

Planning and Zoning Commission Meeting Minutes
September 9, 2024

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, September 9, 2024, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel, Vice-chairman Joshua Scott and Commissioners, Gregory Counts, Lorraine Arney, Chelsea Malouff, John Mahon, and Ashlie Pendleton.

STAFF MEMBERS present included Alyssa Linville, Director of Planning & Neighborhood Services; Jennifer Albers, Assistant Director of Planning; John LeSueur, Assistant City Attorney; Robert Blevins, Principal Planner; Amelia Domby, Principal Planner; Zenia Fiveash, Assistant Planner; and Lizbeth Sanchez, Administrative Specialist.

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

CONSENT CALENDAR

MINUTES – August 26, 2024

WITHDRAWALS BY APPLICANT – None

CONTINUANCES – CONTINUED to October 14, 2024

SUBD-42905-2024: *This is a request by Dahl, Robins & Associates, on behalf of Hard Red Turtle, LLC, for approval of the preliminary plat for the HRT Subdivision Unit Nos. 1, 2, 3, 4 and 5. This subdivision will contain approximately 77.1 acres and is proposed to be divided into 304 residential lots, ranging in size from approximately 6,061 square feet to 20,384 square feet, for the properties located at the southeast corner of Avenue 6E and 48th Street, Yuma, AZ.*

APPROVALS – None

Motion by Lorraine Arney second by Gregory Counts to APPROVE the Consent Calendar as presented. Motion carried unanimously, (7-0).

Public Hearings –

GP-42762-2024: *This is a Minor General Plan Amendment request by the City of Yuma, to change the land use designation from Mixed Use and Low Density Residential to High Density Residential for approximately 1.31 acres, for the property located at the southeast corner of Avenue A and 16th Street, Yuma, AZ.*

Amelia Domby, Principal Planner summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Commissioner John Mahon asked which zoning districts were supported by high-density residential. **Domby** replied that the high density residential land use designation would support the High Density Residential (R-3) District, Residence Manufactured Housing (RM-H) District, Recreational Vehicle Subdivision (RVS) District, and the Manufactured Housing Park (MHP) District.

Chairman Hamel referred to page two of the letter presented to the commission and asked whether the proposed request would violate Arizona Revised Statute 1211-31. **Assistant City Attorney, John LeSueur**, responded that the statute in question pertains to instances where a City or local government entity acquires property, stipulating that it must be for public use. **LeSueur** noted that the City had acquired the property many years ago with the intention of widening the intersection. **Assistant Director of Planning, Jennifer Albers** noted that the City acquired property at the Avenue A and 16th Street intersection to expand it, adding double

left turn lanes and additional travel lanes and added that the City has been disposing of the remaining parcels where new houses or offices have been built.

Commissioner Counts asked if the plan was to build high-density apartments like the Mesa Heights apartments, with the entrance and egress through the old alleyway. **Engineering Manager, Andrew McGarvie** said there would be no access on 16th Street; the main access would be through the alley and potentially a right-in/right-out on Avenue A.

Chairman Hamel also expressed concerns about traffic and stated that he was in opposition of the request.

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

Ruben Soto, 1502 S. 10th Ave, Yuma, AZ, in opposition of the request and expressed concerns regarding traffic and impact on schools.

Mary Faye Lehrer, 1530 S. 10th Avenue, Yuma AZ, in opposition of the request and expressed concerns regarding traffic. Potential for accidents with history of vehicles leaving the roadway.

Nicole Burns, 1627 S. 10th Avenue, Yuma, AZ, in opposition of the request and expressed concerns regarding traffic. Noted neighborhood is already impacted by school pick up and drop off. Would like to see affordable homes for ownership not more rentals. Provided a copy of a letter and signatures in opposition.

Chris Ochoa, 1222 W. 16th Place, Yuma, AZ, in opposition of the request and expressed concerns regarding traffic and noise. Noted need for single-family homes and that neighborhood is already impacted by school pick up and drop off.

Tyler Burns, 1627 S. 10th Avenue, Yuma, AZ in opposition of the request and expressed concerns about traffic and the safety of students in the area who must walk home.

Motion by Lorraine Arney, second by John Mahon to APPROVE case GP-42762-2024. Motion carried, (4-3) with Commissioners Malouff, Commissioner Counts and Chairman Hamel voting against.

GP-42834-2024: *This is a Major General Plan Amendment request by Dahl, Robins & Associates, Inc., on behalf of 19 A, LLC, to change the land use designation from Low Density Residential, Resort, Recreation & Open Space, Business Park, and Public/Quasi-Public to Industrial for approximately 160 acres, for the properties located at the northeast corner of County 19th Street and Avenue A, Yuma, AZ.*

Erika Peterson, Senior Planner summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Gregory Counts, second by Ashlie Pendleton to close the first public hearing for case GP-42834-2024. Motion carried unanimously, (7-0).

Action Items–

SUBD-42965-2024: *This is a request by Colvin Engineering, Inc., on behalf of Hardknocks AZ LTD Partnership, for approval of the preliminary plat for the Butler Estates Units 1, 3, and 4 Subdivision. This subdivision contains approximately 53.93 acres and is proposed to be divided into 203 residential lots, ranging in size from approximately 6,003 sq. ft. to 11,735 sq. ft., for the properties located at the southwest corner of E. 36th Street and S. Avenue 10E, Yuma, AZ.*

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

QUESTIONS FOR STAFF

Commissioner Counts asked about the traffic analysis, questioning what would happen to the plat if the analysis recommended against the plan. **Engineering Manager, Andrew McGarvie**, said they changed the traffic requirements after discussing the need for at least 100 trips per hour. If trips were less than 100 per hour, no traffic study was needed. **McGarvie** noted that the City planned a traffic signal at 32nd St. and Avenue 10E for \$1.2 million, with design in 2027 and construction in 2028. They also planned to widen Avenue 10E from 32nd to 40th St. to five lanes in fiscal year 2028 for \$800,000 and noted that the major project was 40th St., which the City aimed to construct from Avenue 6E to Fortuna Road, in collaboration with the County.

Commissioner Malouff expressed concern, stating that South Frontage Road couldn't support the subdivision at that time. **Malouff** then asked if the City planned to work with Yuma County to assist with the infrastructure on the roads. **McGarvie** stated that it would be the City's responsibility to make any road improvements to or along the frontage road going toward town.

Commissioner Mahon asked for information on the minimum parcel sizes and the minimum space sizes in the RVS zoning district. **Blevins** stated that for an RV or manufactured home, the minimum size was 2,400 square feet and mentioned that the subdivision under review had lots ranging from 6,000 to 9,000 square feet, with an average of about 8,000 square feet, which were larger than the lots in the subdivisions on either side of it.

APPLICANT/APPLICANT'S REPRESENTATIVE

Craig Colvin, 6105 E. Alyssa Ln, Yuma, AZ was available for questions and stated that Unit 2 of the subdivision was approved last year, and the intent was to align the construction of Unit 1 and Unit 2 to support the infrastructure of Unit 2. **Hamel** inquired about the possibility of riverbeds running under the property. **Colvin** responded that while there had been water movement, he was not aware of any riverbeds on the property. **Hamel** then asked Colvin if he knew about the burrowing owl in the area and the location of their habitat. **Colvin** replied that he had no knowledge of the habitat's location.

PUBLIC COMMENT

Lester Favish, 10123 E. 37th Street, Yuma, AZ, said that there were riverbeds under the property and if no water was flowing and they dried up due to the heat and water shortage, the land would collapse. **Favish** mentioned that there were burrowing owls on that land, and it was against both state and federal laws to interfere with them since they were protected species. He also noted that there were lizards on the land, which were also state-protected species. **Favish** also expressed concerns about traffic and frequent accidents on 10 E, suggesting that a three-way stop could help reduce these incidents. **Favish** noted that all the schools are located on the other side of the freeway, leaving the east and south sides of the area without schools. He pointed out that without proper infrastructure, the area can't support more development. He also mentioned gathering about 2,900 signatures and is thinking about filing a class action lawsuit because of the lack of response from the City.

Jennifer Matthews, 11762 S. Avenue 10E, Yuma AZ, expressed concerns about the conditions of the road and traffic. Noting that there should be accommodations for the existing residents.

Morgan Ary, 11832 S. Avenue 10E, Yuma, AZ can confirm the presence of the burrowing owls in the area and expressed concerns about being backed up against four neighbors and the road conditions and traffic in the area.

Hamel asked if 10E would be widened down to East 36th Street. **McGarvie** said it would go from 32nd Street to 40th Street. **Hamel** then asked if there were any easements in place. **McGarvie** said that City would have to purchase some right-of-way from property owners.

Commissioner Arney asked if there was a timeframe for the completion of Unit 1. **Colvin** responded that he did not have an exact timeline but estimated it would take up to a year to get the infrastructure in place.

Mahon asked if the applicant would dedicate 50 feet of right-of-way on the plat. **McGarvie** responded that there is a dedication of 33 feet on the plat, with an additional 17 feet to be requested.

Motion by Lorraine Arney, second by Ashlie Pendleton to APPROVE SUBD-42965-2024 as presented, with the following modifications: condition #6 shall now read, 'The Owner/Developer shall provide a traffic analysis based on the Trip Generation Manual from the Institute of Transportation Engineers (ITE), conducted by an Arizona registered engineer with traffic experience, detailing the expected peak hour vehicular trips from the proposed development.' Additionally, condition number 7 shall be eliminated, and the remaining conditions shall be renumbered accordingly. Motion carried unanimously, (7-0).

INFORMATION ITEMS

Staff

None

Commission

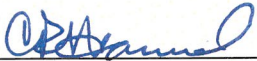
None

Public

None

Chairman Chris Hamel adjourned the meeting at 5:46 PM.

Minutes approved this 23 day of September, 2024.



Chairman