

**Planning and Zoning Commission Meeting Minutes**  
**June 22, 2015**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, June 22, 2015, at Arizona Western College, Building 3C, Schoening South Wing, 2020 S. Avenue 8E, Yuma, Arizona.

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

**STAFF MEMBERS** present included Laurie Lineberry, Director of Community Development; Andrew McGarvie, Assistant City Engineer; Richard Files, Deputy City Attorney; Jennifer Albers, Principal Planner; Bobette Bauermann, Principal Planner; Richard Munguia, Planning Technician; and Lisa Ray, Administrative Assistant.

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

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**CONSENT CALENDAR MINUTES**

June 8, 2015

**WITHDRAWALS BY APPLICANT**

None

**CONTINUANCES**

None

**APPROVALS**

None

**MOTION**

**Motion by Sorenson, second by Miller, to APPROVE the Consent Calendar, as presented. Motion carried (6-0).**

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**PUBLIC HEARINGS**

**ZONE-9762-2015:** *This is a request by Amber Rider, on behalf of Stephen D. & Shirley R. Kleppe and the Bobby J. & Elizabeth J. Merritt Trust, to rezone approximately 4.85 acres from the Agriculture/General Commercial/Aesthetic Overlay (AG/B-2/AO) District to the General Commercial/Aesthetic Overlay (B-2/AO) District. The property is located at 3049 S. Avenue B, Yuma, AZ.*

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

**QUESTIONS FOR STAFF**

None

## APPLICANT / APPLICANT'S REPRESENTATIVE

None

## PUBLIC COMMENT

None

## MOTION

**Motion by Koopmann, second by Sorenson, to APPROVE Case Number ZONE-9762-2015. Motion carried unanimously (6-0).**

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**GP-8866-2015:** *This is a General Plan Amendment request by Dahl, Robins and Associates on behalf of Saguaro Desert Land, Inc., to change the land use designation from Low Density Residential to High Density Residential for approximately 7 acres. The requested land use change is located at the northwest corner of 24th Street and Avenue 9E.*

**Jennifer Albers, Principal Planner**, summarized the staff report, recommending **DENIAL** of the original request, but **APPROVAL** of the revised request to change the land use designation from Low Density Residential to Medium Density Residential.

## QUESTIONS FOR STAFF

**Commissioner Koopmann** asked if the retention basin was owned by the City. **Jennifer Albers, Principal Planner** said yes. **Koopmann** asked if the applicant owned the farmland directly to the north. **Albers** said the farmland was owned by a separate property owner and the South Gila Canal was the property directly to the north. **Koopmann** asked if there was an issue using the Jackrabbit Mesa waste water treatment plant as a lift station for this property. **Albers** said no.

## APPLICANT / APPLICANT'S REPRESENTATIVE

**John Weil, 3064 S. Avenue B, Yuma, Arizona**, said due to the land cost and high cost of construction, the development would not be low-end or affordable housing. It would be high-end luxury, multi-family housing; possibly apartments, townhomes, or condominiums. The number of individuals that could be living on the property would be insignificant according to the statistics provided in the staff report.

**Commissioner Sorenson** asked about the pricing of the requested housing. **Weil** said he did not have that information at this time.

**Chairman Hamel** asked for the number of homes being built. **Weil** said in between 80 and 90. **Hamel** asked for clarification of the property being used as single-family and multi-family. **Weil** said the property would be used only for multi-family.

## PUBLIC COMMENT

**Hamel** stated that there was a five minute time limit per speaker.

**Tamera Tyree, 8665 E. 24th Lane, Yuma, Arizona**, said she was concerned about crime and the traffic on 9E. She requested to have a park built on that property rather than multi-family housing.

**Kyle Williams, 2703 S. Pinedale Avenue, Yuma, Arizona**, said he was opposed to multi-family housing because of overcrowding in the schools. He was concerned about crime and parking, and stated that a park would be better suited for that property. He would like the neighborhood to remain the same.

**Donna White, 8166 E. Lorenzo Lane, Yuma, Arizona**, said that she led a committee called "Residents Against Saguaro Apartments". The residents in the area did not want this request to move forward. There were already concerns with traffic safety in this area, and if more residents were to move out here, she requested the developer improve the roads. She added that agriculture was also a concern because of dogs and their feces being left in the fields. She stated that Austin Savage from JV Farms, who owns the farm fields to the north, agreed that more people could lead to additional waste in agricultural areas. She stated the area between 9E and Araby Road had the second lowest crime rate in the City. The area with the highest crime rate in the city was the mobile home park on 9E. The residents in the area are asking to have a park for the children and dogs instead.

**Delcie Harris, 7699 E. 27th Street, Yuma, Arizona**, said that she was opposed to the zoning change. She said there was a concern of too much traffic on 9E with the trains. She said the owner of this property was only looking out for his profits and the residents do not want the property to be rezoned.

**Bruno Ramirez, 8757 E. 24th Lane, Yuma, Arizona**, said that there was a traffic concern when the school and the winter season are in session. The residents were concerned about the values of their homes. He was opposed to the request.

**AJ Buchtel, 2691 S. Gardenia Avenue, Yuma, Arizona**, said he was only opposed to the way the project was being presented as of now. He stated the problem was the lack of clarity with the request. Traffic was a huge concern at 8 a.m. and 3 p.m. He said pets in the fields were a problem because of food contamination.

**Brad Edmondson, 8397 E. Lorenzo Lane, Yuma, Arizona**, said safety was a concern because of dogs leaving waste in the fields. The canal was a concern with the kids. The sidewalks need to be widened. He said to own a home a commitment was required; individuals in apartments are not committed.

**Shannon Schutte, 9125 E. 22nd Lane, Yuma, Arizona**, said her concern was the canal and her property. She asked who would pay for 9E to be widened because the developer can only put in sewer and water. **Richard Files, Deputy City Attorney** said it would not be determined until after the zoning change. **Schutte** asked if she would be responsible for paying for overlayment. **Files** stated he did not understand her question, but generally anything required by the developer has to be related to the property. **Schutte** said "if y'all eminent domain my property, that is telling me that you want to rearrange my furniture." She said she was not opposed to 9E being widened and sidewalks being added, but in addition, bicycle lanes were needed.

**Shelly Fahabish, 8221 E. Lorenzo Lane, Yuma, Arizona**, said she does not support the development because the apartments do not conform with the continuity of the unoccupied community.

**Melissa McKinley, 2691 S. Gardenia Avenue, Yuma, Arizona**, said that crime rate would be an issue with the addition of new residents in the area of 9E.

**Janet Leon, 7561 E. 25th Street, Yuma, Arizona**, said through her job, she has been to 200 plus apartments in the City. There was filth, pest infestations, and rampant drug use. Children were unsupervised and dogs were tied up outside, as the apartments were too small for those pets. She said she paid a lot of money for her home and she wanted the area to stay the same. The schools would become overpopulated. She wanted to know why a park of any sort could not be built. She was opposed to the idea of the apartments.

**Jeremy Tyree, 8865 E. 24th Lane, Yuma, Arizona**, said he was opposed of the apartment complex because the value of the homes would be affected. Crime rate was an issue.

**Koopmann** asked for clarification of what would be built on the property. **Weil** said there has not been apartment complex built in Yuma in over 30 years that was not government subsidized. The preliminary plans are luxurious apartments with a community pool and a gym at market rate. **Koopmann** asked how the applicant planned to dispel the myth of low-income housing. **Weil** said for the record, he would be prepared to say that the apartments would not be government subsidized.

**Hamel** asked when the railroad crossing on 9E would be improved. **Andrew McGarvie, Assistant City Engineer** said currently the City received permission to survey the railroad crossing and the possibility of improvements were unknown at this time.

**Hamel** stated to the public that the City needed decent medium to high-end apartments for people that would enjoy the amenities. He recognized the public does not want them in the area of 9E with the concerns about the railroad, lift station, and traffic. The density has to be determined in order for a traffic survey to be completed. He recommended the public become involved with the City to learn the process of zoning changes.

**Sorenson** asked for clarification on the process and stated the motion was a recommendation not a final approval or decline. **Albers** said the Planning and Zoning Commission has 2 public hearings and at this final hearing, the Commission makes a recommendation to the City Council. On July 15, 2015, the City Council would make a final decision on the request. Separately from the General Plan request would be an Annexation, and a rezone that would involve the Planning Commission and City Council.

**Koopmann** stated that food safety, traffic, and the need for parks were huge concerns. All previous subdivisions had the same issues, but the needs for different types of housing have been acute.

## **MOTION**

**Motion by Koopmann, second by Miller, to APPROVE Case Number GP-8866-2015. Motion carried unanimously (4-2), with Conde, Koopmann, Miller, and Sorenson voted for; Hamel and Pruitt voted against.**

## INFORMATION ITEMS

### Staff

**Laurie Lineberry, Director of Community Development** said there will not be any cases reviewed on August 10, 2015, but if the Commission wanted a training session, the session could be scheduled on that date. She requested possible topics to be emailed to her.

### Commission

None

### Public

A member of the public who did not provide her name or address stated that Commissioner Koopmann should have recused himself from the vote as he was looking to further his personal business and not the community.

## ADJOURNMENT

The meeting was adjourned by motion of **Conde**, second by **Miller**, at 5:54 p.m.

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Minutes approved this 13 day of July, 2015.

  
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Chairman