

Planning and Zoning Commission Meeting Minutes
April 13, 2015

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, April 13, 2015, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present included Chairman Chris Hamel and Commissioners Karen Conde, David Koopmann, Jacob Miller, Alan Pruitt, Richard Sorenson, and Clinton Underhill.

STAFF MEMBERS present included Laurie Lineberry, Director of Community Development, Andrew McGarvie, Assistant City Engineer; Rodney Short, Assistant City Attorney; Jennifer Albers, Principal Planner; Joy Everett, Senior Planner; and Richard Munguia, Administrative Assistant.

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

CONSENT CALENDAR MINUTES

March 23, 2015

WITHDRAWALS BY APPLICANT

None

CONTINUANCES

None

APPROVALS

None

MOTION

Motion by Koopmann, second by Sorenson, to APPROVE the Consent Calendar, as presented. Motion carried unanimously (7-0).

PUBLIC HEARINGS

CUP-8766-2015: *This is a request by Cesar Dominguez, on behalf of the Ludwig Family Trust, for a Conditional Use Permit to allow a chapel and funeral home in the Light Industrial (L-I) District. The property is located at 170 E. 17th Place, Yuma, AZ.*

Joy Everett, Senior Planner, summarized the staff report, recommending **APPROVAL.**

QUESTIONS FOR STAFF

Hamel asked if staff knew where the proposed police memorial would be located. **Everett** said the applicant had not gone into detail regarding the memorial, but would probably be located within the right of way.

APPLICANT / APPLICANT'S REPRESENTATIVE

Cesar Dominguez, 1120 E. Palo Verde Street, Yuma, Arizona, said this location would primarily be a meeting point for memorial services. There would be no human remains at this location – all embalming would be done at the Somerton location.

Hamel said he liked to see old buildings being repurposed.

Commissioner Underhill asked about the hours of operation. **Dominguez** stated that the office hours would be 8am to 5pm. **Underhill** said parking could be an issue. **Dominguez** said he did not anticipate large funerals at this location.

Dominguez said this was the location that an officer died, and was planning on dedicating a monument to that officer.

PUBLIC COMMENT

None

MOTION

Motion by Conde, second by Underhill, to APPROVE Case Number CUP-8766-2015. Motion carried unanimously (7-0).

INFORMATION ITEMS

Staff

Czarina Gallegos, CIP Administrator, updated the Commission on the CIP.

Underhill asked if the Commission's involvement in the CIP had changed. **Laurie Lineberry, Director of Community Development**, stated that there was a text amendment that cleaned up some outdated language, and removed the Commission from the CIP approval process. The Commission would still receive periodic updates.

Commission

None

Public

Donna White, 8166 E. Lorenzo Lane, Yuma, Arizona, said she was one of the people that would be impacted by a future zoning change for high density apartment complexes. This request impacts over 2,000 homes in the area. She did a quick survey of apartments in the area. El Encanto had 70 vacancies out of 223 units. Camelot had 14 out of 456. Beach Club had 24 out of 200. Hayden Square had 10 out of 94. Lothlorian had 6 out of 120. Regency Square would be vacating 2 to 3 apartments every week from now until June. There are approximately 160 vacancies between the apartment complexes. There were single- and multi-family homes available. There was a safety issue with buses in the area on Avenue 9E – a grade separation was needed and the railroad did not want to do that.

Commissioner Koopmann said that he had a question. **Rodney Short, Assistant City Attorney**, stated that the Commission could not ask questions, as this topic was not on the agenda. Only administrative questions could be answered. **Koopmann** asked what case was being discussed. **Lineberry** said this case was a General Plan Amendment that was not due to

come before the Commission until June 8, 2015. This case was currently in the public noticing portion of the General Plan process.

Hamel asked if anyone wanted to forfeit their three minutes to allow **White** to continue speaking, and stated that since this case had not yet come to the Commission, the only thing that could be done was listen to the concerns of the surrounding property owners.

White continued, stating that there were approximately 20 trains a day that came through Yuma and the railroad would not pay for a grade separation. The proposed apartment complex would affect both Sunrise and Ron Watson. The number of apartments proposed would require a minimum of 10 classrooms. **White** also stated that apartment complexes brought crime into the area. **Short** stopped the conversation and informed the presenter, as well as the Commission, that statistics on crime were not useful to determining the approval of a possible zoning change, pursuant to Title VII of the Civil Rights Act of 1964. Any opinion on higher density zoning having a correlation with crime would literally fall on deaf ears with the Commission, and **Short** reminded the Commission that they were not to consider this information in making any decision.

Will Slater, 8466 E. Olive Ann Lane, Yuma, Arizona, said he moved to Arizona approximately 25 years ago, and decided to move to his current location about 10 years ago. There were a lot of nice homes out there and he invested money into his single family dwelling. He was offended with high-density areas coming in. Newer developments were being developed as single-family dwellings rather than multi-family. He stated that although it was not legal to discuss crime aspects, he was a taxpayer and he still considered those aspects; he did not care what the Assistant City Attorney said regarding Title VII. He stated he would be back for the upcoming meetings and would fight this request adamantly.

ADJOURNMENT

The meeting was adjourned by motion of **Koopmann**, second by **Conde**, at 5:05 p.m.

Minutes approved this 27 day of April, 2015.



Chairman