

**Planning and Zoning Commission Meeting Minutes  
November 8, 2021**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, November 8, 2021, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

**PLANNING AND ZONING COMMISSION MEMBERS** present were Chairman Chris Hamel, and Commissioners Lorraine Arney, Joshua Scott, Branden Freeman, Barbara Beam (arrived at 4:37 p.m) and Gregory Counts. Vice-Chairman Fred Dammeyer was absent.

**STAFF MEMBERS** present included Rodney Short, Deputy City Attorney; Tim Bourcier, Director of Planning and Neighborhood Services; Alyssa Linville, Assistant Director of Planning and Neighborhood Services; Andrew McGarvie, Engineering Manager; Robert Blevins, Principal Planner; and Lizbeth Sanchez, Administrative Specialist.

**Chairman Chris 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** – October 25, 2021

**WITHDRAWALS BY APPLICANT** – None

**CONTINUANCES** – None

**APPROVALS** – None

**Motion by Counts second by Arney to APPROVE the Consent Calendar as presented. Motion carried unanimously, (5-0) with one absent.**

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**Action Items –**

**SUBD-36768-2021:** *This is a request by Dahl, Robins, and Associates, Inc., on behalf of Yuma Development One, Inc., for approval of the preliminary plat for the Yuma Development One Parcel C Subdivision. This subdivision contains approximately 18.15 acres and is proposed to be divided into 4 commercial lots, ranging in size from approximately 1.3552 acres to 11.7846 acres, for the property located near the southwest corner of E. 32<sup>nd</sup> Street and S. Avenue 8E, Yuma, AZ.*

**Robert Blevins, Principal Planner,** summarized the staff report and recommended **APPROVAL.**

**QUESTIONS FOR STAFF**

None

**APPLICANT/APPLICANT'S REPRESENTATIVE**

None

**PUBLIC COMMENT**

None

**Motion by Arney, second by Counts to APPROVE SUBD-36768-2021 as presented, subject to the Conditions of Approval in Attachment A. Motion carried unanimously (6-0), with one absent.**

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**ZONE-36619-2021:** *This is a request by Dahl, Robins, and Associates on behalf of Smoketree Desert Land, LLC., to rezone a 26.96 acre parcel from Agriculture (AG) to Medium Density Residential/Planned Unit Development (R-2/PUD), for the property located at the northeast corner of S. Avenue 7E and E. 40<sup>th</sup> Street, Yuma, AZ.*

**Alyssa Linville, Assistant Director DCD**, summarized the staff report and recommended **APPROVAL**, noting the addition of a new condition, which requires a modified traffic study.

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**Chairman Hamel** motioned to enter into executive session for legal advice. Motion carried unanimously (6-0), with one absent.

**Hamel** called meeting back into session at 4:58 P.M

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#### **QUESTIONS FOR STAFF**

None

#### **APPLICANT/APPLICANT'S REPRESENTATIVE**

**Williams Katz, 3064 S. Avenue B, Yuma, AZ** said that the applicant objected to the requirement of a new traffic study, adding that a new traffic study would result in an obstruction and delay causing actionable damages for the applicant. **Katz** said that the City was obligated to construct 40<sup>th</sup> Street after the Hall rezone was completed on January 4, 2020. **Katz** also said that per section 9 of a settlement agreement between the City of Yuma and Avenue 6E Development, the City of Yuma could not request a new traffic study. **Katz** asked the Commission to eliminate Condition of Approval #4, because it would violate the settlement agreement between the City of Yuma and Avenue 6E Development.

**Commissioner Freeman** asked for clarification as to why the condition for a new traffic study was not provided with the original Conditions of Approval. **Director of Planning and Neighborhood Services, Tim Bourcier** stated that because the City would construct 40<sup>th</sup> Street they would like to get a new traffic study, noting that the old traffic study was done in 2005. **Bourcier** added that the traffic study would be done in-house.

#### **PUBLIC COMMENT**

None

**Motion by Freeman, second by Beam to APPROVE ZONE-36619-2021 as presented, subject to the Conditions of Approval in Attachment A. Hamel asked Freeman if he was not asking for an updated traffic study. Freeman said that was correct. Motion carried unanimously (6-0), with one absent.**

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#### **INFORMATION ITEMS**

##### **Staff**

None

##### **Commission**

None

##### **Public**

None

#### **ADJOURNMENT**

**Hamel** adjourned the meeting at 5:08 p.m.

Minutes approved this 22 day of November, 2021



Chairman