

**Planning and Zoning Commission Meeting Minutes
December 28, 2015**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, December 28, 2015, at the Yuma Civic Center, East Wing, 1440 W. Desert Hills Drive, 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 Andrew McGarvie, Assistant City Engineer; Rodney Short, Assistant City Attorney; Jennifer Albers, Principal Planner; Bobette Bauermann, Principal Planner; Amelia Griffin, Administrative Assistant; and Stephanie Guzman, Administrative Assistant.

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

CONSENT CALENDAR MINUTES

November 9, 2015

WITHDRAWALS BY APPLICANT

None

CONTINUANCES

None

APPROVALS

None

MOTION

Motion by Koopmann, second by Conde, to **APPROVE** the Consent Calendar, as presented. Motion carried unanimously (5-0).

PUBLIC HEARINGS

GP-10768-2015: *This is a General Plan Amendment request by Vega & Vega Engineering PLC on behalf of Rogelio Sosa Palos and Ma. Del Pilar Soto Martinez through a Power of Attorney appointing Leticia Guillermo to act as agent and change the land use designation from Low Density Residential to High Density Residential for approximately 3.27 acres. The requested land use change is located at the northwest corner of 11th Street and Avenue A. (This is the first of two public hearings.)*

Commissioner Sorenson arrived at 4:33 p.m.

Jennifer Albers, Principal Planner, summarized the staff report.

QUESTIONS FOR STAFF

Commissioner Koopmann asked if any changes have been made to the proposal since it was last presented on October 26, 2015. **Albers** stated staff has received additional public comments and the agent has provided a site plan that was available for viewing on the presentation.

APPLICANT / APPLICANT'S REPRESENTATIVE

Barry Olsen, 101 E. 2nd St, Yuma, AZ, said the property has been vacant for a number of years and would consider the property as an In-Fill parcel. He said 3.27 acres was not conducive for any type of residential development. He stated this proposal was not tax-credit apartments and was the highest best and most practical use of the property. **Olsen** said Yuma lacked apartment complexes and there has not been a private market-rate apartment complex built in the last twenty years. **Olsen** added that the project was located on a commercial corridor and Avenue A would be widened in the future.

Commissioner Pruitt said he noticed a privacy wall on the perimeter of the property and questioned if the wall was approved by the City. **Olsen** said it was a six foot wall and City approval was not required.

PUBLIC COMMENT

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

Carolyn Knowlton, 928 S. 10th Avenue, Yuma, Arizona, stated homes in the area have improved over the past few years. She expressed her concern with foot traffic, and the value of her home. She stated the proposal would increase the foot traffic, and reduce the value of her home.

Charles Bub, 1133 S. 12th Avenue, Yuma, Arizona, said he was opposed to the proposal. He moved into a single family home area and fully restored his home and was not anxious for the area to change. He said there was a few hundred migrant workers living in the area already and this apartment complex would total 1,000 workers concentrated into a small area. He stated the proposal would bring more traffic. He noticed a fence being built and was disturbed. He felt the comments that were received from the public were not being considered and the developer should not maximize profit at his expense.

Mary Ann Easterday, 3359 S. 15th Avenue, Yuma, Arizona, said she was concerned about the area because of the surrounding properties, which included a school and the boys and girls club. She said it was a bad area for the development because there were two lane roads surrounding the property.

Catherine Marisibel, 12th Avenue, Yuma, Arizona, said she was against the proposal and expressed her concern about the safety of the neighborhood if the proposal was approved. She stated Rio Sante Fe provided 50 apartments for the migrant workers and has seen an increase in littering. She said if the apartment complex was built, the area would be depreciated.

Carolyn Knowlton said she would rather pay higher taxes than to have this proposal approved.

Hamel said his was concern was with the security, and wanted clarification on what other security would be provided other than a desk manager.

Vianey Vega 1846 S. 8th Avenue, Yuma, Arizona, said the program would provide on-site management and the company would provide monitoring as well. He stated there would be a procedure to follow when an emergency occurs. Crew members would also live on-site.

Koopmann asked if there would be twenty-four hour management as long as people were living in the apartment complex. **Vega** said yes.

Sorenson asked if each building that was shown on the site plan represented two floors and two units per floor. **Vega** said yes. **Sorenson** asked where the workers would come from and how they would be screened. **Vega** said the workers could come from anywhere. The workers would go through a security screening and must have a clean record and meet several other requirements to qualify.

Pruitt asked for clarification on the occupancy of the apartment complex. **Vega** said it was a seasonal six-month program and it would start late August or early September, and the season would end around February. **Pruitt** asked if the apartment complex would be vacant for the remainder of the year. **Vega** said the owners would utilize the balance of the time to maintain and perform upkeep on the property for the next season.

Commissioner Conde asked where the buses would pick up the workers. **Vega** said there would be access off of 11th Street on the South Side and there would be another access off of 13th Avenue. The buses would have an assigned area on-site for parking when picking up and dropping off the workers.

Hamel asked for clarification on how many workers would be in each bedroom. **Vega** said 4 per bedroom.

Olsen stated the screening process and requirements to get approved for a H2A visa were very strict. There would be multiple inspections to make sure standards were followed. He added there were various government agencies that would inspect the property to make sure standards were followed. If there were any problems with the workers, they would be sent home. The workers were highly screened and supervised. He also stated that the police department did not have any comment on the proposal because there were no police reports issued with existing H2A housing. **Olsen** stated that H2A housing would have to be viewed the same as military housing according to fair housing.

MOTION

Motion by Sorenson, second by Pruitt, to CLOSE Case Number GP-10768-2015. Motion carried unanimously (6-0).

ZONE-12006-2015: *This is a request by Dahl, Robins, and Associates, Inc., on behalf of Saguaro Desert Land, Inc. to rezone 14.8 Acres (includes rights-of-way, South Gila Canal and City Retention Basin) from the Agriculture (AG) District to the Medium Density Residential (R-2) District. The properties are located at the Northwest corner of 24th Street and Avenue 9E, Yuma, AZ.*

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

QUESTIONS FOR STAFF

Hamel asked if there would be one entrance into the apartment complex. **Andrew McGarvie, Assistant City Engineer**, said there was a possibility of two entrances, one on 24th street with a median cut, and a possibility of an entrance on Avenue 9E.

APPLICANT / APPLICANT'S REPRESENTATIVE

John Weil, 3064 S. Avenue B, Yuma, Arizona, said the project was an 84-unit high-end apartment complex. He said this was an 84-unit market-rate apartment complex and would not be low-income housing. He said the apartments would be upgraded, high end, and luxury units. The property was a unique configuration and was impossible to make a typical single family subdivision. He stated City Council approved the General Plan Amendment in June and the property was annexed. He said they were still working through some of the issues with access points, but there was not any substantial change from when it was presented in the General Plan amendment.

Hamel asked about the sewer system.

Kevin Dahl, 1560 S. 5th Avenue, Yuma, Arizona, said they would be connecting to City sewer.

Koopmann asked for clarification on the 9E access. **Dahl** stated the access off of 9E would be difficult because the city property nearly touches the USBR canal. Any 9E access would not be a part of this development.

PUBLIC COMMENT

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

Donna White, 8166 E. Lorenzo Lane, Yuma, Arizona, stated her home was directly in the impacted area. She said 1,500 people signed a petition voting against the General Plan amendment regarding this proposal and was ready to do it again with this rezone.

Maryann Easterday, 3359 S. 15th Avenue, Yuma, Arizona, stated she lived in the Dunes on 32nd Street and the subdivision has only one entrance, when there was an emergency there was no way to get in or out. She recommended having two entrances in order for the development to operate efficiently.

Greg Schutte, 9125 E. 22nd Lane, Yuma, Arizona, expressed his concern with the smell of the sewer that they get at least once per week where he lives. He was also concerned about crime, traffic congestion, and the noise the apartment complex would bring.

Koopmann asked how the two access point issue would be addressed. **Kevin Dahl** said there would be two access points, and stated one would be gated for an emergency exit. If a second entrance was determined, a right-in and right-out access could be placed west of the basin. The emergency access would be located near the sewer plant access.

Maryann Easterday asked who would have the key to the second access. **McGarvie** said the Fire Department opened the gate when the emergency access was needed.

Hamel said the community needs private housing, but was concerned about the area because of traffic issues.

Koopmann said the responsibility of the Board was to follow the General Plan, and there was a housing element in the General Plan. They had to address the areas where the needs were, and there was identified a critical shortage for apartments in the housing element.

MOTION

Motion by Koopmann, second by Conde, to APPROVE Case Number ZONE-12006-2015. Motion carried unanimously (6-0).

INFORMATION ITEMS

Staff

None

Commission

None

Public

None

ADJOURNMENT

The meeting was adjourned at 5:24 p.m.

Minutes approved this 11 day of January, 2016



Chairman