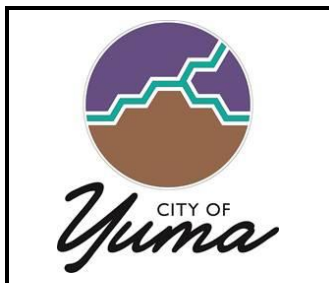


## Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on June 10, 2019, at 4:30 p.m. at the Public Works Training Room, 155 W. 14<sup>th</sup> Street, Yuma, AZ.



### Summary

## Planning and Zoning Commission Meeting

Public Works Training Room  
155 W. 14<sup>th</sup> Street

**Monday, June 10, 2019, 4:30 p.m.**

CALL TO ORDER **4:32 PM**

**CONSENT CALENDAR** – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

#### APPROVAL OF MINUTES

April 8, 2019 (3 of 4 required: Hamel, Dammeyer, Mohindra, Ott)

April 22, 2019 (3 of 4 required: Hamel, Counts, Merten, Mohindra)

WITHDRAWALS BY APPLICANT – None

TIME EXTENSIONS – None

CONTINUANCES –

1. **ZONE-25470-2019:** This is a request by Chris Delgado, on behalf of BelHeights, LLC, to rezone approximately 4.99 acres feet from the Agriculture (AG) District to the Recreation Vehicle Subdivision (RVS) District, for the property located at 925 S. George Belle Avenue, Yuma, AZ. (*Continued to June 24, 2019.*)
2. **CUP-25030-2019:** This is a request by Martin Guzman, on behalf of Francisco and Irene Guzman, for a Conditional Use Permit to allow multiple mobile food vendors on one commercial property in the General Commercial/Aesthetic Overlay (B-2/AO) District, for the property located at 1744 S. Pacific Avenue, Yuma, Arizona. (*Continued from April 8, 2019.*) (*Continued to July 22, 2019.*)

APPROVALS –

1. **ZONE-25834-2019:** This is a request by Saul Albor, Jr., on behalf of Trinity Christ Center Assembly of God, to rezone approximately 5.36 acres from the Suburban Ranch (SR-1) District to the Low Density Residential (R-1-6) District, for the property located at the southeast corner of W. 16th Street and S. 44th Avenue, Yuma, AZ.
2. **ZONE-25872-2019:** This is a request by Vega & Vega Engineering, on behalf of Ricardo and Eva Jaramillo, to rezone approximately .94 acres from the Transitional (TR) District to Limited Commercial (B-1) District, for the property located at 1874 South Avenue B, Yuma, AZ.

**A motion was made by Merten, second by Mohindra, to APPROVE the Consent Calendar as presented. The motion carried by the following vote:**

**Aye: 5 – Vice-Chairman Dammeyer, Commissioner Counts, Commissioner Merten, and Commissioner Mohindra, Commissioner Ott**

**Absent: Chairman Hamel**

**PUBLIC HEARINGS** – The Planning & Zoning Commission will be considering a vote or action on the following cases. Any vote or action will be considered separately for each case. As a part of the public hearing process, the City Planning & Zoning Commission is authorized to consider appropriate alternate Zoning Districts, which are no more intensive in development activity than the requested Zoning District. Additionally, the Commission is authorized to supplement requested rezoning actions with the Aesthetic Overlay (AO) District and/or the Public Designation (P) District as may be deemed appropriate.

1. **GP-25035-2019:** This is a General Plan Amendment request by Dahl, Robins & Associates on behalf of Yucca Land Company LLC, to change the land use designation from Commercial to Mixed Use for approximately 19.4 acres, for the property located at the southeast corner of the Mississippi Avenue and 44th Street. (*This is the first of two public hearings.*)

**Motion to CLOSE Case Number GP-25035-2019. Motion carried by the following vote:**

**Aye: 5 – Vice-Chairman Dammeyer, Commissioner Counts, Commissioner Merten, and Commissioner Mohindra, Commissioner Ott**

**Absent: Chairman Hamel**

2. **CUP-25335-2019:** This is a request by Dahl, Robins, & Associates, Inc., on behalf of the B & GS Family Limited Partnership, for a Conditional Use Permit to allow a drive-through for Mr. G's Restaurant, on a 40,855 square foot parcel in the General Commercial/Historic/Bed & Breakfast/Infill Overlay (B-2/H/B&B/IO) District, for the property located at 501 S. 4th Avenue, Yuma, AZ. (*Continued from May 13, 2019.*)

**Motion by Ott, second by Counts, to APPROVE Case Number CUP-25335-2019. Motion carried by the following vote:**

**Aye: 5 – Vice-Chairman Dammeyer, Commissioner Counts, Commissioner Merten, and Commissioner Mohindra, Commissioner Ott**

**Absent: Chairman Hamel**

3. **CUP-25402-2019**: This is a request by John Kettunen, on behalf of JHK Properties AZ LLC and Yuma J&K Investment Properties AZ LLC, for a Conditional Use Permit to allow the construction of a drive-through car wash in the General Commercial (B-2) District. This request includes an exception to reduce the setback along 24th Street from 15' to 8'. The properties are located at 133 W. 24th Street and 2430 S. 1st Avenue, Yuma, Arizona. (*Continued from May 13, 2019.*)

**Motion by Ott, second by Mohindra, to APPROVE Case Number CUP-25402-2019. Motion carried by the following vote:**

**Aye: 5 – Vice-Chairman Dammeyer, Commissioner Counts, Commissioner Merten, and Commissioner Mohindra, Commissioner Ott**

**Absent: Chairman Hamel**

4. **ZONE-25138-2019**: This is a request by Barry Olsen, on behalf of Elias Z. Guijarro & Frank Ramirez, to rezone approximately 5.34 acres from the Agriculture (AG) District to the General Commercial (B-2) District, while maintaining the existing Airport Overlay (AD) District, for properties located at the northwest corner of 32nd Street and Avenue 5E, Yuma, AZ. (*Continued from April 22, 2019.*)

**Motion by Mohindra, second by Counts, to APPROVE Case Number ZONE-25138-2019, removing Condition of Approval #5. Motion carried by the following vote:**

**Aye: 5 – Vice-Chairman Dammeyer, Commissioner Counts, Commissioner Merten, and Commissioner Mohindra, Commissioner Ott**

**Absent: Chairman Hamel**

#### APPLICATION CONSIDERATION

1. **ZONE-25713-2019**: The applicant, Saguaro Desert Land, Inc., has submitted a third request to rezone approximately 7 acres from the Agricultural (AG) District to the Medium Density Residential (R-2) District for the property located at the northwest corner of E. 24th Street and S. Avenue 9E. According to §154-03.03 (K) of the City of Yuma Zoning Code a new rezone request must be substantially different from the request previously denied. The Planning and Zoning Commission shall review the March 29, 2019 Application and compare it to the previously denied July 20, 2018 Application to determine if the new request is substantially different, in order for the March 29, 2019 rezone request to be heard without a 1 year waiting period from the City Council denial date. (*Continued from May 13, 2019.*)

**Motion by Mohindra, second by Ott, to DENY the Application Consideration. Motion carried by the following vote:**

**Aye: 4 – Vice-Chairman Dammeyer, Commissioner Merten, and Commissioner Mohindra, Commissioner Ott**

**Nay: 1 – Commissioner Counts**

**Absent: Chairman Hamel**

#### INFORMATION ITEMS

1. STAFF – LIVINGSTON RANCH UNIT #2 SUBDIVISION – UPDATE
2. COMMISSION
3. PUBLIC – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

#### ADJOURN 5:33 PM

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

*Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.*

*The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).*