

**Planning and Zoning Commission Meeting Minutes  
December 9, 2019**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, December 9, 2019, at the City Hall Council Chambers, One City Plaza, Yuma, Arizona.

**PLANNING AND ZONING COMMISSION MEMBERS** present included Chairman Hamel, and Commissioners Gregory Counts, Tiffany Ott and Vice-Chairman Dammeyer. Commissioners Shara Whitehead, Vinod Mohindra and Jacqueline Follmuth were absent.

**STAFF MEMBERS** present included Laurie Lineberry, Director of Community Development; Rodney Short, Deputy City Attorney; Agustin Cruz, Senior Civil City Engineer, Alyssa Linville, Assistant Director DCD / Zoning Administrator, Robert Blevins, Principal Planner, Richard Munguia, Senior Planner, Amelia Griffin, Assistant Planner, Charysse Casillas Administrative Assistant and Jessenia Juarez, 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** – September 9, 2019 & October 14, 2019

**WITHDRAWALS BY APPLICANT –**

1. **CUP-27954-2019:** This is a request by Nicklaus Engineering, Inc., on behalf of Rearden Management, LLC, for a Conditional Use Permit to allow the cultivation of hemp in the Light Industrial (L-I) District. The property is located at 653 E. 20<sup>th</sup> Street, Yuma, AZ.

**CONTINUANCES** – None

**APPROVALS -**

1. **SUBD-27610-2019:** This is a request by Vega and Vega Engineering, on behalf of Proxima Centauri Development, LLC, for approval of the preliminary plat for the Autumn Valley Subdivision, proposed to be divided into 22 residential lots ranging in size from 6,000 square feet to 11,559 square feet. The property is located at the southeast corner of 16th Street and 44th Avenue, Yuma, AZ. (*Continued from November 25, 2019.*)
2. **SUBD-27629-2019:** This is a request by Dahl, Robins and Associates, on behalf of the First Church of the Nazarene of Yuma, for approval of the final plat for The Village Subdivision. This subdivision contains approximately 2.41 acres and is proposed to be divided into 12 residential lots, ranging in size from approximately 6,247.5 square feet to 9,734.6 square feet, for the property located at the southeast corner of S. 13th Avenue and W. 19th Street, Yuma, AZ. (*Continued from November 25, 2019.*)
3. **SUBD-27862-2019:** This is a request by Colvin Engineering, Inc., on behalf of Elliot Construction, Inc., for approval of the final plat for The Araby North Subdivision. This subdivision contains approximately 4.87 acres and is proposed to be divided into 15 residential lots, ranging in size from approximately 10,678 square feet to 12,949 square feet, for the property located at the southeast corner of S. Araby Road and E. 32<sup>nd</sup> Street, Yuma, AZ. (*Continued from November 25, 2019.*)
4. **SUBD-27953-2019:** This is a request by Dahl, Robins & Associates, Inc., on behalf of Christopher G. Merziotis, for approval of the preliminary plat for the Spirit Park Subdivision. This subdivision will contain approximately 19.31 acres, and is proposed to be divided into 13 industrial lots, ranging in size from 40,432 square feet to 106,862 square feet. The property is located at the southeast corner of Avenue 3E and the 38th Street alignment, Yuma, AZ.

**Motion by Counts, second by Ott, to APPROVE the Consent Calendar as presented. Motion carried unanimously (4-0, with 3 absent).**

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**PUBLIC HEARINGS**

**GP-27420-2019:** This is a General Plan Amendment request by Core Engineering Group on behalf of the Susan Lee Battaile Trust, to change the land use designation from Medium Density Residential to Commercial for approximately 2.82 acres for property located at 7600 E. 32<sup>nd</sup> Street. (*This is the first of two public hearings.*)

Jennifer Albers, Principal Planner, summarized the staff report.

**QUESTIONS FOR STAFF**

None

**APPLICANT / APPLICANT'S REPRESENTATIVE**

Kevin Burge, 200 E. 16<sup>TH</sup> Street #150, Yuma, AZ, thanked staff for their professionalism.

**PUBLIC COMMENT**

None

**MOTION**

**Motion by Counts, second by Dammeyer to CLOSE Case Number GP-27420-2019. Motion carried unanimously (4-0, with 3 absent).**

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**ZONE-27899-2019:** This is a request by Dahl, Robins, and Associates, on behalf of Yucca Land Company, LLC, to rezone approximately 19.3 acres from the Agriculture (AG) District to the Medium Density Residential (R-2) District and Medium Density Single-Family Residential (R-2-5) District, for the property located at the southeast corner of Avenue 7 ½ E and 44<sup>th</sup> Street, Yuma, AZ.

Richard Munguia, Senior Planner, summarized the staff report, recommending **APPROVAL**.

**QUESTIONS FOR STAFF**

None

**APPLICANT / APPLICANT'S REPRESENTATIVE**

None

**PUBLIC COMMENT**

None

**MOTION**

**Motion by Ott, second by Dammeyer to APPROVE Case Number ZONE-27899-2019. Motion carried unanimously (4-0, with 3 absent).**

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**VAR-27386-2019:** This is an appeal of a previously approved variance which was approved by the Hearing Officer on September 26, 2019. The variance request was to allow the location of an accessory structure in line with the principal dwelling in the Low Density (R-1-6) District, for the property located at 1441 W. 16th Place, Yuma, AZ.

Alyssa Linville, Assistant Director DCD / Zoning Administrator, summarized the staff report.

**QUESTIONS FOR STAFF**

Chairman Hamel asked if the four criteria were on pages 1 & 2 of the staff report.

Alyssa Linville said yes and explained that the Hearing Officer grants the variance when the findings of fact are made that all four criteria have been met.

**APPLICANT / APPLICANT'S REPRESENTATIVE**

David Chapman, 1441 W. 16<sup>th</sup> Place, Yuma, AZ, stated that the property owner mailings did not provide the correct neighborhood meeting information. He added that neighboring property owners would have attended the meeting if they had the correct information. Chapman expressed his concern with the proposed structure. He added that this structure would diminish property value and did not match the immediate area. Chapman said he was opposed to the construction of the structure and noted that the Hearing Officer's decision did not meet all of the four criteria required to grant a variance.

Chairman Hamel asked for clarification on how this proposal was detrimental. Chapman said this request would not complement the existing homes surrounding this property. Chapman added that this structure did not match the characteristics of the existing home.

**Chairman Hamel** asked for clarification on where his property was located. **Chapman** said his home was to the right of the subject property.

**Commissioner Counts** asked for clarification on how this proposal was detrimental to him. **Chapman** said it did not match the characteristics of the surrounding homes. **Counts** asked if there was a Homeowners' Association for this area. **Chapman** said no.

**Counts** asked if Chapman was the original owner of his home. **Chapman** said no.

**Chairman Hamel** asked for the appellee to come forward

**Roberta McDermott, 1441 W. 16<sup>th</sup> Place, Yuma, AZ**, questioned why the proposed \$3,000 structure would decrease her neighbor's property value. **McDermott** added the structure would match the color of the existing home on the property.

**Chairman Hamel** asked for clarification on the roof and the setback of the proposed structure. ▶

**Chris Morris** said he was the contractor for this proposal. **Morris** explained the proposed structure met the 7' setback. **Morris** said the original proposal had windows on the structure but they have now been removed. **Morris** explained there was a pool on this property that restricted the location of a detached structure. **Morris** added that the pool was on the property when McDermott purchased the home. **Morris** noted that the four criteria had been met with this request.

**Chapman** expressed his concern with the construction of the proposed structure. **Chapman** said he was not opposed to a detached structure that matched the architectural style of the existing residence.

**Chairman Hamel** said he agreed with the Hearing Officer's decision.

#### **PUBLIC COMMENT**

None

#### **MOTION**

**Motion by Dammeyer, second by Ott to APPROVE Case Number VAR-27386-2019. Motion carried unanimously (4-0, with 3 absent).**

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#### **INFORMATION ITEMS**

##### Staff

**Laurie Lineberry, Director of Community Development**, informed the Commission she is retiring and this is her last Planning and Zoning Commission meeting.

##### Commission

**Chairman Hamel** congratulated Lineberry on her retirement and thanked her for her years of service and what she has done for the community.

##### Public

None

#### **ADJOURNMENT**

The meeting was adjourned at 5:11 p.m.

Minutes approved this 27 day of January, 2019

  
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Chairman