
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		X
Issues:		None								

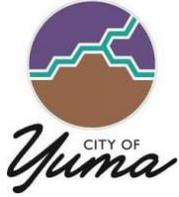
NOTIFICATION

- Legal Ad Published: 02/14/20
- 300' Vicinity Mailing: 01/20/20
- 34 Commenting/Reviewing Agencies noticed: 01/23/20
- Site Posted: 03/02/20
- Neighborhood Meeting: N/A
- Hearing Dates: 03/23/20
- Comments Due: 02/03/20

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.	NR				
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.	Yes	01/28/20	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	Yes	01/28/20	X		
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	01/23/20		X	X
Bureau of Reclamation	Yes	01/23/20		X	X
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	NR				
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	Yes	02/03/20	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				

Neighborhood Meeting	Comments Available
Not Required	See Staff Report Attachment
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

PUBLIC COMMENTS RECEIVED: NONE RECEIVED



STAFF REPORT TO THE PLANNING & ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – CONDITIONAL USE PERMIT
CASE PLANNER: CHAD BROWN

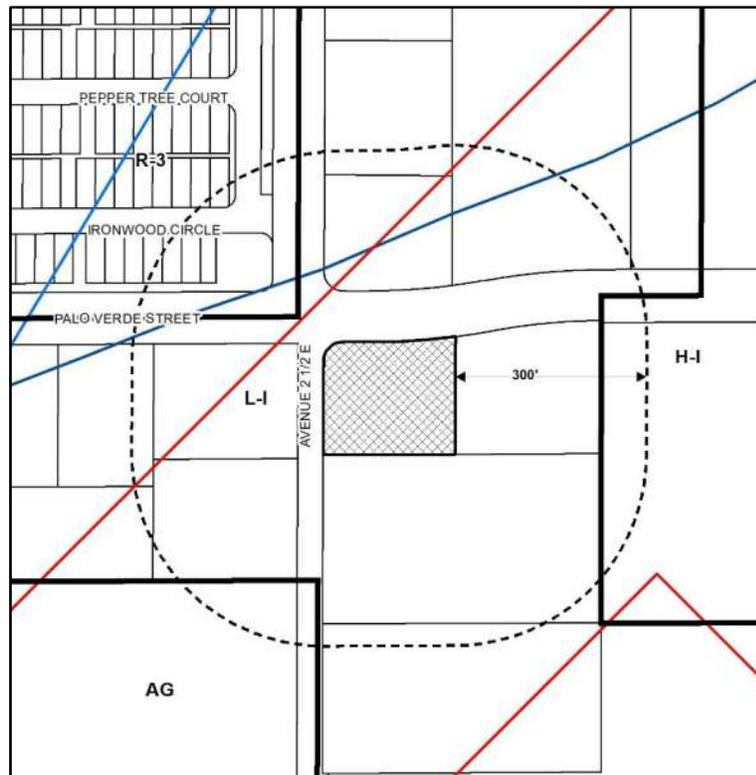
Hearing Date: March 23, 2020

Case Number: CUP-29082-2020

Project Description/Location: This is a request by Enterprise Leasing Co of Phoenix, LLC, on behalf of Jim D. Smith, for a Conditional Use Permit for retail sale or rental of goods in the Light Industrial/Airport Overlay (L-I/AD) District, on the property located at 2811 S Ave 2 ½ E, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial/Airport Overlay (L-I/AD)	Proposed Truck Rental Facility	Industrial
North	Light Industrial/Airport Overlay (L-I/AO)/High Density Residential/ Airport Overlay (R-3/AD)	Industrial Office Space/Ironwood Subdivision	Industrial/Medium Density Residential
South	Light Industrial/Airport Overlay (L-I/AD)	UPS Customer Center	Industrial
East	Light Industrial/Airport Overlay (L-I/AD)	Industrial Use	Industrial
West	Light Industrial/Airport Overlay (L-I/AD)	Vacant Land	Industrial

Location Map:



Prior site actions: Annexation: May 1, 1981 (Ordinance No.O-1999); Conditional Use Permit: October 24, 1989 (CU89-16).

Staff Recommendation: Staff recommends **APPROVAL** of the Conditional Use Permit for retail sale or rental of goods in the Light Industrial/Airport Overlay (L-I/AD) District, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Conditional Use Permit CUP-29082-2018 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 Enterprise Leasing Co of Phoenix, LLC, for retail sale or rental of goods in the Light Industrial/Airport Overlay (L-I/AD) District for the property located at 2811 S Ave 2 ½ E, 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 2811 S Ave 2 ½ E, is comprised of 36,731 square feet, and is located in the Light Industrial/Airport Overlay (L-I/AD) District. The site features an 880 square foot building, and a 948 square foot shade structure, with 29 existing parking spaces. The majority of the lot is paved in asphalt, with an area for a landscaped front and street-side setback.

The proposed use for the Conditional Use Permit (CUP) is the commercial rental of vehicles by Enterprise Leasing Company. Enterprise specializes in vehicle rentals for other commercial ventures. They offer a variety of light and medium duty vehicles, including ¾ to 1-ton pickups, ¾ to 1-ton cargo vans, 12'-15' parcel vans and 16'-26' stake beds and box trucks. All servicing, maintenance, and repair of vehicles will be conducted off-site with third-party vendors. The hours of operation would be Monday through Friday 7:00 am to 5:00 pm and Saturday 7:00 am to 12:00 pm. There will be 3 full-time employees, offering rental assistance and delivery and pick-up of vehicles.

There would be 20-30 rental trucks on-site. The intention is to have 19 single-length parking and 8 double-length parking spaces, located in the rear of the site—the front parking will be maintained primarily as customer parking.

Landscaping on-site must be brought up to code and maintained. All new lighting must be down-lit to comply with the City of Yuma Dark Sky Ordinance. A variance was granted on November 21, 1989 for the reduction of the landscaped street yards from 20' to 10' (BA89-26).

From approximately 1989 to 2009 the property was used by Budget Rent A Car Inc. This use received an approved CUP on October 24, 1989 (CU89-16) for a commercial use in an Industrial Zoning District (Budget Rent-A-Car was the applicant).

The Marine Corp Air Station has reviewed and approved the proposed use of commercial rental of vehicles in the Accident Potential Zone 1 and Noise Contour of 75+ dB. The base stated that the sizes of all structures cannot exceed .14% of the buildable area of the property. The current lot coverage is 5%, meaning no additional expansion would be permitted.

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	Traffic should be minimal, with an anticipated three to four customers per hour, and three employees on-site at a time.	#1
B.	Parking	Parking spaces shall be stripped.	#1
C.	Lighting	The site will have to be designed with "dark sky" compatible down lighting with a maximum 3000 kelvin LED Lights.	#5
D.	Hours of Operation	The hours of operation will be Monday through Friday 7:00 am to 5:00 pm and Saturday 7:00 am to 12:00 pm.	#4
E.	Indoor/Outdoor Activities	All outdoor activities shall take place in the screened storage yard.	#1
F.	Noise	N/A	N/A
G.	Air Quality	N/A	N/A
H.	Hazardous Materials	N/A	N/A
I.	Crime Prevention (CPTED)	N/A	N/A
J.	Other	N/A	N/A

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

Yes. The focus area identified within this CUP request meets the requirements of the code; including paved parking. Landscaping will be updated and parking stalls will be stripped.

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

Yes.

TRANSPORTATION ELEMENT	PLANNED	EXISTING	DIFFERENCE	REQUESTED
Palo Verde Street – 2 lane collector	40 FT H/W ROW	40 FT H/W ROW	0 FT H/W ROW	0 FT H/W ROW
Avenue Ave 2 ½ E – 2 lane collector	40 FT H/W ROW	40 FT H/W ROW	0 FT H/W ROW	0 FT H/W ROW

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 and Zoning Commission has the authority to review and approve this request per section 154-09-02 (E)(3), in which a CUP is required for any used allowed in the General Commercial (B-2) District.

(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 will not be detrimental to the health, safety, and general welfare of persons residing, or working in the vicinity.

(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 site will utilize existing access along Avenue 2 ½ E and Palo Verde St.

(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 property is considered to provide adequate transition as no residential development exists directly adjacent to the property and no new residential is planned within the area. Staff believes that the proposed use should not negatively impact the Ironwood Condo community as this use had already existed for many years.

(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 buildings are consistent with the surrounding development.

(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 requirements regarding noise level reduction and 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 includes proper screening and landscaping consistent with the Crime Prevention through Environmental Design (CPTED) principles for visual surveillance.

External Agency Comments: None Received.

Neighborhood Meeting Comments: See Attachment D.

Discussions with Applicant/Agent: February 15, 2020.

Proposed conditions delivered to applicant on: February 18, 2020.

Final staff report delivered to applicant on: March 9, 2020.

Applicant agreed with all of the conditions of approval on: February 20, 2020

ATTACHMENTS:

A	B	C	D	E	F	G
Conditions of Approval	Site Plan	Elevation Photos	External Agency Comments	Neighborhood Meeting Comments	Aerial Photo	Staff Research

Prepared By:  **Date:** 2.24.20
Chad Brown
Associate Planner Chad.Brown@yumaaz.gov (928)373-5000, x 3038

Approved By:  **Date:** 02/24/20
Alyssa Linville,
Assistant Director Community Development

External Agency Comments: None Received.

Neighborhood Meeting Comments: See Attachment D.

Discussions with Applicant/Agent: February 15, 2020.

Proposed conditions delivered to applicant on: February 18, 2020.

Final staff report delivered to applicant on: March 9, 2020.

Applicant agreed with all of the conditions of approval on: February 20, 2020

ATTACHMENTS:

A	B	C	D	E	F	G
Conditions of Approval	Site Plan	Elevation Photos	External Agency Comments	Neighborhood Meeting Comments	Aerial Photo	Staff Research

Prepared By:  **Date:** 2.24.20
Chad Brown
Associate Planner Chad.Brown@yumaaz.gov (928)373-5000, x 3038

Approved By:  **Date:** 02/24/20
Alyssa Linville,
Assistant Director Community Development

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.

Community Development Comments: Alyssa Linville, Assistant Director of Community Development, (928) 373-3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
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.

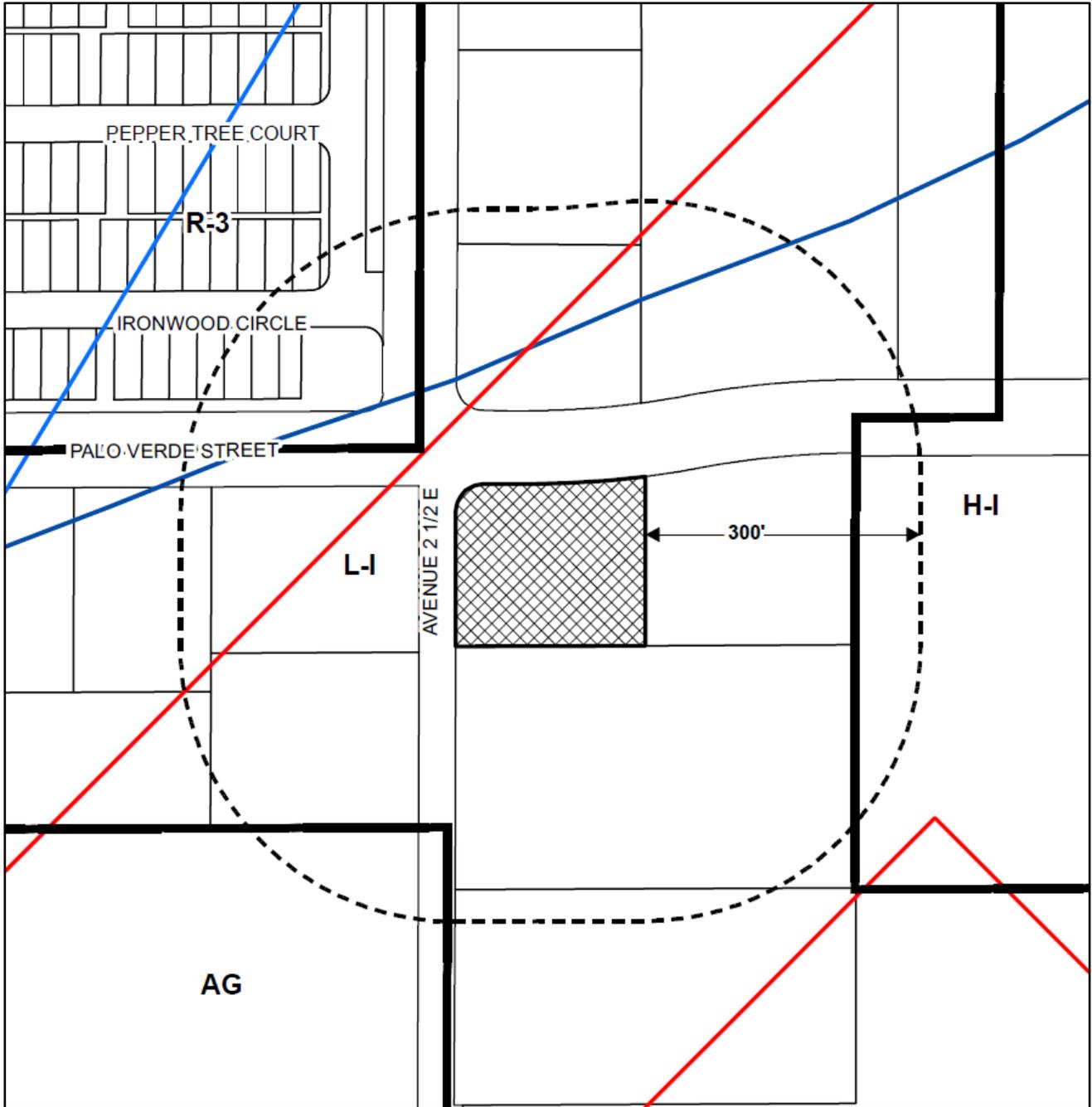
Community Planning: Chad Brown, Associate Planner, (928)373-5000 X 3038

4. Hours of operation with public access to the facility will be Monday through Friday 6:00 am to 8:00 pm, Saturday and Sunday 7:00 am to 5:00 pm.
5. All onsite exterior lighting shall be designed with "dark sky" compatible down lighting, and have a maximum of 3000 kelvin LED lights.
6. All parking for this use shall occur onsite.
7. Adequate paved and stripped parking must be provided for the proposed use.
8. Measures to achieve an outdoor to indoor noise reduction level of 30 decibels must be incorporated into the design and construction of any expansion.
9. One tree, twenty-eight bushes, and accompanying inert groundcover shall be required along Palo Verde and 2 ½ E in close proximity to the subject area, if Yuma Grey rock is used boulders shall be required.
10. An Intense Use Disclosure is recorded to acknowledge that the property may be near or adjacent to intense uses.
11. Per the requirements of the APZ 1, the maximum floor area ratio (FAR) is .14.
12. A City of Yuma Business license must be obtained if the CUP application is approved.
13. Any site alterations of the attached site plan will result in the need for additional review by the City and the Marine Corps Air Station
14. A Raised Median Disclosure is recorded to acknowledge that raised medians may be constructed in public streets
15. 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.

16. 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.
17. 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.
18. 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
PHOTOS**



ATTACHMENT D
EXTERNAL AGENCY COMMENTS

COMMENT NO COMMENT

Enter comments below:

While the subject property is located within the 75-79 dB Noise Contour and Accident Potential Zone 1, the requested use is compatible with the following conditions as per FAA Order 1050-1E: Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.

DATE: 1/29/20 NAME: Gen Grosse TITLE: Property/Community Relations
AGENCY: Yuma County Airport Authority
PHONE: 928-726-5882
RETURN TO: Chad Brown
 Chad.Brown@YumaAZ.gov

ATTACHMENT E
NEIGHBORHOOD MEETING COMMENTS

Date Held: January 29, 2020

Location: 2811 S Ave 2 ½

Attendees: Chad Brown, City of Yuma; Jim Smith, property owner; Jack Smith, property owner's assistant; Troy Castorena, Enterprise Leasing Co of Phx; Jon Matheus, Pancrazi Real Estate Representative.

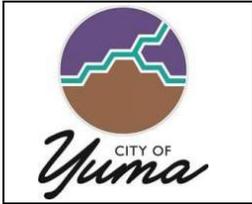
SUMMARY OF ATTENDEE(S) COMMENTS RELATED TO THE PROJECT:

- NEIGHBORHOOD MEETING WAS NOT ATTENDED BY ANY OF THE SURROUNDING NEIGHBORS.

ATTACHMENT F
AERIAL PHOTO



ATTACHMENT G
STAFF RESEARCH



STAFF RESEARCH – CONDITIONAL USE PERMIT

**CASE #: CUP-29082-2020
CASE PLANNER: CHAD BROWN**

I. PROJECT DATA

Project Location:	SE corner of E. Palo Verde St. and S. Avenue 2 ½ E													
Parcel Number(s):	696-19-001													
Parcel Size(s):	36,731 sq. ft.													
Total Acreage:	0.84 acres													
Proposed Dwelling Units:	0													
Address:	2811 S Ave 2 ½ E													
Applicant:	Jim D. Smith													
Applicant's Agent:	Enterprise Leasing Co. of Phoenix, LLC													
Land Use Conformity Matrix:	Conforms:	YES	X	NO										
Zoning Overlay:	Public		AO	X	Auto		B&B		Historic		Infill		None	
	Airport	X	Noise Contours	65-70		70-75		75+	X	APZ1	X	APZ2		Clear Zone

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial/Airport Overlay (L-I/AD)	Proposed Truck Rental Facility	Industrial
North	Light Industrial/Airport Overlay (L-I/AO)/High Density Residential/ Airport Overlay (R-3/AD)	Industrial Office Space/Ironwood Subdivision	Industrial/Medium Density Residential
South	Light Industrial/Airport Overlay (L-I/AD)	UPS Customer Center	Industrial
East	Light Industrial/Airport Overlay (L-I/AD)	Industrial Use	Industrial
West	Light Industrial/Airport Overlay (L-I/AD)	Vacant Land	Industrial

Prior Cases or Related Actions:													
<u>Type</u>	<u>Conforms</u>			<u>Cases, Actions or Agreements</u>									
Pre-Annexation Agreement	Yes		No	N/A									
Annexation	Yes	X	No	May 1, 1981 (Ordinance No.O-1999)									
General Plan Amendment	Yes		No	N/A									
Development Agreement	Yes		No	N/A									
Rezone	Yes		No	N/A									
Subdivision	Yes		No	N/A									
Pre-Development Meeting	Yes		No	N/A									
Conditional Use Permit	Yes	X	No	October 24, 1989 (CU89-16)									
Design Review Commission	Yes		No	N/A									
Enforcement Actions	Yes		No	N/A									
Avigation Easement Recorded	Yes		No	X									
Land Division Status:	Legal lot of record												
Irrigation District:	Yuma Mesa Irrigation and Drainage District												
Water Conversion Agreement Required	Yes		No	X									
Adjacent Irrigation Canals & Drains:	No												

Transportation Element:

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
PALO VERDE STREET – 2 LANE COLLECTOR	40 FT H/W ROW	40 FT H/W ROW				
AVENUE AVE 2 ½ E – 2 LANE COLLECTOR	40 FT H/W ROW	40 FT H/W ROW				
Bicycle Facilities Master Plan	Proposed Bike Route					
YCAT Transit System	N/A					
ISSUES:	None.					

DETAILED NARRATIVE

The subject property is located at 2811 S Ave 2 ½ E, it is comprised of 36,731 square feet, and is located in the Light Industrial/Airport Overlay (L-I/AD) District. The site features an 880 square foot building, and a 948 square foot shade structure, with 29 existing parking spaces. The majority of the lot is paved in asphalt, with an area for a landscaped front and street-side setback.

The proposed use for the Conditional Use Permit (CUP) is the commercial rental of vehicles by Enterprise Leasing Company. Enterprise specializes in vehicle rentals for other commercial ventures. They offer a variety of light and medium duty vehicles, including ¾ to 1-ton pickups, ¾ to 1-ton cargo vans, 12'-15' parcel vans and 16'-26' stake beds and box trucks. All servicing, maintenance, and repair of vehicles will be conducted off-site with third-party vendors. The hours of operation would be Monday through Friday 7:00 am to 5:00 pm and Saturday 7:00 am to 12:00 pm. There will be 3 full-time employees, offering rental assistance and delivery and pick-up of vehicles.

There would be 20-30 rental trucks on-site. The intention is to have 19 single-length parking and 8 double-length parking spaces, located in the rear of the site—the front parking will be maintained primarily as customer parking.

Landscaping on-site must be brought up to code and be maintained. All new lighting must be down-lit to comply with the City of Yuma Dark Sky Ordinance. A variance was granted on November 21, 1989 for the reduction of the landscaped street yards from 20' to 10' (BA89-26).

From approximately 1989 to 2009 the property was used by Budget Rent A Car Inc. This use received an approved CUP on October 24, 1989 (CU89-16) for a commercial use in an Industrial Zoning District (Budget Rent-A-Car was the applicant).

The Marine Corp Air Station has reviewed and approved the proposed use of commercial rental of vehicles in the Accident Potential Zone 1 and Noise Contour of 75+ dB. The base stated that the sizes of all structures cannot exceed .14% of the buildable area of the property. The current lot coverage is 5%, meaning no additional expansion would be permitted.

EXCEPTION TO DEVELOPMENT STANDARDS?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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NOTIFICATION

- Legal Ad Published: The Sun (2/14/20)
- 300' Vicinity Mailing: (1/20/20)
- 34 Commenting/Reviewing Agencies noticed: (1/23/20)
- Site Posted on: (1/22/20)

- Neighborhood Meeting: (1/29/20)
- Hearing Date: (3/9/20)
- Comments due: (2/3/20)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	1/30/20			X
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	NR				
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.	YES	1/28/20	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	YES	1.28/20	X		
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	1/23/20	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	YES	1/23/20	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	YES	2/3/20	X		
Alan Kircher, Building Safety	YES	1/27/20	X		
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	2/24/19		X	
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
JANUARY 29, 2020	N/A
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

Internal Comments:

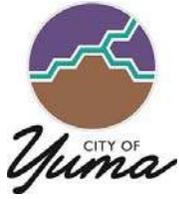
Condition(s)

No Condition(s)

Comment

Enter conditions here: MCAS Yuma has reviewed the request for APN 696-19-001. The subject parcel is located both within the 75-79dB Noise Contour and Accident Potential Zone 1 for Runways 21L and R. The requested use is compatible with Marine Corps Order 11010.36C Air Installations Compatible Use Zones with the following conditions: The facility must be sound attenuated to 30dB and the maximum buildable space (Floor Access Ratio) is 14%. Thank you for the opportunity to comment.

DATE:	24 Jan 2020	NAME:	Mary Ellen Finch	TITLE:	Community Planning Officer
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2047				
RETURN TO:	Chad Brown				
	Chad.Brown@YumaAZ.gov				



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: RICHARD MUNGUIA

Hearing Date: March 23, 2020

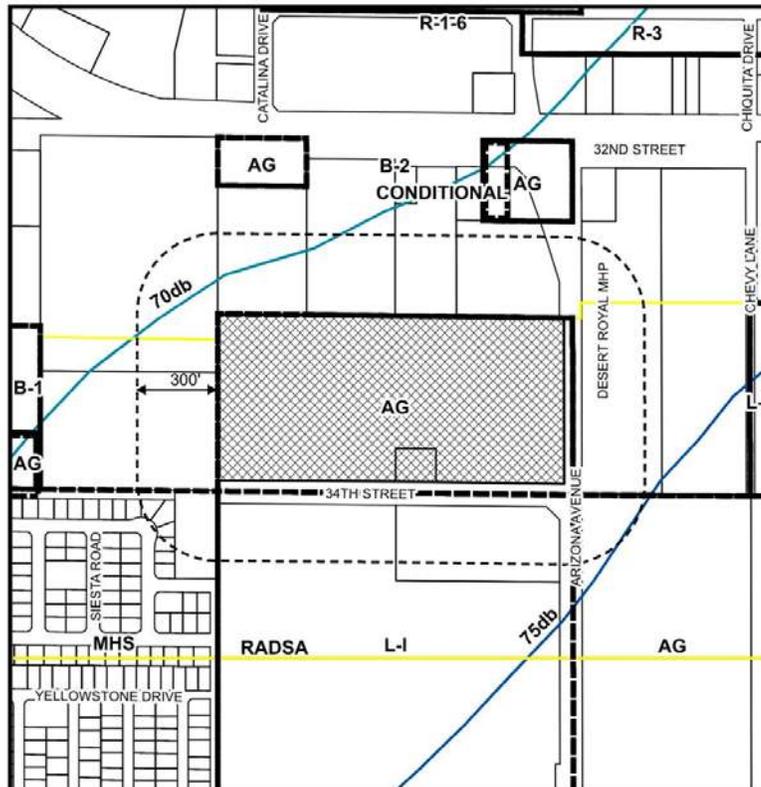
Case Number: ZONE-29231-2020

Project Description/Location:

This is a request by Dahl, Robins, and Associates, on behalf of Jeffrey Conte, to rezone approximately 18.34 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, for the property located at the northwest corner of Arizona Avenue and 34th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture/ Airport Overlay (AG/AD)	Residence/Undeveloped	Industrial
North	General Commercial/Auto Center Overlay/ Airport Overlay (B-2/ACO/AD)	Auto Sales/Repair/Parts	Commercial
South	Light Industrial/Airport Overlay (L-I/AD)	Undeveloped	Industrial
East	General Commercial Airport Overlay (B-2/AD)	Desert Royal MHP	Industrial
West	General Commercial Airport Overlay (B-2/AD)	Lowes/Undeveloped	Commercial

Location Map



Prior site actions: Annexation: O2000-14 (May 5, 2000); Pre-Development Meeting: PDM-28680-2019 (December 17, 2019).

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Agriculture (AG) District to the Light Industrial (L-I) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-29231-2020 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 rezone approximately 18.34 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, for the property located at the northwest corner of Arizona Avenue and 34th Street, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject properties are located at the northwest corner of 34th Street and Arizona Avenue. The properties consist of two parcels totaling 18.34 acres. With this request, the applicant is seeking to rezone the subject area to the Light Industrial District with the intent of developing the property into a bus barn for the Yuma County Intergovernmental Public Transportation Authority. The property is located within the 70-75 dB noise contours, and will require a noise level reduction of 25 dB for any structures where the public will be received.

A lot tie and conditional use permit will be required prior to development of the facility.

A neighborhood meeting was held at the subject property on February 12, 2020; the meeting was not attended by any neighboring residents.

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

Yes.

2. Are there any dedications or property easements identified by the Transportation Element?

Yes.

Transportation Element	Planned	Existing	Difference	Requested
S. Arizona Avenue – Collector	40 FT H/W ROW	33 FT H/W ROW	-7 FT	7 FT
E. 34 th Street – Local Street	39 FT H/W ROW	0 FT H/W ROW	-39 FT	39 FT

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes.

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: See Attachment B

Neighborhood Meeting Comments: See Attachment C

Proposed conditions delivered to applicant on: February 20, 2020

Final staff report delivered to applicant on: March 11, 2020

- Applicant agreed with all of the conditions of approval on: March 10, 2020
- 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	External Agency Comments	Neighborhood Meeting Comments	Aerial Photo	Staff Research

Prepared By:
Richard Munguia
Senior Planner

Date:
Richard.Munguia@YumaAZ.gov (928)373-5000, x3070

Approved By:
Alyssa Linville
Assistant Director Community Development

Date:

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 Community Development Comments: (928) 373-5175:

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 request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
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.

Engineering, Agustin Cruz, Senior Civil Engineer, (928) 373-5182

4. Owner/developer shall dedicate, to the City of Yuma, via warranty deed or plat, 7 feet of right-of-way on Arizona Avenue, plus the underlying fee title for 33 feet from the centerline of the road.
5. Owner/developer shall dedicate, to the City of Yuma, via warranty deed or plat, 39 feet of existing canal easement along the 34th Street alignment.

Community Planning, Richard Munguia, Senior Planner, (928) 373-5000 x3070

6. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

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

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

COMMENT NO COMMENT

Enter comments below:

The subject property is located within the 70-75 dB noise contour. The request is permissible according to FAA Order 1050-1E, as long as measures to achieve NLR of 25 dB are incorporated into the design and construction of portions where the public is received office areas, noise sensitive areas or where the normal noise level is low. Please also file an aviation disclosure agreement with MCAS Yuma recognizing noise, interference or vibrations may occur at MCAS/Yuma International Airport. Thank you.

DATE: 2/6/20 NAME: Gen Grosse TITLE: Property/Community Relations
AGENCY: Yuma County Airport Authority
PHONE: 928-726-5882
RETURN TO: Richard Munguia
 Richard.Munguia@YumaAZ.gov

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

Date Held: February 12, 2020

Location: Onsite

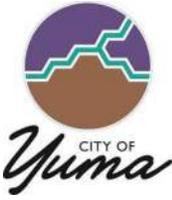
Attendees: Richard Munguia, Senior Planner; Kevin Dahl, Agent; Jerry Lococo, Agent.

THERE WERE NO NEIGHBORS IN ATTENDANCE

ATTACHMENT D
AERIAL PHOTO



ATTACHMENT E
STAFF RESEARCH



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

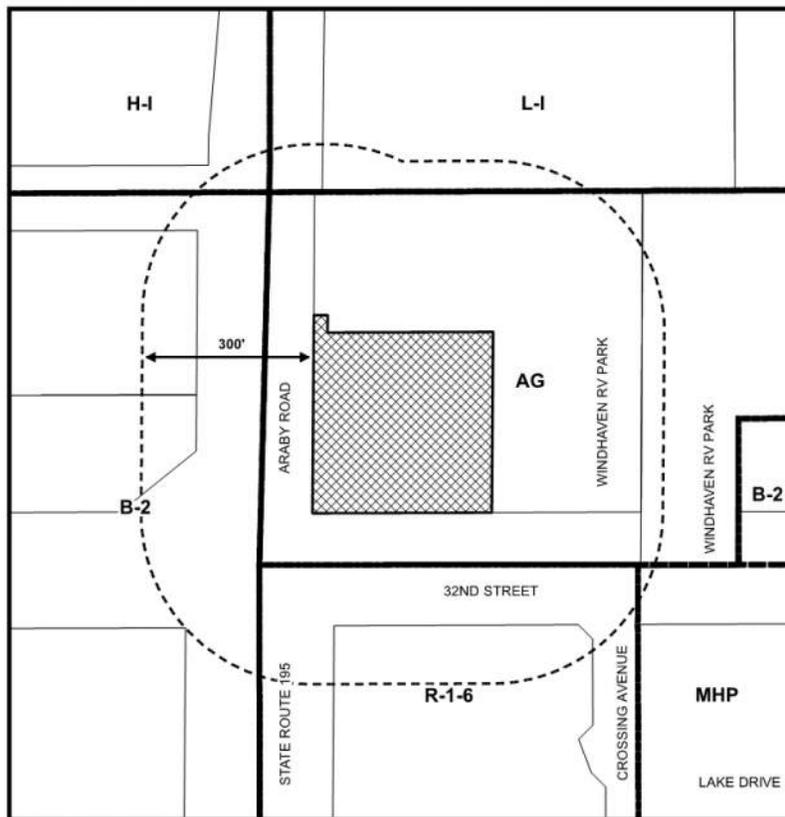
Hearing Date: March 23, 2020

Case Number: CUP-29214-2020

Project Description/Location: This is a request by Land Development Consultants, LLC., on behalf of Circle K Stores, Inc., for a Conditional Use Permit to allow the retail sale of motor fuels and a convenience market on a 2.28 acre parcel in the Agriculture (AG) / Conditional General Commercial (B-2) District, for the property located at 6544 E. 32nd Street.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Circle K	Commercial
North	Agriculture (AG)	RV Park	Commercial
South	Low Density Residential (R-1-6)	Vacant	Low Density Residential
East	Agriculture (AG)	RV Park	Commercial
West	General Commercial (B-2)	Jack-in-the-Box	Commercial

Location Map:



Prior site actions: Annexation: #O99-29 (07/03/1999); Zoning: ZONE-28855-2019 (AG to B-2).

Staff Recommendation: Staff recommends **APPROVAL** of the Conditional Use Permit to allow the retail sale of motor fuels and a convenience market on a 2.28 acre parcel in the Agriculture (AG) / Conditional General Commercial (B-2) District, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Conditional Use Permit CUP-29214-2020 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 Land Development Consultants, LLC., on behalf of Circle K Stores, Inc. for the retail sale of motor fuels and a convenience market for the property located at 6544 E. 32nd Street, 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 property is the location of a Circle K convenience store and fuel station, in operation since 1987. The property was annexed in 1999. No further zoning action has occurred since then.

Circle K is now in the process of remodeling their stores and this property is scheduled for a complete demolition and rebuild. There will be a new and larger store in a slightly different location with new fuel stations. The new convenience store and fuel stations need a Conditional Use Permit, required in the B-2 District. Concerns might be about access, circulation, and vehicle stacking lanes.

The applicant states:

“Circle K proposes to redevelop the entire tract as a new retail convenience grocery store featuring a larger 5,187 square foot retail convenience store with a new gasoline fuel canopy offering an increase to seven (7) fuel pumps located south of the retail building and parallel to 32nd Street, with a separate diesel fuel canopy and pumps located on the north side of the retail building. The upgraded fuel design will better service the needs of the traveling public by providing additional vehicle fueling pumps, less vehicle idling, proper separation of fuel product, and better and safer vehicle circulation throughout the property.

“Additionally, the existing trash enclosure, now located immediately adjacent to the east boundary line of the property and near the adjoining RV Park, will be relocated to the internal area of the development away from the residences. Similarly, the existing diesel fuel canopy and service areas, which are now located near the eastern property line, will be removed and relocated to the northern portion of the property, allowing for a more designated traffic flow pattern.

“The new retail facility will provide a new and large range of goods and services and readily consumable foods. The expanded offerings will include wide selections of fountain drinks, premium coffee, and quality food products, all within an open and inviting environment. Tables and seating areas are provided both inside and outside the store for the use and enjoyment of the customers. In addition to the

expanded goods and services, the redevelopment of the property will provide new and improved infrastructure and increased landscaping along the street frontages and within the property as an enhancement to the overall area.”

ADOT has considered the need for a Traffic Impact Analysis (TIA) and new Encroachment Permit, due to the increase in size of the proposed new building. Since a Conditional Use Permit is needed, conditioned upon approval of a site plan, ADOT agrees these requirements will be reviewed and met at this stage of development planning. ADOT requires the construction of a northbound turn lane on Araby Road; and the reduction of the widths of both access points to 40 feet.

Additionally, Andrew McGarvie, City Engineering Manager says the following was discussed with ADOT, and McGarvie comments:

“The site plan shows a WB-50 truck (large semi-truck) parking alongside the building on the east side. Assuming it is for store deliveries, and having to reverse out of that location; this appears to be a safety issue for pedestrians and other vehicles that may inadvertently get behind the truck. Suggest they create a pull-through type parking space for the deliveries. “

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	N/A	
B.	Parking	N/A	
C.	Lighting	Exterior lighting cannot trespass onto adjacent properties.	4
D.	Hours of Operation	N/A	
E.	Indoor/Outdoor Activities	Walls along the north and east property lines need to provide a buffer from neighboring residences.	5, 6
F.	Noise	N/A	
G.	Air Quality	N/A	
H.	Hazardous Materials	N/A	
I.	Crime Prevention (CPTED)	Walls and the trash enclosure must have anti-graffiti coating.	5, 6
J.	Other	N/A	

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

Yes. The site plan conforms to the zoning code, including uses and development standards.

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

Yes. No changes to the existing driveway locations are proposed. Access will be of sufficient width to accommodate traffic and emergency vehicles.

TRANSPORTATION ELEMENT	PLANNED	EXISTING	DIFFERENCE	REQUESTED
32 nd St. – Principal Arterial	62 FT H/W ROW	97 FT H/W ROW	-35 FT.	0 FT.
SR-195 – Principal Arterial	62 FT H/W ROW	129 FT H/W ROW	-67 FT.	0 FT.

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

Yes. ZONE-28855-2019 rezoning from AG to B-2 to City Council on March 18, 2020.

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 the request as per Section 154-08.04(E)(3 & 4).

(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 use already exists, and the redevelopment at this busy commercial intersection should not create a significant change to the neighborhood.

(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. Points of access are a sufficient distance from the intersection, and will remain as they are presently.

(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. Screening walls are required as a condition of approval as a buffer to the adjacent RV park.

(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. New construction will be at a similar height as nearby existing construction, and it will be compatible with other development in the neighborhood.

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

Yes. The new parking lot lighting will be reviewed to verify it illuminates the property while not encroaching on the neighbors or right-of-way. A photometric survey is required to make certain the needed exterior lighting does not trespass beyond the property lines.

(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. New landscaping will be concentrated along the right-of-way and other property boundaries. It will be designed to incorporate CPTED goals of allowing visibility, and with no areas hidden from monitoring for crime prevention.

Public Comments Received: None Received.

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: No Meeting Required.

Discussions with Applicant/Agent: 03/02/2020

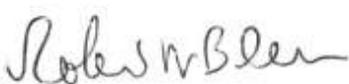
Proposed conditions delivered to applicant on: 02/19/2020

Final staff report delivered to applicant on: 03/11/2020

- Applicant agreed with all of the conditions of approval on: 03/02/2020
- 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	Site Plan	Elevation Concepts	External Agency Comments	Aerial Photo	Staff Research

Prepared By: 
 Robert M. Blevins,
 Principal Planner

Date: 2/27/20
 Robert.Blevins@yumaaz.gov (928) 373-5189

Approved By: 
 Alyssa Linville
 Assistant Director Community Development

Date: 02/27/20

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.

Community Development Comments: Alyssa Linville, Assistant Director Community Development (928) 373-5000, ext 3037:

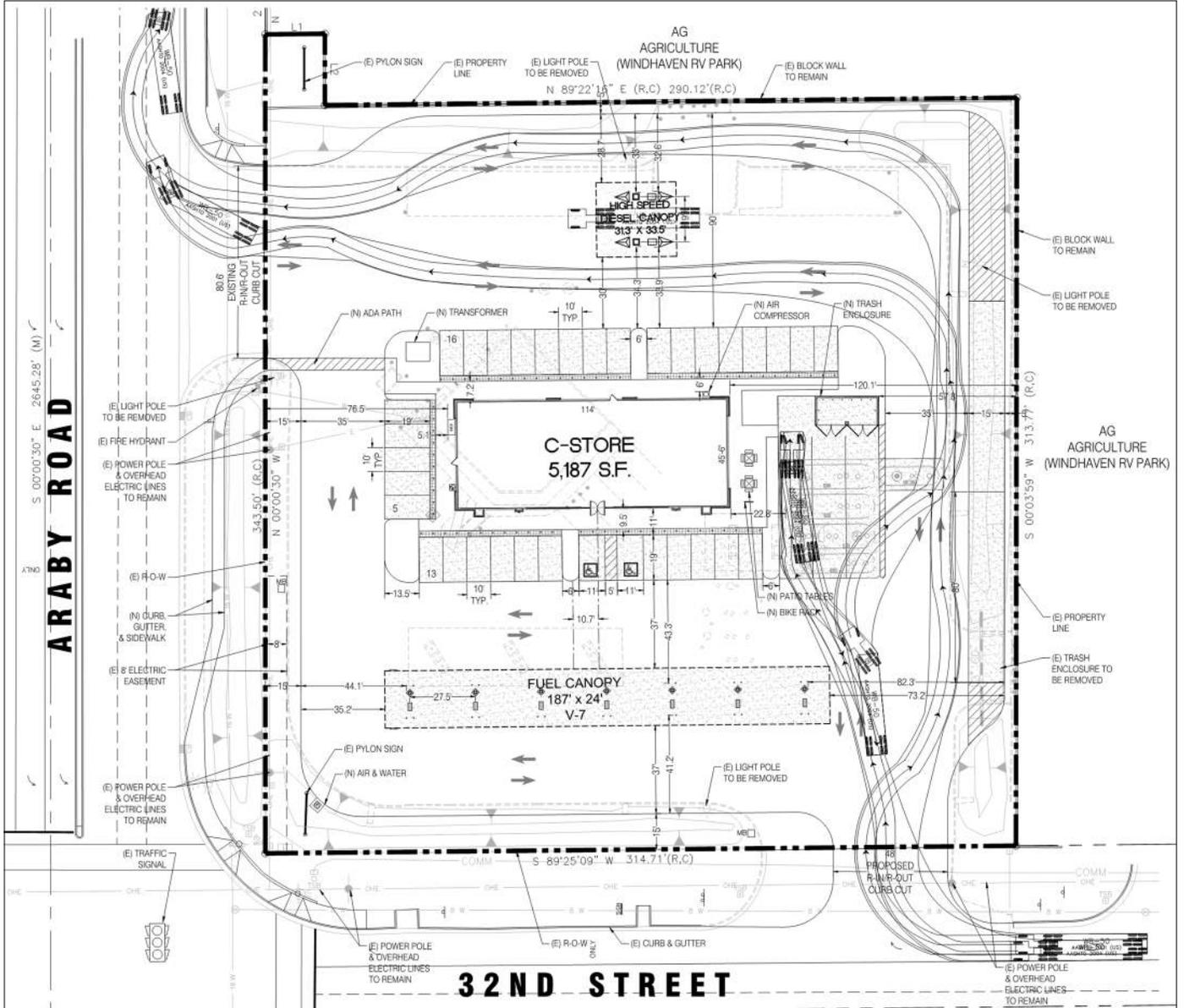
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

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

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. All 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 the 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. The trash enclosure must be of block construction with solid gates and the entire enclosure coated with an anti-graffiti coating and painted to compliment the main development on the property.
6. Existing walls on the north and east sides to remain, or if removed, shall be replaced with a minimum six foot (6') high solid masonry mortared screen wall constructed with poured concrete footings along the north and east property lines to provide a buffer from neighboring residences. Screening is needed to mitigate the effects of nuisances such as noise, dust, headlights, and litter. Any new wall shall be incorporated into the design of the project, and constructed as shown on the approved plans, and coated with an anti-graffiti coating and painted to compliment the main development on the property.
7. 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.
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



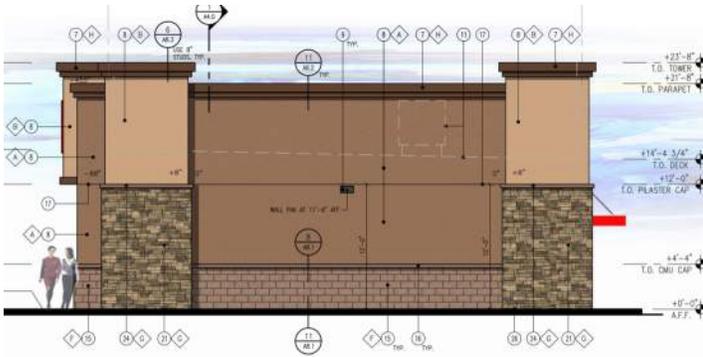
ATTACHMENT C ELEVATION CONCEPTS



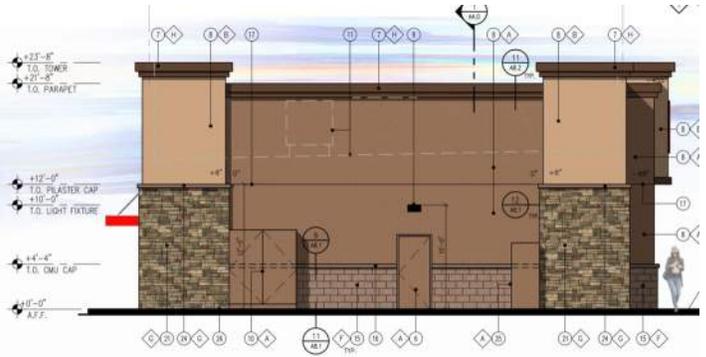
1 FRONT ELEVATION (SOUTH)
SCALE: 3/16" = 1'-0"



2 BACK ELEVATION (NORTH)
SCALE: 3/16" = 1'-0"



3 SIDE ELEVATION (EAST)
SCALE: 3/16" = 1'-0"



4 SIDE ELEVATION (WEST)
SCALE: 3/16" = 1'-0"

**ATTACHMENT D
EXTERNAL AGENCY COMMENT**

COMMENT NO COMMENT

Enter comments below:

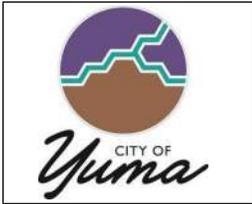
Circle K has contacted ADOT regarding the need for a traffic impact analysis (TIA) and encroachment permit. Circle K has received approval of its pre-TIA submittal form which means ADOT has agreed to key factors that Circle K will use in the TIA. ADOT is working with Circle K to expedite the process; however, the agency still awaits the submittal by Circle K of a TIA and an application for an encroachment permit. Until ADOT issues the encroachment permit, ADOT has not approved the expansion's access to the state highway system.

DATE: 2/10/20 NAME: Isabell Garcia TITLE: Development Coordinator
AGENCY: ADOT Southwest District
PHONE: (928) 317-2159
RETURN TO: Robert Blevins
 Robert.Blevins@YumaAZ.gov

**ATTACHMENT E
AERIAL PHOTO**



**ATTACHMENT F
STAFF RESEARCH**



STAFF RESEARCH – CONDITIONAL USE PERMIT

**CASE #: CUP-29214-2020
CASE PLANNER: BOB BLEVINS**

I. PROJECT DATA

Project Location:	Northeast corner of E. 32 nd Street and S. Araby Road
Parcel Number(s):	698-27-003
Parcel Size(s):	99,512 sq. ft.
Total Acreage:	2.28
Proposed Dwelling Units:	None
Address:	6544 E. 32 nd Street
Applicant:	Circle K Stores, Inc.
Applicant's Agent:	Land Development Consultants, LLC.

Land Use Conformity Matrix:	Conforms:	YES	X	NO				
Zoning Overlay:	Public	AO	Auto	B&B	Historic	Infill	None	X

Airport	Noise Contours	65-70	70-75	75+	APZ1	APZ2	Clear Zone
	Existing Zoning	Use(s) on-site			General Plan Designation		
Site	Agriculture (AG)	Circle K			Commercial		
North	Agriculture (AG)	RV Park			Commercial		
South	Low Density Residential (R-1-6)	Vacant			Low Density Residential		
East	Agriculture (AG)	RV Park			Commercial		
West	General Commercial (B-2)	Jack-in-the-Box			Commercial		

Prior Cases or Related Actions:		
Type	Conforms	Cases, Actions or Agreements
Pre-Annexation Agreement	Yes No	N/A
Annexation	Yes X No	#O99-29 (07/03/1999)
General Plan Amendment	Yes No	N/A
Development Agreement	Yes No	N/A
Rezone	Yes X No	ZONE-28855-2019 (AG to B-2; in progress)
Subdivision	Yes No	N/A
Pre-Development Meeting	Yes X No	PDM-27716-2019 (09/19/2019 @ 2 p.m.)
Conditional Use Permit	Yes No	N/A
Design Review Commission	Yes No	N/A
Enforcement Actions	Yes No	N/A
Avigation Easement Recorded	Yes X No	Fee # 2020-01930

Land Division Status:	Parcel is a legal lot of record.
Irrigation District:	Yuma Mesa Irrigation and Drainage District
Water Conversion Agreement Required	Yes No X
Adjacent Irrigation Canals & Drains:	None

Transportation Element:

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
32 ND ST. – PRINCIPAL ARTERIAL	62 FT H/W ROW	97 FT H/W ROW				X
SR-195 – PRINCIPAL ARTERIAL	62 FT H/W ROW	129 FT H/W ROW			X	X

Bicycle Facilities Master Plan	Proposed Bike Path 32 nd Street
YCAT Transit System	Silver Route 9 & Orange Route 2
ISSUES:	None

<u>DETAILED NARRATIVE</u>	<p>The property is the location of a Circle K convenience store and fuel station, in operation since 1987. The property was annexed in 1999. No further zoning action has occurred since then.</p> <p>Circle K is now in the process of remodeling their stores and this property is scheduled for a complete demolition and rebuild. There will be a new and larger store in a slightly different location with new fuel stations. The new convenience store and fuel stations need a Conditional Use Permit, required in the B-2 District. Concerns might be about access, circulation, and vehicle stacking lanes.</p> <p>ADOT is considering the need for a Traffic Impact Analysis (TIA) and new Encroachment Permit, due to the increase in size of the proposed new building. Since a Conditional Use Permit is needed, conditioned upon approval of a site plan, ADOT agrees these requirements will be reviewed and met at this stage of development planning. Discussion with the property owner is already in progress on these issues.</p> <p>The applicant states: “Circle K proposes to redevelop the entire tract as a new retail convenience grocery store featuring a larger 5,187 square foot retail convenience store with a new gasoline fuel canopy offering an increase to seven (7) fuel pumps located south of the retail building and parallel to 32nd Street, with a separate diesel fuel canopy and pumps located on the north side of the retail building. The upgraded fuel design will better service the needs of the traveling public by providing additional vehicle fueling pumps, less vehicle idling, proper separation of fuel product, and better and safer vehicle circulation throughout the property.</p> <p>“Additionally, the existing trash enclosure, now located immediately adjacent to the east boundary line of the property and near the adjoining RV Park, will be relocated to the internal area of the development away from the residences. Similarly, the existing diesel fuel canopy and service areas, which are now located near the eastern property line, will be removed and relocated to the northern portion of the property, allowing for a more designated traffic flow pattern.</p> <p>“The new retail facility will provide a new and large range of goods and services and readily consumable foods. The expanded offerings will include wide selections of fountain drinks, premium coffee, and quality food products, all within an open and inviting environment. Tables and seating areas are provided both inside and outside the store for the use and enjoyment of the customers. In addition to the expanded goods and services, the redevelopment of the property will provide new and improved infrastructure and increased landscaping along the street frontages and within the property as an enhancement to the overall area.”</p>					
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">EXCEPTION TO DEVELOPMENT STANDARDS?</td> <td style="width: 10%; text-align: center;">Yes</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: center;">No</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 10%;"></td> </tr> </table>	EXCEPTION TO DEVELOPMENT STANDARDS?	Yes		No	x
EXCEPTION TO DEVELOPMENT STANDARDS?	Yes		No	x		

NOTIFICATION

- Legal Ad Published: The Sun 02/28/20
- 300' Vicinity Mailing: 02/03/20
- 34 Commenting/Reviewing Agencies noticed: 02/06/20
- Site Posted on: 03/16/20

- Hearing Date: 03/23/20
- Comments due: 02/17/20

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	02/06/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	02/10/20	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	YES	02/06/20	X		
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.	YES	02/10/20		X	X
Yuma Irrigation District	NR				
Arizona Game and Fish	YES	02/06/20	X		
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	02/06/20	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	YES	02/07/20	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Franklin, Fire	YES	02/10/20	X		
Alan Kircher, Building Safety	YES	02/12/20	X		
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	02/07/20	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
NOT REQUIRED	See Staff Report Attachment D.
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

PUBLIC COMMENTS RECEIVED: