

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

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on Monday, September 22, 2025, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza Yuma, AZ.



**Agenda**  
**Planning and Zoning Commission Meeting**  
**City Hall Council Chambers**  
**One City Plaza, Yuma, AZ**  
**Monday, September 22, 2025, 4:30 p.m.**

- A. CALL TO ORDER
  
- B. CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission, or a member of the audience wishes to speak about an item.
  - B.1 APPROVAL OF MINUTES – September 8, 2025
  - B.2 WITHDRAWALS BY APPLICANT – NONE
  - B.3 TIME EXTENSIONS – NONE
  - B.4 CONTINUANCES – NONE
  - B.5 APPROVALS – NONE
  
- C. ACTION ITEMS –
  - C.1 **CUP-44381-2025:** *This is a request by RigoEsteban Otanez, for a Conditional Use Permit to allow a proposed used car dealership in the Light Industrial/Airport District Overlay (LI/AD) District. The property is located at 2879 S. Avenue 4E, Yuma, AZ.*
  
- D. PUBLIC HEARINGS –
  - D.1 **ZONE-44371-2025:** *This is a request by Bailey Arviso, on behalf of Next Level Home Buyers LLC, to rezone approximately 1.29 acres from the Light Industrial/Infill Overlay (L-I/O) District to the Medium Density Residential/Infill Overlay (R-2/O) District, for three properties located along 1st Avenue, between 12th Street and 13th Street, Yuma, AZ.*
  
- E. EXECUTIVE SESSION – NONE
  
- F. INFORMATION ITEMS
  - F.1 STAFF
  - F.2 COMMISSION
  - F.3 PUBLIC – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

**ADJOURN**

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149. Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.  
The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

**Planning and Zoning Commission Meeting Minutes  
September 8, 2025**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, September 25, 2025, at City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

**PLANNING AND ZONING COMMISSION MEMBERS** present were Chairman Chris Hamel, and Commissioners Lorraine Arney, Ashlie Pendleton and Jorge Gonzalez. Vice Chairman John Mahon and Commissioner Chelsea Malouff-Craig were absent. One Vacancy.

**STAFF MEMBERS** present included Alyssa Linville, Director of Community Development; Jennifer Albers, Assistant Director of Planning; Andrew McGarvie, Engineering Manager; Guillermo Moreno-nunez, Associate Planner; Meredith Rojas, Associate Planner; Zenia Fiveash, Assistant Planner; Joshua Darrow, Assistant Planner; John LeSueur, Assistant City Attorney and Alejandro Marquez, Administrative Specialist.

**Chairman Chris Hamel** called the meeting to order at 4:34p.m. and noted there was a quorum present

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**CONSENT CALENDAR**

**MINUTES** – August 25, 2025

**WITHDRAWALS BY APPLICANT** – None

**CONTINUANCES** – None

**APPROVALS** – None

**Motion by Commissioner Lorraine Arney second by Commissioner Ashlie Pendleton to APPROVE the Consent Calendar as presented. Motion carried unanimously, (4-0) with two absent and one vacancy.**

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**Action Items-**

**CUP-44293-2025:** *This is a request by Thompson Design Architects PC, on behalf of DPL Valley LLC, for a Conditional Use Permit to allow a new drive-through facility in the Limited Commercial/Aesthetic Overlay (B-1/AO) District for the property located at 2550 W 20<sup>th</sup> Street, Yuma, AZ.*

**Meredith Rojas, Associate Planner** summarized the staff report and recommended **APPROVAL**.

**QUESTIONS FOR STAFF**

**Chairman Chris Hamel** asked for confirmation if the proposed building will be located at the south corner of 26<sup>th</sup> Drive and 20<sup>th</sup> Street. **Rojas** replied yes. **Chairman Hamel** then asked if the northern half of the proposed project remained undecided regarding future development. **Rojas** answered yes

**APPLICANT/APPLICANT'S REPRESENTATIVE**

**Chris Thompson, on behalf of Thompson Design Architects**, was available for questions. **Chairman Hamel** asked if the design had been changed from the original concept, as the building was initially oriented north-south. **Thompson** stated the design had not been changed, and that the building will be facing 20<sup>th</sup> Street running east and west. **Thompson** then explained that when the lot was purchased a Lot Split was submitted to separate the southern portion of the property, and that the northern area of the property will eventually become a new gym.

**Chairman Hamel** asked where will the entrance to the proposed project be located. **Thompson** stated that there is an existing driveway located on the north side of 20<sup>th</sup> Street that leads into the carwash, and another on 26<sup>th</sup> Drive next to Centennial Middle School.

## PUBLIC COMMENT

None

**Motion by Commissioner Lorraine Arney, second by Ashlie Pendelton to APPROVE CUP-44293-2025 as presented. Motion carried unanimously, (4-0) with two absent and one vacancy.**

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**CUP-44318-2025:** *This is a request by Dylan Freeman on behalf of T3AZ LLC, for a Conditional Use Permit to allow multi-family dwellings (a total of 31 dwelling units) in conjunction with one established business activity in the General Commercial/Infill Overlay (B-2/IO) District. The property is located at 1962 S. 3<sup>rd</sup> Avenue, Yuma, AZ.*

**Guillermo Moreno-nunez, Assistant Planner** summarized the staff report and recommended **APPROVAL**.

## QUESTIONS FOR STAFF

None

## APPLICANT/APPLICANT'S REPRESENTATIVE

**Thomas Cockburn, 1700 S. 1<sup>st</sup> Ave Suite 200, Yuma, AZ**, commented on the ongoing need for affordable housing and that his team worked with Community Development to create a 4-plex that can be easily constructed on an infill lot, then noted that there are roughly 100 apartments, trailer parks, and multifamily homes within a quarter mile creating a need for a laundromat in the area

**Chairman Hamel** stated that he was in favor of the proposed project and then asked if each apartment was going to be separated and then asked where will the entrance to the property be located. **Cockburn** replied that the entrance will be off 3<sup>rd</sup> Avenue, and that he worked with city staff on getting the correct distances between the apartments.

## PUBLIC COMMENT

None

**Motion by Commissioner Ashlie Pendelton, second by Commissioner Lorraine Arney to APPROVE CUP-44318-2025 as presented. Motion carried unanimously, (4-0) with two absent and one vacancy.**

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## Public Hearings-

**Chairman Chris Hamel** commented that the applicant of the next case was not able to attend the hearing and noted that there was someone from the public that would like to comment on the case. **Chairman Hamel** then asked what was the date on which this case would be continued to. **Jennifer Albers, Assistant Director of Planning** replied that the case should be continued to October 13, 2025.

**ZONE-44333-2025:** *This is a request by Dahl, Robins & Associates, on behalf of Territorial Real Estate AZ LLC, to rezone approximately 6.65 acres from the General Commercial (B-2) District to the High Density Residential (R-3) District for the property located at 3064 and 3116 S. Avenue B, Yuma, AZ.*

## PUBLIC COMMENT

**Teresa Sanchez, 2716 W. 31<sup>st</sup>, Yuma, AZ** stated that she will not be able to attend the hearing on October 13<sup>th</sup>, which is the reason why she wanted to be heard at the current hearing. **Sanchez** referred to page 11 of the staff report, and then expressed concern about a hole in the shared wall where the proposed project will be constructed and wanted to clarify if the applicant had plans to repair the wall.

**Chairman Chris Hamel** asked for a motion to continue case CUP-44333-2025 to the Planning and Zoning Meeting of October 13, 2025

Motion by Commissioner Lorraine Arney second by Commissioner Jorge Gonzalez to Continue CUP-44333-2025 to the Planning and Zoning Meeting of October 13, 2025. Motion carried unanimously, (4-0) with two absent and one vacancy.

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**INFORMATION ITEMS**

**Staff**  
None

**Commission**  
None

**Public**  
None

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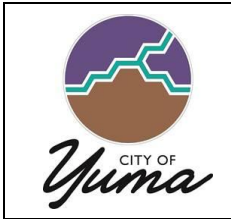
**Chairman Chris Hamel** adjourned the meeting at 4:56 PM.

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Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chairman



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

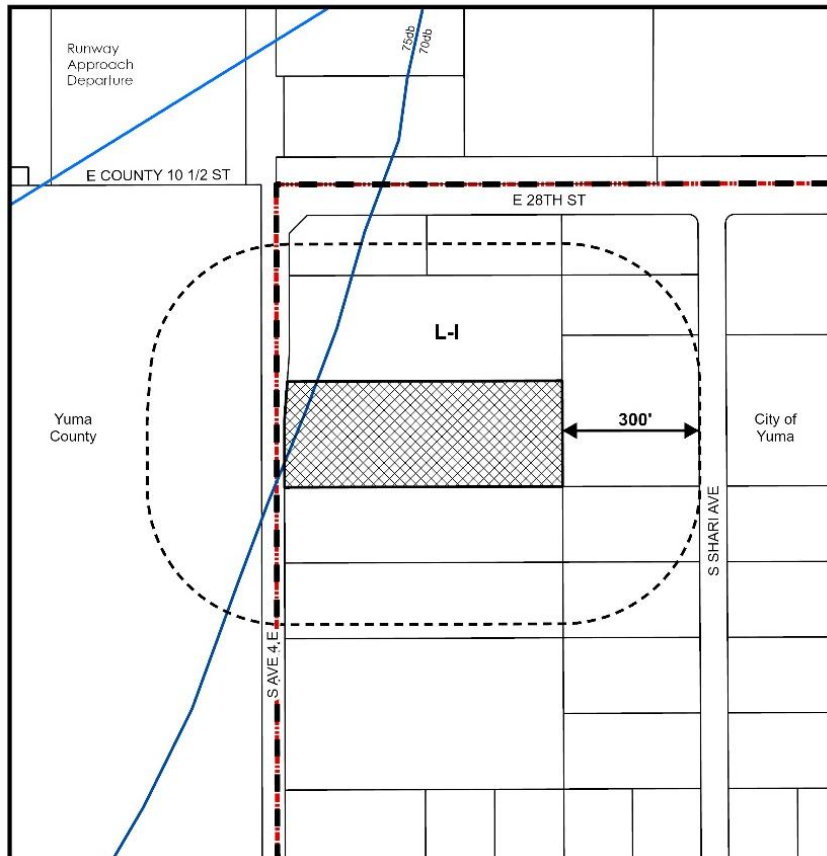
**Hearing Date:** September 22, 2025

**Case Number:** CUP-44381-2025

**Project Description/Location:** This is a request RigoEsteban Otanez, for a Conditional Use Permit to allow a proposed used car dealership in the Light Industrial/Airport District Overlay (LI/AD) District. The property is located at 2879 S. Avenue 4E, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
<b>Site</b>	Light Industrial/ Airport Overlay (L-I/AD) District	Rigo’s Auto, Diesel & Mobile Service	Industrial
<b>North</b>	Light Industrial/ Airport Overlay (L-I/AD) District	AG West Logistics	Industrial
<b>South</b>	Light Industrial/ Airport Overlay (L-I/AD) District	Mikes Transportation	Industrial
<b>East</b>	Light Industrial/ Airport Overlay (L-I/AD) District	JCJ Electric Corp.	Industrial
<b>West</b>	Yuma County – Light Industrial (L-I) District	Agriculture	Industrial

**Location Map:**



**Prior site actions:** Annexation: Ordinance 096-026 (March 21, 1996); Lot Split: Castro Parcel Split (Fee#2004-37280) (October 13, 2004); Pre-Development Meeting: July 17, 2025

**Staff Recommendation:** Staff recommends **APPROVAL** of the Conditional Use Permit to allow a proposed used car dealership in the Light Industrial/Airport District Overlay (LI/AD) District, subject to the conditions outlined in Attachment A.

**Suggested Motion:** Move to **APPROVE** Conditional Use Permit CUP-44381-2025 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 RigoEsteban Otañez to allow a proposed used car dealership for the property located at 2879 S. Avenue 4E, 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 2879 S. Avenue 4E. The property features an existing single-story building constructed in 2005. Within the existing building, there is a 1,125 square foot office and a 4,500 square foot shop. Currently operating on the property is Rigo's Auto, Diesel & Mobile Service, LLC and an accessory use for U-Haul equipment rental storage.

With this request, the applicant is proposing a used car dealership within the Light Industrial (L-I) District. In the Light Industrial (L-I) District, commercial uses require a Conditional Use Permit. The proposed location of the display area for the used cars will be on the west frontage along Avenue 4E and the north side of the property. The hours of operations are intended to be Monday thru Friday 6 am to 5 pm and Saturday and Sunday 7 am to 5 pm.

In addition, the applicant is intending to install three 2,500 square foot buildings to expand and support the automotive repair business.

The applicant states:

"The core objective of this project is to meet the increasing demand for affordable, reliable vehicles in Yuma, especially among working families, military personnel stationed at MCAS Yuma, agricultural workers, and students attending Arizona Western College. Many residents in the region rely on personal vehicles due to limited public transit options. Premium Rides will address this need by offering a wide selection of vehicles at accessible price points, all backed by transparent sales practices and optional warranty coverage.

"Premium Rides is committed to being a responsible and active member of the Yuma business community. We are prepared to work closely with city departments to ensure full compliance with development codes and to maintain a clean, attractive, and professionally operated site."

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

SPECIFIC IMPACT AREA		ISSUE	CONDITION #
A.	Traffic	None	
B.	Parking	None – Property has sufficient parking	
C.	Lighting	None – Property has existing lighting	
D.	Hours of Operation	None	
E.	Indoor/Outdoor Activities	None	
F.	Noise	None	
G.	Air Quality	None	
H.	Hazardous Materials	None	
I.	Crime Prevention (CPTED)	None	
J.	Other	None	

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

Yes.

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

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Avenue 4E - Collector	40 FT H/W	40 FT H/W		X		
Bicycle Facilities Master Plan	None					
YCAT Transit System	Orange Route 2					
Issues:	None					

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

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

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

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

Yes. The Planning and Zoning Commission has the authority to review and approve this request per section 154-09.02 (E).

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

Yes. The applicant states that the proposed used car dealership will operate in full compliance with all city, county, and state regulations regarding vehicle sales, zoning, sanitation, and environmental safety. In addition, the business will maintain clean and orderly premises, ensure lawful and ethical sales practices, and implement all necessary safety measures on site. As a responsible local business, Premium Rides Auto Sales will contribute to the economic vitality and quality of life in Yuma, without introducing noise, pollution, or any activity contrary to public welfare.

**(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 subject property has direct access to S. Ave 4E, which is designed to accommodate moderate to heavy commercial traffic. The site features a clearly marked entrance and exit with appropriate setbacks and turning radii to support safe vehicle circulation. Customer parking and vehicle display areas will be separated to reduce traffic conflicts, and internal circulation will follow ADA and fire safety standards.

**(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 proposed location does not directly abut residential properties. In addition, setbacks, landscaping buffers, and screen walls will be used to ensure compatibility with any nearby business. Lighting and noise will be mitigated to avoid disturbances.

**(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 existing office area and shop are single-story and conform to the surrounding development in both scale and style. No large or industrial-scale structures are proposed. The architectural design will incorporate neutral colors and desert compatible materials consistent with local design standards.

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

Yes. The dealership will implement noise-minimizing strategies such as limiting loudspeaker or audio use, restricting vehicle engine revving or detailing to daylight hours, and conducting inspections indoors when feasible. Security lighting will be installed throughout the lot, with all fixtures being downcast and shielded to prevent light spillover onto adjacent properties. A motion-activated camera system and nighttime patrol procedures will also be in place to enhance safety and deter vandalism.

**(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 site will include drought-tolerant landscaping with perimeter planting beds to soften the visual impact of the parking and display areas. Decorative fencing or block screen walls will be installed along any exposed property edges, especially those adjacent to non-commercial uses. The layout will follow Crime Prevention Through Environmental Design (CPTED) principles, including clear sightlines, monitored access points, and avoidance of hidden or obstructed spaces. Surfaces will be treated with anti-graffiti coatings, and the business will maintain a zero-tolerance policy for tagging or defacement.

**Neighborhood Meeting**

**Comments:**

No Meeting Required.

**Proposed conditions delivered to applicant on:** 8/20/25

**Final staff report delivered to applicant on:** 8/28/25

- Applicant agreed with all of the conditions of approval on: 8/20/25
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

**ATTACHMENTS:**

A	B	C	D	E	F	G	H
Conditions of Approval	Site Plan	Site Photos	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

**Prepared By:** *Zenia Fiveash* **Date:** **8/28/25**  
 Zenia Fiveash  
 Assistant Planner Zenia.Fiveash@yumaaz.com (928) 373-5000, x3040

**Approved By:** *Jennifer L. Albers* **Date:** **8/28/25**  
 Jennifer L. Albers,  
 Assistant Director of Planning

**ATTACHMENT A  
CONDITIONS OF APPROVAL**

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

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

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

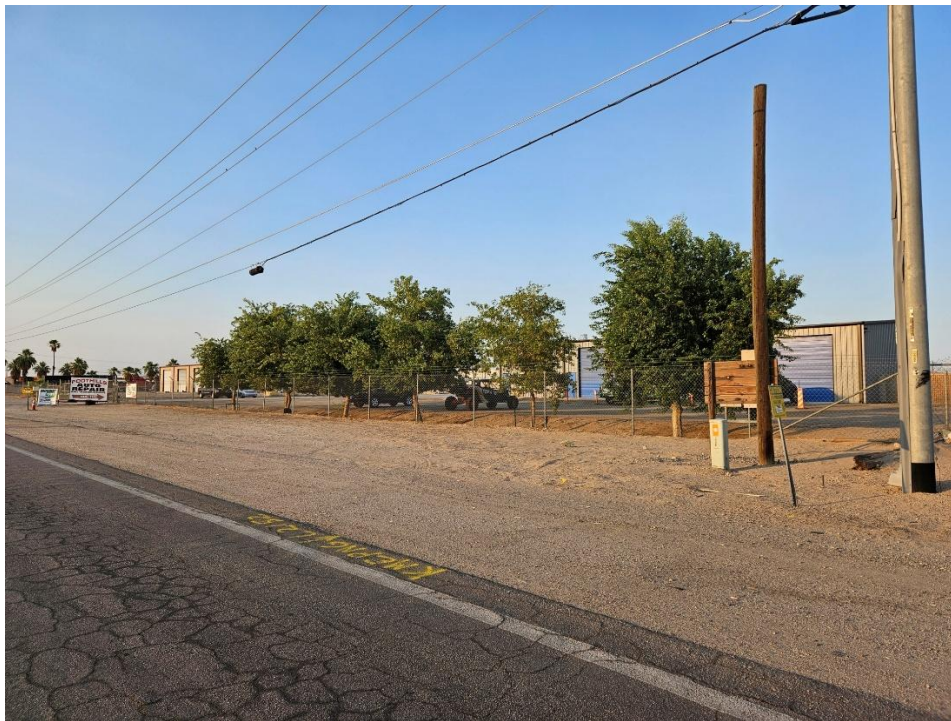
**Community Planning: Zenia Fiveash, Assistant Planner, (928) 373-5000 x 3040:**

3. Any substantial modification to the overall site design as represented on the site plan will require a public hearing and be subject to the approval of the Planning and Zoning Commission. A substantial modification to the site plan would include, but not necessarily be limited to, the relocation of vehicular access, the modification of storm water retention or the relocation of a building or structure.
4. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Conditional Use Permit or prior to the issuance of any Building Permit, Certificate of Occupancy or City of Yuma Business License for this property. In the event that the conditions are not completed within this time frame, the Conditional Use Permit shall be null and void.
5. In any case where a Conditional Use Permit has not been used within one year after the granting thereof, it shall be null and void.
6. Prior to the expiration date of the Conditional Use Permit, the applicant has the option to file for a one-year time extension.

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



**ATTACHMENT C**  
**SITE PHOTOS**



**ATTACHMENT D  
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun 8/29/25
- 300' Vicinity Mailing: 8/04/25
- 34 Commenting/Reviewing Agencies noticed: 8/18/25
- Site Posted on: 9/15/25
- Neighborhood Meeting: N/A
- Hearing Date: 9/22/25
- Comments due: 8/18/25

<b>External List (Comments)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Comment"</b>	<b>Written Comments</b>	<b>Comments Attached</b>
Yuma County Airport Authority	YES	8/06/25			X
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	8/06/25	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	8/06/25	X		
<b>City of Yuma Internal List (Conditions)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Conditions"</b>	<b>Written Conditions</b>	<b>Comments Attached</b>
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	8/11/25			X
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				



**ATTACHMENT F**  
**NEIGHBOR NOTIFICATION LIST**

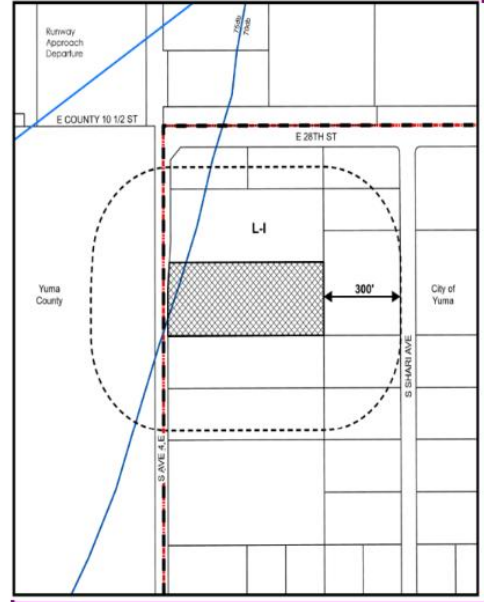
<b>Property Owner</b>	<b>Mailing Address</b>	<b>City/State/Zip Code</b>		
BOTTRELL FAMILY INVESTMENTS LLC	PO BOX 80284	BILLINGS	MT	59108
ERICK TRANSPORT LLC	2766 W 2ND PL	YUMA	AZ	85364
HERNANDEZ MAXINE	2863 S AVENUE 4E	YUMA	AZ	85364
KAILA MOHINDER SINGH	449 W 19TH ST	YUMA	AZ	85364
NIEBLA ALEJANDRO RIOS	803 E ARENA ST	SAN LUIS	AZ	85349
O & P MORIN LLC	PO BOX 96	YUMA	AZ	85366
OTANEZ RIGOEESTEBEN	2879 S AVE 4E	YUMA	AZ	85365
PEREZ LUIS & MARIA EMMA JT	4675 W 27TH PL	YUMA	AZ	85364
PEREZ LUIS G & MARIA EMMA JT	4675 W 27TH PL	YUMA	AZ	85364
SUGDEN TRUST B 10-22-2008	13894 S AVENUE G	YUMA	AZ	85365
WOLDT ELDEN J	455 16TH ST	SAN DIEGO	CA	92101

**ATTACHMENT G  
NEIGHBOR MAILING**

This is a request by RigoEsteban Otanez, for a Conditional Use Permit to allow a proposed used car dealership in the Light Industrial/Airport District Overlay (LI/AD) District. The property is located at 2879 S. Avenue 4E, Yuma, AZ.

**MEETING DATE,  
TIME & LOCATION  
FOR CASE #  
CUP-44381-2025**

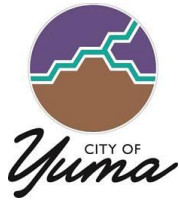
**PUBLIC HEARING**  
09/22/2025 @ 4:30pm  
City Hall Council Chambers  
One City Plaza, Yuma, AZ.



Because you are a neighbor within 300' of 2879 S. Avenue 4E, Yuma, AZ. you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Zenia Fiveash by phone at (928) 373-5000 ext. 3040 or by email at [Zenia.Fiveash@YumaAz.gov](mailto:Zenia.Fiveash@YumaAz.gov). All written comments must be submitted by 12:00 pm **(the day of the hearing)** to be included in the public record for consideration during the hearing.

ATTACHMENT H  
AERIAL PHOTO





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

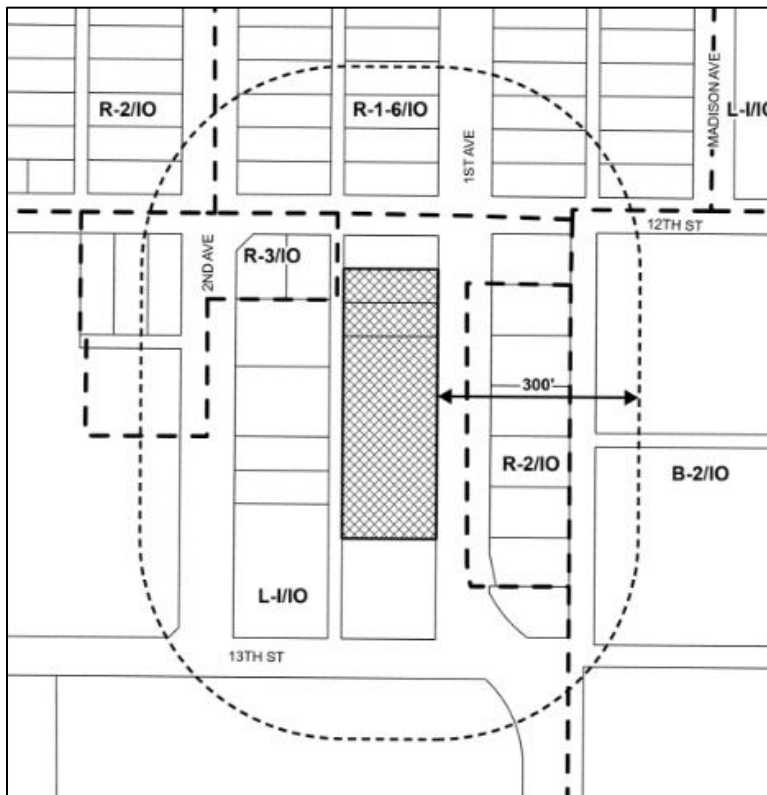
**Hearing Date:** September 22, 2025

**Case Number:** ZONE-44371-2025

**Project Description/ Location:** This is a request by Bailey Arviso, on behalf of Next Level Home Buyers LLC, to rezone approximately 1.29 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Medium Density Residential/Infill Overlay (R-2/IO) District, for three properties located along 1<sup>st</sup> Avenue, between 12<sup>th</sup> Street and 13<sup>th</sup> Street, Yuma, AZ.

	<b>Existing Zoning</b>	<b>Use(s) on-site</b>	<b>General Plan Designation</b>
<b>Site</b>	Light Industrial/Infill Overlay (L-I/IO) District	Undeveloped	Medium Density Residential
<b>North</b>	Light Industrial/Infill Overlay (L-I/IO) District	Single-Family Residence	Medium Density Residential
<b>South</b>	Light Industrial/Infill Overlay (L-I/IO) District	Spectrum Cable	Medium Density Residential
<b>East</b>	Medium Density Residential/Infill Overlay (R-2/IO) District	Single-Family Residences	Medium Density Residential
<b>West</b>	Light Industrial/Infill Overlay (L-I/IO) District	Vacant Buildings/ Residential	Medium Density Residential

**Location Map**



**Prior site actions:** Annexation: Ord. 449 (May 29, 1946); Rezone: Res A to Ind B (C-8-70, Approved December 30, 1970); Lot Tie/Split: Lebrecht Lot Split (March 31, 2017); Pre-Development Meeting: July 3, 2025

**Staff Recommendation:** Staff recommends **APPROVAL** of the rezoning from the Light Industrial /Infill Overlay (L-I/IO) District to the Medium Density Residential/Infill Overlay (R-2/IO) District, subject to the conditions shown in Attachment A.

**Suggested Motion:** Move to **APPROVE** Rezone ZONE-44371-2025 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

**Effect of the Approval:** By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone approximately 1.29 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Medium Density Residential/Infill Overlay (R-2/IO) District for the property located along 1<sup>st</sup> Avenue, between 12<sup>th</sup> Street and 13<sup>th</sup> 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 request consists of three properties along 1<sup>st</sup> Avenue between 12<sup>th</sup> Street and 13<sup>th</sup> Street. The properties are currently zoned Light Industrial/Infill Overlay (L-I/IO) District and total approximately 1.29 acres in size.

While currently undeveloped, the applicant intends to split the properties into eight residential lots. After splitting the properties, the applicant will construct one duplex on each residential lot, resulting in a total of 16 new residential units.

Further specified in § 154-07.01, the following are some of the development standards required of a development within the Medium Density Residential (R-2) District:

1. A minimum front yard setback of 20 feet;
2. A minimum side yard setback of 5 feet;
3. A minimum rear yard setback of 10 feet;
4. A maximum building height of 40 feet; and
5. A maximum lot coverage of 55%

Paved access, parking, and landscaping will need to be provided. The Engineering Department has reviewed this request and will require the subject properties to incorporate shared driveways within this development. In addition, the Infill Overlay (IO) District allows some flexible development standards.

The request to rezone the property from the Light Industrial/Infill Overlay (L-I/IO) District to the Medium Density Residential/Infill Overlay (R-2/IO) District is in conformance with the Land Use Element of the General Plan.

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

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

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

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
1 <sup>st</sup> Avenue – 2 lane Collector	40 FT H/W	40 FT H/W		X		
Bicycle Facilities Master Plan	1 <sup>st</sup> Avenue – Bike Lane					
YCAT Transit System	Yellow Route along 4 <sup>th</sup> Avenue					
Issues:	None					

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

Parks, Recreation and Open Space Element:		
Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Joe Henry Optimist Center	Future: Joe Henry Optimist Center
Community Park:	Existing: Carver Park	Future: Carver Park
Linear Park:	Existing: East Main Canal	Future: East Main Canal
Issues:	None	

Housing Element:	
Special Need Household:	N/A
Issues:	None

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

Conservation, Energy & Environmental Element:				
Impact on Air or Water Resources	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
Renewable Energy Source	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
Issues:	None			

Public Services Element:							
Population Impacts Population projection per 2023 5-year American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person	Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation
	2-4 Units				Officers	GPD	
	Maximum	Per Unit	35	0.07	7,286	8.2	2,464
	Minimum		13	0.02	2,732	3.1	924
	Fire Facilities Plan:	Existing: Yuma Fire Station No. 1		Future: Yuma Fire Station No. 1			

Water Facility Plan:	Source:	City	X	Private		Connection:	1 <sup>st</sup> Avenue - 16" PVC		
Sewer Facility Plan:	Treatment:	City	X	Septic		Private		Connection: Alley - 8" VCP	
Issues:	None								
<b>Safety Element:</b>									
Flood Plain Designation:	Zone X			Liquefaction Hazard Area:	Yes		No	X	
Issues:	None								
<b>Growth Area Element:</b>									
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 <sup>th</sup> St			Avenue B & 32 <sup>nd</sup> St.		
	North End		Pacific Ave & 8 <sup>th</sup> St		Estancia		None	X	
Issues:	None								

**4. Does the proposed rezoning conform to the adopted facilities plan?**

Yes.

**5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?**

Yes.

**Public Comments Received:**

Name:	Francisco Silva			Contact Information:	(928) 376-0091				
Method of Contact:	Phone	X	FAX		Email		Letter		Other
Questions about the proposed rezone request. Not opposed to this development.									

**External Agency**

None Received.

**Comments:**

**Neighborhood Meeting**

See Attachment.

**Comments:**

**Proposed conditions delivered to applicant on:** 08/25/2025

**Final staff report delivered to applicant on:** 09/08/2025

<input checked="" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: September 4, 2025
<input type="checkbox"/>	Applicant did not agree with the following conditions of approval: (list #'s)
<input type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

**Attachments**

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

**Prepared By:** *Amelia Dombay*  
 Amelia Dombay  
 Principal Planner  
[Amelia.Dombay@yumaaz.gov](mailto:Amelia.Dombay@yumaaz.gov)

**Date:** August 28, 2025  
 (928) 373-5000, x1234

**Reviewed By:** *Jennifer L. Albers*  
 Jennifer L. Albers  
 Assistant Director of Planning

**Date:** 8/28/25

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

**Date:** 08/28/2025

**ATTACHMENT A  
CONDITIONS OF APPROVAL**

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

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

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

**Engineering, Andrew McGarvie, Engineering Manager, (928) 373-5000 x3044**

3. Owner/Developer shall grant and provided recorded shared driveway access agreements for all of the lots accessing 1<sup>st</sup> Avenue. The shared driveway agreements should be shown on the Lot Split plat, or can be done via separate recorded agreements.

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

4. 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**  
**SITE PHOTOS**



**ATTACHMENT C  
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 08/29/25
- **300' Vicinity Mailing:** 08/04/25
- **34 Commenting/Reviewing Agencies noticed:** 08/06/25
- **Site Posted on:** 08/11/25
- **Neighborhood Meeting:** 08/18/25
- **Hearing Date:** 09/22/2025
- **Comments due:** 08/18/25

<b>External List (Comments)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Comment"</b>	<b>Written Comments</b>	<b>Comments Attached</b>
Yuma County Airport Authority	YES	08/06/25	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	08/06/25	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Charter Cable	NR				
Southwest Gas	NR				
CenturyLink Communications	NR				
Quechan Tribe	NR				
Bureau of Reclamation (USBR)	NR				
Bureau Land Management (BLM)	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Yuma Mesa Irrigation (YMIDD)	NR				
Unit B Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
Yuma Proving Ground	NR				
El Paso Natural Gas Co.	NR				
Western Area Power (WAPA)	YES	08/06/25	X		
<b>City of Yuma Internal List (Conditions)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Conditions"</b>	<b>Written Conditions</b>	<b>Comments Attached</b>
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	08/11/25	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D**  
**NEIGHBORHOOD MEETING COMMENTS**

**Date Held:** 08/18/25

**Location:** City Hall, Room 190; 5pm

**Attendees:** Applicants: Bailey Arviso and Brayán Leon; City Staff: Amelia Domby

**No neighbors in attendance.**

**ATTACHMENT E  
NEIGHBOR NOTIFICATION LIST**

<b>Property Owner</b>	<b>Mailing Address</b>	<b>City/State/Zip Code</b>
ATONDO WILLIAM A	1182 S MADISON AVE	YUMA
BAIRES BARTOLO & VANESSA CPWROS	1125 S SECOND AVE	YUMA
BUTRON RAMON PONCE & YOLANDA CPWROS	1130 S 1ST AVE	YUMA
CANIZALES ALEXANDER AND MARTHA A JT	3606 W 20TH PL	YUMA
CERVANTES MARIA ISABEL	1196 S 2ND AVE	YUMA
CLOGSTON WARREN E TRUST 10-22-01	PO BOX 5676	YUMA
F & E PROPERTIES LLC	PO BOX 6311	YUMA
F & E RENTALS LLC	PO BOX 6311	YUMA
FLORES CONSTANTINO	337 S 7TH AVE	YUMA
GALVEZ MANUEL J ET AL	1261 S 1ST AVE	YUMA
GALVEZ RIGOBERTO ORTEGA	1127 S 2ND AVE	YUMA
GAMEZ MELYNIA	1107 S 5TH AVE PMB 108	YUMA
GARCIA OSCAR G	1142 S BRAHMA LN	YUMA
LAUREL RAY ANTHONY II	3773 S 39TH DR	YUMA
LEBRECHT FAMILY TRUST 6-17-1997	3171 HORSESHOE BEND	YUMA
LORONA GREGORIA O	1209 S 1ST AVE	YUMA
MADRIGAL MARCIAL MORENO	1134 S 1ST AVE	YUMA
MARTINEZ ROSA L	1211 S 1ST AVE	YUMA
NEXT LEVEL HOME BUYERS LLC	2903 W 12TH PL	YUMA
ORONA OVID A & MICHELLE	1128 S 1ST AVE	YUMA
PEREZ FRANK R & DENISE D JT	1120 S 2ND AVE	YUMA
PINA JAIME R JR	3468 W 39TH LN	YUMA
ROMAN CATHOLIC CHURCH TUCSON DIOCESE	PO BOX 31	TUCSON
ROSAS FERNANDO & PATRICIA JT	1251 S 2ND AVE	YUMA
SILVA HERNANDEZ FRANCISCO & ROSA A	217 W 12TH ST	YUMA
TIME WARNER CABLE PACIFIC WEST DE LLC	PO BOX 7467	CHARLOTTE
VILLA JACK	1840 S 10TH AVE	YUMA
WARNER CABLE PACIFIC WEST	PO BOX 7467	CHARLOTTE
YUMA CITY OF	ONE CITY PLAZA	YUMA
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA
ZAPATA GILBERTO C	1185 S 1ST AVE	YUMA
ZAPATA JULIE ANN	1166 S MADISON AVE	YUMA

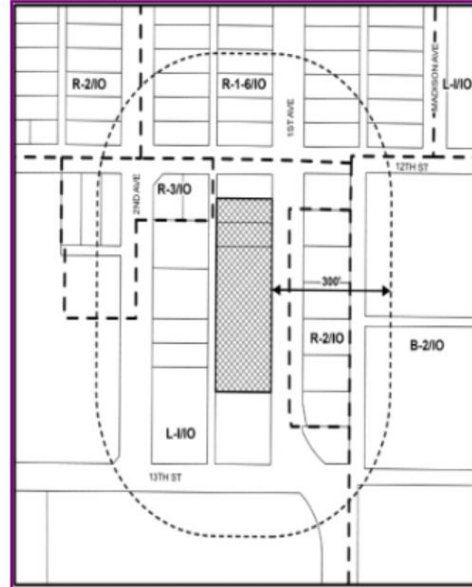
**ATTACHMENT F  
NEIGHBOR MAILING**

This is a request by Bailey Arviso, on behalf of Next Level Home Buyers LLC, to rezone approximately 1.29 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Medium Density Residential/Infill Overlay (R-2/IO) District, for three properties located along 1<sup>st</sup> Avenue, between 12<sup>th</sup> Street and 13<sup>th</sup> Street, Yuma, AZ.

**MEETING DATE,  
TIME & LOCATION  
FOR CASE #  
ZONE-44371-2025**

**NEIGHBORHOOD MEETING**  
08/18/2025 @ 5PM  
Yuma City Hall, One City Plaza,  
Yuma, AZ, Room #190

**PUBLIC HEARING**  
09/22/2025 @ 4:30pm  
City Hall Council Chambers  
One City Plaza, Yuma, AZ.



Because you are a neighbor within 300' of 1<sup>st</sup> Avenue, between 12<sup>th</sup> Street and 13<sup>th</sup> Street, Yuma, AZ, you are invited to attend these public meetings to voice your comments. If you have questions or wish to submit written comments, please contact Amelia Domby by phone at (928) 373-5000 ext. 3034 or by email at [Amelia.Domby@YumaAz.gov](mailto:Amelia.Domby@YumaAz.gov). All written comments must be submitted by 12:00 pm (**the day of the hearing**) to be included in the public record for consideration during the hearing.

ATTACHMENT G  
AERIAL PHOTO

