

**Hearing Officer Meeting Minutes
October 8, 2015**

A meeting of the City of Yuma's Hearing Officer was held on Thursday, October 8, 2015, at City Hall Room 190, One City Plaza, Yuma, AZ.

HEARING OFFICER in attendance was Ray Urias.

CITY OF YUMA STAFF MEMBERS present included Bobette Bauermann, Principal Planner; Stephanie Guzman, Administrative Assistant.

Urias called the meeting to order at 9:30 a.m.

CONSENT CALENDAR

Urias approved the minutes of September 10, 2015.

PUBLIC HEARINGS

CUP-11333-2015: *This is a request by Blaes Environmental Management and Circle K Stores Inc., on behalf of Citizen Title and Trust #435, for a Conditional Use Permit for soil and ground water remediation in the General Commercial (B-2) District. The property is located at 2400 S. Arizona Avenue, Yuma, AZ.*

Bobette Bauermann, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

Urias asked if the trash cans located at the corner of Arizona Avenue and 24th Street would cause problems for the remediation equipment setup. **Bauermann** said that the trash cans would have to be moved by the applicant.

APPLICANT/APPLICANTS REPRESENTATIVE

Marek Lodej, 45 E. Monterey Way, Phoenix, Arizona, stated that the trash cans would be moved to a different area of the site.

Urias asked if the applicant was in agreement with the Conditions of Approval. **Lodej** said yes.

OPEN PUBLIC COMMENT

None

DECISION:

Urias granted the requested Conditional Use Permit, subject to the Conditions of Approval in Attachment A, finding that the seven criteria have been met.

VAR-11338-2015: *This is a request by Nicklaus Engineering, Inc. – Victor Guzman, on behalf of Alejandro Carlos for a Variance to reduce Landscaping on the southern property line from 20' to 0', reduce landscaping on the north property line from 15' to 0', reduce landscaping on the west property line from 20' to 0', reduce landscaping in parking lot from 5% to 2%, allow maneuvering of vehicles within the 15' street side setback, reduce building setback on the north property line from 15' to 0', reduce building setback on the south property line from 20' to 0' for an existing building in the Limited Commercial (B-1) District. The property is located at 1221 W. 16th Street, Yuma, AZ.*

Bobette Bauermann, Principal Planner, summarized staff report recommending **DENIAL** to reduce the landscaping on the west property line from 20' to 0', but is recommending **APPROVAL** to reduce Landscaping on the southern property line from 20' to 0, reduce landscaping on the north property line from 15' to 0', reduce landscaping on the west property line from 20' to 10', reduce landscaping in parking lot from 5% to 2%, allow maneuvering of vehicles within the 15' street side setback, reduce building setback on the north property line from 15' to 0', reduce building setback on the south property line from 20' to 0'.

QUESTIONS FOR STAFF

Urias asked if there was a special circumstance that applied to the property. **Bauermann** said yes. **Urias** asked if the special circumstance was not created or caused by the property owner or applicant. **Bauermann** said it was not created by the property owner or applicant. **Urias** asked if granting of the variance be detrimental to adjacent properties, or the general welfare. **Bauermann** said no.

APPLICANT/APPLICANTS REPRESENTATIVE

Victor Guzman, 1851 W. 24th Street, Yuma, Arizona, stated that there were many items that affected the property because of the additional right-of-way. He asked if they could come to an agreement to remove the requirement within the 13th Avenue parkway. **Urias** asked for clarification of what was located behind the building. **Bauermann** said there was an existing alley located behind the building.

Urias asked if adding a planter to the sheet drainage would interfere with the sheet flow. **Guzman** said yes. **Bauermann** asked if it was possible to add any landscaping without interfering with the sheet flow. **Guzman** stated it may be possible to add a small tree or bush that would not interfere with the drainage.

OPEN PUBLIC COMMENT

None

DECISION

Urias granted the variance, to reduce Landscaping on the southern property line from 20' to 0, reduce landscaping on the north property line from 15' to 0', reduce the landscaping on the west property line from 20' to 0' and install minimal plants (a couple plants) within the 13th Avenue parkway and setback so as not to interfere with sheet drainage, reduce landscaping in parking lot from 5% to 2%, allow maneuvering of vehicles within the 15' street side setback, reduce building setback on the north property line from 15' to 0', reduce building setback on the south property line from 20' to 0', subject to the Conditions of Approval in Attachment A, finding that the four criteria have been met.

Urias adjourned the meeting at 10:01 a.m.

Minutes approved and signed this 10th day of December, 2015.



Ray Urias, Hearing Officer