



AGENDA ITEM REVIEW

Community Development Department

Staff Report to the
Somerton Planning and Zoning Commission
152 South Avenue B
Case #: PLN19-00014
Isaac Castañeda Rezoning Request
152 South Avenue B

Meeting Date: November 18th, 2019
Project Planner: Saul Albor, Planner II

Project Description: Isaac Castañeda requests a change of zoning for 1 acre, more or less, from AG-10 (Agriculture) to L-I (Light Industrial) for the property identified as 152 S. Avenue B, APN 754-05-004 generally located south of the intersection of Avenue B and County 15th Street. The request by the applicant will not require a concurrent minor general plan amendment. This parcel is inside the 70 DB Noise Contour of MCAS Yuma Military Airport.

I. PROJECT DATA

Project Address Location:	
Parcel Number:	APN 752-05-004
Applicant:	Isaac Castañeda
Land Owner:	Isaac Castañeda
Existing Conditions	Vacant Lot
Existing Land Use:	Agriculture/Industrial
Existing Zoning:	AG-10 (Agriculture-10)
Proposed Changes	
Proposed Land Use:	No Change
Proposed Zoning:	L-I (Light Industrial)
Surrounding Zoning and Land Uses:	
North:	AG-10 / Agriculture/Industrial
South:	AG-10 / Agriculture/Industrial
East:	AG-10 / Agriculture/Industrial
West:	Outside Somerton City Limits

Land Division Status:	Existing Parcel of Record
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II. GENERAL PLAN

Land Use Plan	Agriculture/Industrial
Circulation Element:	
Principal Arterial	Avenue B
Minor Arterial Street	--
Minor Collector	County 16 th Street
Local Street	--
Traffic Signal	Avenue B and County 15 th
Parks and Recreation Element:	
Nearest Parks:	Joe Muñoz Park Centennial Park Council Avenue Park
Shared Use Pathway System	None adjacent to subject property

III. SCHOOLS

School District:	Somerton School District #11 (SSD)
Elementary Schools:	Tierra del Sol Elementary Valle Del Encanto Elementary Desert Sonora Elementary
Middle School:	Orange Grove Elementary
High School:	Somerton Middle School Cibola HS/KOFA HS (Yuma Union HSD)

PUBLIC NOTICES:

Legal Ad Published: Yuma Sun, October 26, 2019

STAFF ANALYSIS:

The request at hand is a change of zoning for the property described as 152 South Avenue B, APN 752-05-004 approximately one acre in size from AG-10 (Agriculture 10) to L-I (Light Industrial). The purpose of this rezoning is to allow the potential development of a Truck Storage Yard. Staff considers the request compatible with the underlying General Plan Land Use Designation (Agriculture/Industrial) and surrounding areas. There is an existing Industrial manufacturing operation to the East of the property as well as 20 acres immediately adjacent to the property that are currently in the process of being rezoned from AG-10 to Light Industrial. In addition to the compatible surrounding uses, another determining factor is location; properties located inside any of the MCAS Noise Contours may only be utilized for agriculture, industrial development, and limited commercial development.

GENERAL PLAN ELEMENTS:**LAND USE ELEMENT:**

The current land use designation of the subject property is Agriculture/Industrial. A change of zoning from AG-10 (Agriculture) to L-I (Light Industrial) for the 1-acre property will not require a general plan amendment. The proposed zoning is compatible with the land use designation.

MILITARY AIRPORT STANDARDS:

The project is located within the 75 DB Noise Level Contour of MCAS Yuma. MCAS has requested the opportunity review any subsequent development that may result from the approval of this rezoning.

GROWTH AREA ELEMENT:

The project is within the City of Somerton Planned Growth Area identified in the 2010 General Plan. The rezoning will not affect the boundaries of the growth area.

TRANSPORTATION/CIRCULATION ELEMENT:

The project is located on Avenue B which is classified as a Major Arterial Roadway and South of County 16th Street which is classified as a Local Roadway. Uses permitted in the L-I District such as the proposed Truck Storage on a parcel of this size are not expected to significantly impact traffic congestion in the area.

PARKS AND OPEN SPACE ELEMENT:

The nearest parks are Joe Muñoz Park and Centennial Park, both located roughly 3.6 miles West of the subject location followed by Council Avenue Park located 3.8 miles away from the subject location. The subject location is not immediately adjacent to any recreational walkways/pathways.

PUBLIC FACILITIES ELEMENT:

Currently no water or sewer infrastructure exists to serve the property. The city plans to bring municipal water service to the area within the next three months to serve the anticipated light industrial projects expected to develop nearby in the near future.

RESPONSES FROM THE PUBLIC AND OTHER AGENCIES:

Comments displayed in Exhibit B.

CITIZEN REVIEW PROCESS:

The Zoning Code, Section 6.2.3 requires a Citizen Review Process for requests to change zoning, the purpose of this process is to provide a means for the applicant, surrounding residential neighbors, and registered neighborhood and homeowner's association representatives to review a proposal and solicit input and exchange information about the proposed development. This citizen review process is intended to result in an application that is responsive to neighborhood concerns and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands or denials. The applicant is responsible for all costs associated with the citizen review process.

The applicant did not conduct a neighborhood meeting. Therefore, this public hearing needs to be postponed to allow the applicant to hold the required neighborhood meeting.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission Table Rezoning Case PLN19-00014 to a future meeting.

SUGGESTED MOTION:

I move to Table Rezoning Case PLN19-00014 to a future meeting.

EXHIBITS:

- A. Conditions of Approval
- B. Request for Comments responses
- C. Location Map/site maps
- D. General Plan Table 10.1 Land Use Balance Matrix
- E. Backup documentation submitted by the Applicant

EXHIBIT A

CONDITIONS OF APPROVAL
Rezoning Case # PLN19-00014

1. All future development shall comply with all applicable codes at the municipal, state, and federal level.
2. The owner shall be responsible for verifying utility availability, negotiating any access issues with adjacent properties, and resolving any underlying matters not revealed during the due diligence period and subsequent rezoning process.
3. Applicant/Owner must record an access easement to allow continued access from Avenue B to the properties located to the East before the issuance of any building permit. Applicant is responsible for verifying dimensions and location of easement with Somerton Public Works Department.
4. All future development projects on this parcel must be forwarded to MCAS Planning staff for review. MCAS may provide comments on any development proposal on this parcel to ensure compatibility with Marine Corps Order 11010.16 – Air Installations Compatible Use Zones.

EXHIBIT B

REQUEST FOR COMMENTS RESPONSES

Rezoning Case # PLN19-00014

**1. Mary Ellen Finch, Community Liaison Specialist
Yuma Marine Corps Air Station**

MCAS Yuma has reviewed the subject case proposal. The parcel (APN 754-05-004) is located within the 70-75dB Noise contour for MCAS Yuma. Light Industrial is a category which is generally a compatible use in this noise contour however as a condition of approval we respectfully request to review and provide comments on any development of this parcel to ensure compatibility with Marine Corps Order 11010.16 – Air Installations Compatible Use Zones. Thank you for the opportunity to review and provide comments and conditions.

**2. Juan Leal Rubio, Senior Planner
Yuma County**

If approved, proper buffering and screening requirements should be required on the subject property to ensure surrounding residential and agriculture land uses are protected.

**3. Vidal Ochoa, Senior Civil Engineering Technician
City of Somerton, Department of Public Works**

The lot on the east side does not have legal access to their property, can we require an access easement?

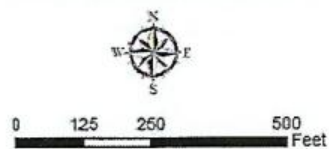
EXHIBIT C

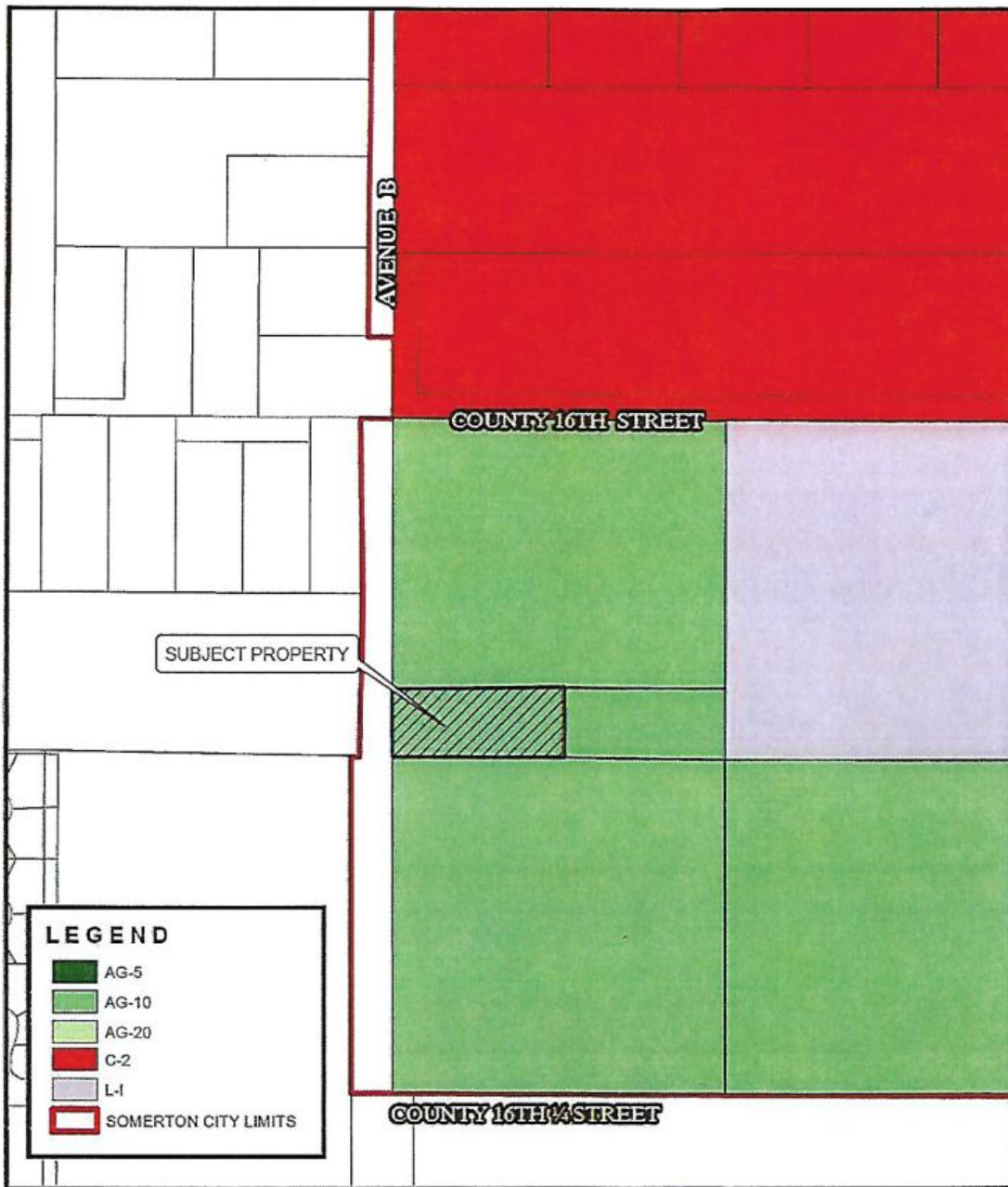
ZONING AND LOCATION MAPS
Rezoning Case # PLN19-00014




CITY OF SOMERTON
COMMUNITY DEVELOPMENT
143 N STATE AVE
(928) 722-7399
SOMERTON, AZ 85350

LOCATION MAP





CITY OF SOMERTON
 COMMUNITY DEVELOPMENT
 143 N STATE AVE
 (528) 722-7399
 SOMERTON, AZ 85350

PARCEL 754-05-004



0 125 250 500 Feet

EXHIBIT D

GENERAL PLAN LAND USE MATRIX Rezoning Case # PLN19-00014

Table 10.1 – Balance Matrix
Where Proposed Use is Allowed in Current General Plan Land Use Designation*

Current Land Use	Result of Proposed Amendment	Amendment Not Needed	Minor Amendment	Major Amendment
Agriculture	Loss or increase of less than 1 acre	X		
	Loss or increase of less than 20 acres of farm land		X	
	Loss of 20 acres or more of farm land			X
Residential	Loss or increase of less than 7 units and proposal is adjacent to allowable land use	X		
	Loss or increase of 7 or more but less than 400 dwelling units		X	
	Loss or increase of 400 or more dwelling units			X
Commercial	Loss or increase of less than 2 acres and proposal adjacent to allowable land use	X		
	Loss or increase of 2 acres or more than but less than 40 acres of commercial area		X	
	Loss or increase of 40 acres or more of commercial space			X
Employment	Loss or increase of less than 15 acres and proposal adjacent to allowable land use	X		
	Loss or increase of 15 acres or more but less than 80 acres of employment space		X	
	Loss or increase of 80 acres or more of employment space			X
Public/Quasi-Public Facilities	Loss or increase of less than 15 acre and the proposal is adjacent to allowable land use	X		
	Loss or increase of more than 15 or more acres but less than 75 acres of Public/Quasi-Public facilities		X	
	Loss or increase of 75 acres or more of public facilities			X
Open Space/Recreation	Loss or increase of less than 5 acre and proposal adjacent to allowable land use	X		
	Loss or increase of more than 5 but less than 15 acres of open space/recreation		X	
	Loss or increase of 15 acres or more of open space/recreation			X

*City sponsored changes of 160 acres or less are always considered a Minor Amendment.

EXHIBIT E

DOCUMENTATION SUBMITTED BY APPLICANT
Rezoning Case # PLN19-00014



AGENDA ITEM REVIEW
Community Development Department

Staff Report to the
Somerton Planning and Zoning Commission

Case #: PLN19-00016
Elizabeth Merino Rezoning Request
108 E. Cactus Street

Meeting Date: November 18, 2019
Project Planner: Saul Albor, Planner II

Project Description: Elizabeth Merino on behalf of Gordon Sol requests a change of zoning for .66 of an acre, more or less, from C-1 (Neighborhood Commercial) to R-3 (Multi-Family Residential) for the property identified as 108 E. Cactus Street, APN 752-15-010 located at the Northeast corner of the intersection of Somerton Avenue and Cactus Street. The request by the applicant will not require a concurrent minor general plan amendment. This parcel is located within the High Noise or Accident Potential Zone (HNAPZ) as that term is defined in A.R.S. § 28-8461.

I. PROJECT DATA

Project Address Location:	108 E. Cactus Street
Parcel Number:	APN 752-15-010
Applicant:	Elizabeth Merino
Land Owner:	Gordon Sol
Existing Conditions	Vacant Lot
Existing Land Use:	Commercial
Existing Zoning:	C-1 (Neighborhood Commercial)
Proposed Changes	
Proposed Land Use:	No Change Proposed
Proposed Zoning:	R-3 (Multi-Family Residential)
Surrounding Zoning and Land Uses:	
North:	C-1 / Commercial
South:	C-1 /Commercial

East:	R-3 / High Density Residential (HDR)
West:	R1-6 / Low Density Residential (LDR)
Land Division Status:	Existing Parcels of Record

II. GENERAL PLAN

Land Use Plan	Commercial
Circulation Element: Principal Arterial Minor Arterial Street Minor Collector Local Street Traffic Signal	County 17 th Street County 17 th Street Somerton Avenue Cactus Street Main Street and Somerton Avenue
Parks and Recreation Element: Nearest Parks: Shared Use Pathway System	Joe Muñoz Park Centennial Park Pathways along Somerton Avenue and Avenue E Canal

III. SCHOOLS

School District: Elementary Schools: Middle School: High School:	Somerton School District #11 (SSD) Tierra del Sol Elementary Valle Del Encanto Elementary Desert Sonora Elementary Orange Grove Elementary Somerton Middle School Cibola HS/KOFA HS (Yuma Union HSD)
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PUBLIC NOTICES:

Legal Ad Published: YumaSun, October 26, 2019

STAFF ANALYSIS:

The request at hand is a change of zoning for the property described as 108 E. Cactus Street, APN 752-15-010 from C-1 (Neighborhood Commercial) to R-3 (Multi-Family Residential). The purpose of this rezoning is to allow the potential development of a Bed and Breakfast establishment on the subject property. Bed and Breakfast businesses are currently only conditionally allowed in Residential Zoning Districts, meaning even if the rezoning is approved, the applicant will have to obtain a conditional use permit to proceed with the Bed and Breakfast proposal. Staff determined that the only appropriate residential zoning classification available for the subject property would be R-3 (Multi-Family Residential) because of the property's location along Somerton Avenue and the presence of immediately adjacent R-3 properties to the East and North. Although the General Plan classifies the land use of the property as Commercial, a rezoning to R-3 (Multi Family Residential) is possible without a minor amendment because the subject rezoning property is less than 2 acres and is adjacent to a High Density Residential (HDR) Land Use area and R-3 (Multi-Family Residential) Zoning District, see map in Exhibit C.

GENERAL PLAN ELEMENTS:**LAND USE ELEMENT:**

The current land use designation of the subject property is Commercial. A change of zoning from C-1 (Neighborhood Commercial) to R-3 (Multi-Family Residential) will not require a general plan amendment because the subject rezoning area is less than two acres and is adjacent to an allowable land use and identical zoning district (R-3). See Exhibit C and Exhibit D.

MILITARY AIRPORT STANDARDS:

The project is located within the High Noise and Accident Potential Zone of MCAS Yuma. A letter of determination positively allowing any proposed use on the parcel is required from MCAS-Yuma before approving any project on the subject parcel.

GROWTH AREA ELEMENT:

The project is within the City of Somerton Planned Growth Area identified in the 2010 General Plan. The rezoning will not affect the boundaries of the growth area.

TRANSPORTATION/CIRCULATION ELEMENT:

The project is located on Somerton Avenue which is classified as a Major Arterial Roadway and Cactus Street which is classified as a Local Roadway. The rezoning could potentially result in the development of a bed and breakfast business which could generate similar traffic than the uses permitted under the current C-1 zoning.

PARKS AND OPEN SPACE ELEMENT:

The nearest parks are Joe Muñoz Park and Centennial Park located about one third of a mile and half a mile away respectively. The nearest adjacent pathways to the development are located along Somerton Avenue to the North and the Avenue E Canal to the East.

PUBLIC FACILITIES ELEMENT:

Municipal utilities are readily available to any potential development on the property. There is sufficient system capacity to support the potential Bed and Breakfast project.

RESPONSES FROM THE PUBLIC AND OTHER AGENCIES:

Comments displayed in Exhibit B.

CITIZEN REVIEW PROCESS:

The Zoning Code, Section 6.2.3 requires a Citizen Review Process for requests to change zoning, the purpose of this process is to provide a means for the applicant, surrounding residential neighbors, and registered neighborhood and homeowner's association representatives to review a proposal and solicit input and exchange information about the proposed development. This citizen review process is intended to result in an application that is responsive to neighborhood concerns and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands or denials. The applicant is responsible for all costs associated with the citizen review process.

A neighborhood meeting was held onsite at 108 E. Cactus on October 30, 2019 at 5:00PM. The applicant was present at this meeting but no residents attended. See Exhibit E.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission recommend City Council Approves Rezoning Case PLN19-00016 subject to the conditions listed in Exhibit A.

SUGGESTED MOTION:

I move to recommend approval of Rezoning Case PLN19-00016 subject to the conditions listed in Exhibit A.

EXHIBITS:

- A. Conditions of Approval
- B. Request for Comments responses
- C. Location Map/site maps
- D. General Plan Table 10.1 Land Use Balance Matrix
- E. Backup documentation submitted by the Applicant

EXHIBIT A

CONDITIONS OF APPROVAL
Rezoning Case # PLN19-00016

1. All future development shall comply with all applicable codes at the municipal, state, and federal level.
2. The owner shall be responsible for verifying utility availability, negotiating any access issues with adjacent properties, and resolving any underlying matters not revealed during the due diligence period and subsequent rezoning process.

3- MCAS Determination of compliance

EXHIBIT B

REQUEST FOR COMMENTS RESPONSES
Rezoning Case # PLN19-00016

**1. Mary Ellen Finch, Community Liason Specialist
Yuma Marine Corps Air Station**

Since this is located in the HNAPZ we will require a request for a Determination of Compliance. In looking at the surrounding parcels it appears to be surrounded on all sides by residential and multi-family residential.

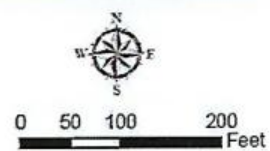
EXHIBIT C

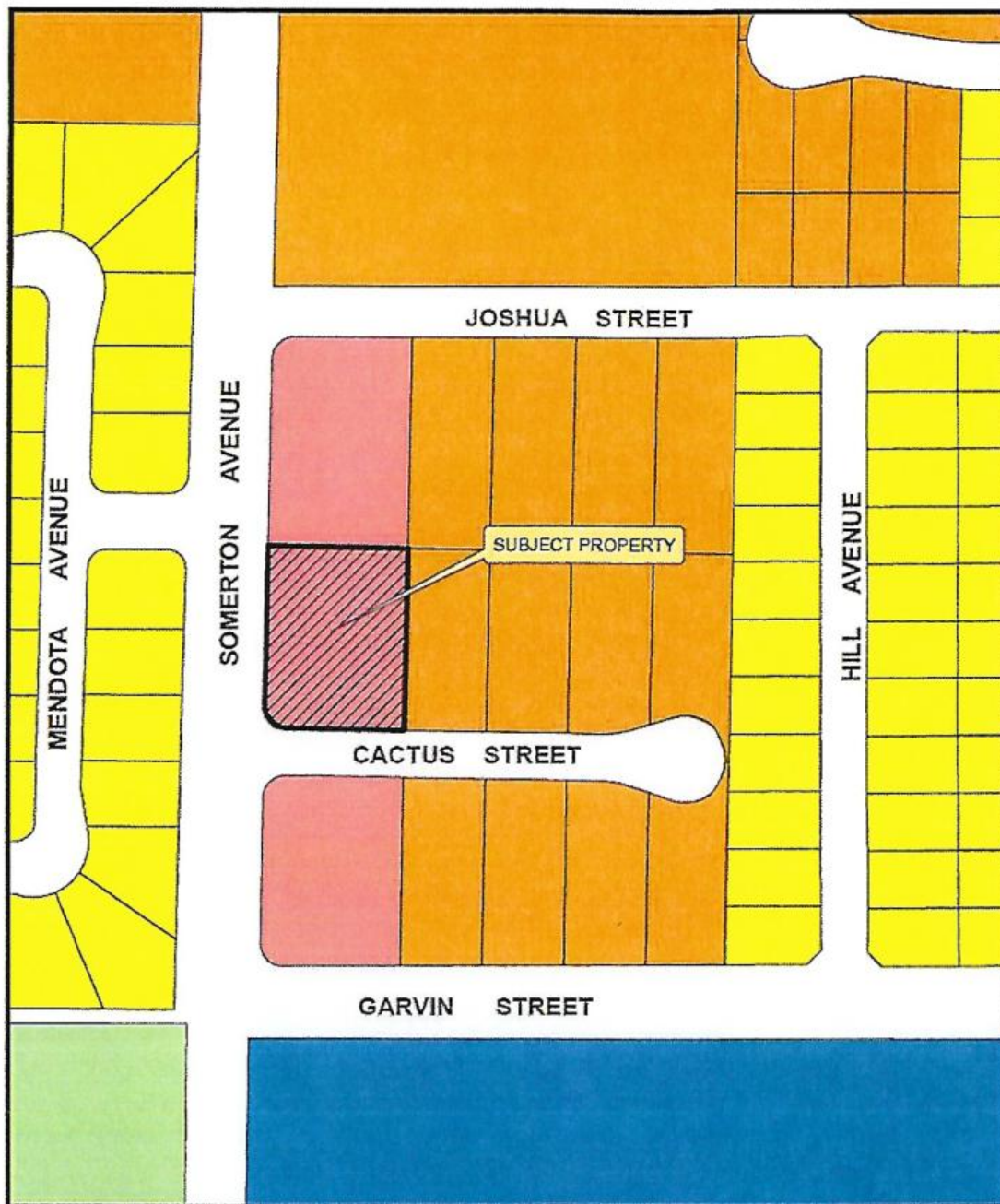
ZONING AND LOCATION MAPS
Rezoning Case # PLN19-00016




CITY OF SOMERTON
COMMUNITY DEVELOPMENT
143 N STATE AVE
(928) 722-7399
SOMERTON, AZ 85350

108 E CACTUS ST






CITY OF SOMERTON
 COMMUNITY DEVELOPMENT
 143 N. STATE AVE.
 (928) 722-7399
 SOMERTON, AZ 85350

108 E CACTUS ST

LEGEND

- | | | |
|---|---|--|
|  AG-20 |  R-3 |  GOVERNMENT |
|  R-1-6 |  C-1 | |



0 50 100 200 Feet

EXHIBIT D

GENERAL PLAN LAND USE MATRIX Rezoning Case # PLN19-00016

Table 10.1 – Balance Matrix
Where Proposed Use is Allowed in Current General Plan Land Use Designation*

Current Land Use	Result of Proposed Amendment	Amendment Not Needed	Minor Amendment	Major Amendment
Agriculture	Loss or increase of less than 1 acre	X		
	Loss or increase of less than 20 acres of farm land		X	
	Loss of 20 acres or more of farm land			X
Residential	Loss or increase of less than 7 units and proposal is adjacent to allowable land use	X		
	Loss or increase of 7 or more but less than 400 dwelling units		X	
	Loss or increase of 400 or more dwelling units			X
Commercial	Loss or increase of less than 2 acres and proposal adjacent to allowable land use	X		
	Loss or increase of 2 acres or more than but less than 40 acres of commercial area		X	
	Loss or increase of 40 acres or more of commercial space			X
Employment	Loss or increase of less than 15 acres and proposal adjacent to allowable land use	X		
	Loss or increase of 15 acres or more but less than 80 acres of employment space		X	
	Loss or increase of 80 acres or more of employment space			X
Public/Quasi-Public Facilities	Loss or increase of less than 15 acre and the proposal is adjacent to allowable land use	X		
	Loss or increase of more than 15 or more acres but less than 75 acres of Public/Quasi-Public facilities		X	
	Loss or increase of 75 acres or more of public facilities			X
Open Space/Recreation	Loss or increase of less than 5 acre and proposal adjacent to allowable land use	X		
	Loss or increase of more than 5 but less than 15 acres of open space/recreation		X	
	Loss or increase of 15 acres or more of open space/recreation			X

*City sponsored changes of 160 acres or less are always considered a Minor Amendment.

EXHIBIT E

DOCUMENTATION SUBMITTED BY APPLICANT Rezoning Case # PLN19-00016

Summary of the Community Meeting Regarding the Requested Zoning Change for 108 E. Cactus St.

The required community meeting regarding my request to change the zoning designation for 108 E. Cactus St. from commercial (C1) to multi-family (R3) was held on the property October 30th, 2019, at 5:00 PM. Notices of the meeting were mailed October 19th to all property owners within 300 feet of this location. The notices included my name and telephone number should anyone wish to seek information pertaining to this request. No one has contacted me regarding this.

I arrived at 108 E. Cactus St. at 5:04 PM on Wednesday, October 30th with 1 ½ dozen sweet rolls to serve those in attendance. I remained until 5:20 but no one else showed up.

I am still eating the sweet rolls.

Respectfully Submitted
Elizabeth B. Merino
November 6, 2019