

Planning and Zoning Commission

Regular Meeting Minutes

November 20, 2006

Call to Order

Chairman Armando León called the meeting to order at 6:32 pm at the Library Annex, 240 W. Canal Street.

Roll Call

Present: Armando León, Chairman; Renee Vuksan, Vice-Chairwoman; Jose Trevino, Commissioner; Jose Yepez, Commissioner; Carlos Gonzalez, Commissioner; Juan Villafana, Commissioner; Gema Anaya, Commissioner.

Pledge of Allegiance

Approval of Minutes – No minutes to approve, previous meeting canceled due to lack of quorum.

Call to the Public

No public comments.

Public Hearings

1) Rezoning Case # Z06-06:

Jim Donahue, Planner II, presented this case. Victor Lozano has requested the rezoning of Lot 1, Lozano Subdivision, also known as 206 S. William Avenue, from its existing zoning, R-1-6, Single-Family Residential, to C-1, Limited Commercial. Mr. Lozano has expressed an interest in building a child daycare center or a plant nursery at this location. The property is part of the Lozano Subdivision which was created from a realignment of five parcels known as the Felix Lot Split, recorded in 1999, together with the abandoned right-of-way for Columbia Avenue and Eucalyptus Street adjacent to the east and south boundaries of the Felix Lot Split property. This property is considered to be an "in-fill" project. The retention area is currently located along the north and west lines of the lot, however, the storm water retention area may be moved from its current location with any commercial development of the property.

Open Public Hearing

Magdalena Robles lives in the neighborhood of this zoning request. She is concerned about traffic in the area. Mike Shores, Community Development Director, responded that staff will use the submitted site plan to mitigate traffic issues as much as possible. Mr. Donahue explained that if Mr. Lozano opened a childcare center he would be limited by the state as to how many children the facility could hold and that a drop-off and pick-up area would be required as part of the site plan. Patricia Munoz, 205 Cano Street, asked if her front yard would be used for parking if a childcare center is opened at this location. Mr. Shores responded the facility would require off street parking at the ratio of one parking space per 300 square feet of building. Commissioner Gonzalez asked if the Community Development Department had an idea what Mr. Lozano is going to build. He would like to know before making a decision on the re-zoning. Mr. Shores responded that we are not sure what will actually be built. Commissioner Anaya asked when will we know what Mr.

Lozano is going to build. Mr. Shores responded that if the zoning is approved, Mr. Lozano could build anything that is allowed in the ordinance for C-1 property. Vice-Chairwomen Vuksan commented that maybe some of the traffic issues would change after the City of Somerton has a stop light of Bingham Avenue and Main Street.

Staff recommendation:

Approve the request. The proposed rezoning meets the goals and objectives of the Somerton General Plan and the project is deemed appropriate as it is adjacent to C-1 zoned property to the North (Dollar General Store) and is adjacent to the new Public Safety Building.

Close Public Hearing

Motion: Commissioner Gonzalez moved to continue this item to the December 18, 2006 Planning and Zoning meeting so Mr. Lozano can be present. Commissioner Yepez seconded the motion. **The motion passed (7-0)**

2) Conditional Use Permit # CUP 02-06

Jim Donahue, Planner II, presented this case. Edais Engineering of Yuma, AZ., agent for Penn Holdings, LLC. San Luis, Arizona is requesting a Conditional Use Permit (CUP) for the construction of a car wash facility at the northeast corner of Somerton Avenue and Cactus Street, also known as 108 East Cactus Street in Somerton, Arizona. The property is zoned C-1, Limited Commercial. The property north and south of the subject property also zoned C-1. The property to the east is zoned R-3 (Multi-Family Residential) and the property to the west is zoned R-1-6 (Single-Family Residential). The current use of the property to the north is commercial, to the south is vacant, to the east is multi-family and to the west is single-family. This site is one block north of the Tierra del Sol Elementary School.

Open Public Hearing

Commissioner Yepez asked what type of car wash will this be. Alex Gallardo, AB Builder, answered that it would be a self serve car wash. Commissioner Gonzalez asked if the water will be filtered and would a snack bar or vending area will be installed. Mr. Gallardo responded the rinse water will be spot free and there will probably be some vending machines located on the site. Chairman León asked how long would it take to build the car wash. Mr. Gallardo responded that the construction would begin as soon as they get the permit and that would take six to eight months to complete the construction.

Staff recommendation:

Approval of the Conditional Use Permit. It is in conformity to the City of Somerton General Plan and is consistent with public policy as outlined in Section 3.2 (f) (b.) 1-6 of the Zoning Ordinance.

Close Public Hearing

Motion: Chairwoman Renee Vuksan motioned to approve the Conditional Use Permit # CUP02-06. Commissioner Yepez seconded the motion. **The motion passed (7-0)**

3) Minor Amendment Case # GP03-06 and Rezoning Case # Z07-06

Mike Shores, Community Development Director, presented this case. Mr. Thomas Testaverde, et al, 523 W. Spring Street, is requesting a General Plan Minor Amendment and change in the zoning of Lots 1 through 12, Block 10, Williams Second Addition to the City of Somerton, as shown on Attachment A, from R-1-6, Low Density Residential, to R-3, High Density Residential.

Open Public Hearing

Patty Felix, 533 Spring Street, stated that she has two residential structures on the same lot, just like Mr. Testaverde. She asked if this change of zoning would have any effect on her property. Mr. Shores responded that this rezoning would be a positive change for her and that the two residential structure would be a use by right in the proposed zoning district (R-3) where the use is "grandfathered" in the (R-1-6) Zoning District. Vice-Chairwoman Vuksan commented that Mr. Testaverde did a good job getting all the requirements for a change of zoning and the minor amendment.

Staff recommendation:

Approval of the Minor Amendment Case # GP03-06 and the Zoning Case # Z07-06.

Close Public Hearing

Motion: Commissioner Anaya motioned to recommend to the City Council the approval of Minor Amendment Case # GP03-06 and Zoning Case # Z07-06. Commissioner Gonzalez seconded the motion.

The motion passed (7-0)

4) Preliminary/Final Plat of Xcaret Subdivision Case # P05-06

Jim Donahue, Planner II, presented this case. Yuma Territorial Engineering has submitted a Preliminary/Final Plat application for Piramide Construction, Inc., of Somerton, AZ., for Assessor's Parcel No. 103-54-901 located at 296 North Marshall Loop Road. This property is legally described as Tract A of the Somerton Villa Subdivision. It is bounded on the North and East by the Dove Valley Golf Course and on the West by R-1-6 Single-Family residential development.

Open Public Hearing

Commissioner Gonzalez asked what types of homes were they being planned for the new subdivision. Piramide Construction owner, Jose Rojas, responded that the same homes he is building in El Pedregal, with a minimum of 1800 square feet. Yuma Territorial Engineering, Francisco Galindo, requested to lower the North and East property line fencing to four feet to give the home owners a view of the golf course. Commissioner Yopez advised that there will be a high risk that the home owners will have golf balls landing in their yards. Mr. Shores responded that each home owner should expect those sort of accidents as a part of living on the golf course.

Staff recommendation:

Approval of the Preliminary Plat and to recommend approval of the Final Plat Case # P05-06 to the City Council for the Xcaret Subdivision.

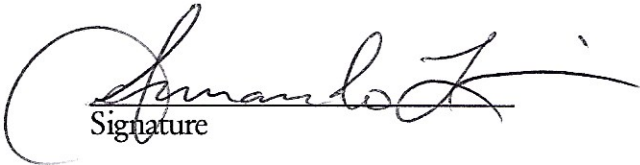
Close Public Hearing

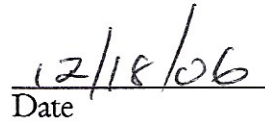
Motion: Commissioner Gema Anaya motioned to Approve the Preliminary Plat and to recommend approval of the Final Plat of Xcaret Subdivision, Case # P05-06,

with the condition that the north and east property line fencing be allowed to be four feet tall and open to views of the golf course. Commissioner Jose Yopez seconded the motion.
The motion passed (7-0)

Adjournment

Commissioner Anaya moved to adjourn. Commissioner Gonzalez seconded. Motion passed (7-0).
Meeting adjourned at 8:38 pm.


Signature


Date

Chairman
Armando León