

MINUTES

REGULAR MEETING
PLANNING AND ZONING COMMISSION
SAN LUIS COUNCIL CHAMBERS
1090 E. UNION STREET
JANUARY 12, 2016
7:00 PM

CALL TO THE ORDER /ROLL CALL. The meeting was called to order at approximately 7:22 PM., by Chairman Javier Barraza.

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was led by Chairman Javier Barraza.

PRESENT:

Chairman Javier Barraza
Commission Member Bill Cordova
Commission Member Hugo Garcia (was present @ 7:48PM via telephone)
Commission Member Maria G. Guzman
Commission Member Guillermina Fuentes

ABSENT: Vice Chairman Daniel Bazua

OTHER PRESENT: John Starkey, Zoning Administrator
Jose A. Guzman, Assistant Planner
Roman Pacheco, Planning Technician
Kay Macuil, Assistant Attorney

CONSENT AGENDA:

1. **Approval of Minutes**
 - **Regular Planning & Zoning Commission Meeting held November 17, 2015**
2. **Withdrawals by Applicant - None**
3. **Time Extensions – None**
4. **Continuances --None**
5. **Approvals – None**

MOTION: **Maria G. Guzman / Bill Cordova** to APPROVE the Consent Agenda as presented. Motion passed unanimously (4-0).

PUBLIC HEARINGS

AGENDA ITEM NO. 1

Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2015-0574, A request by Nicholas Ramos, agent on behalf of Estanislao Escobosa, property owner, for a Conditional Use Permit as per Article 2-6 Chapter 6 Section 6.1- C.3 of the City of San Luis Zoning Ordinance to allow the establishment a religious institution (San Luis Kingdom Hall of Jehovah's Witnesses) in a Medium-High Density Residential (R-2) zoning district, Assessor's Parcel No. 227-10-008, located Southeast Corner of Avenue F and Aracely Street. San Luis, Arizona.

John Starkey, Zoning Administrator summarized staff report recommending APPROVAL of Conditional Use Permit Case No. 2015-0574 to the City Council as presented by staff.

Nicholas Ramos, 666 S. 6th Avenue, Yuma AZ explained that they had an application in, already approved. We had plans for 2 what we called kingdom hall or houses of worship. At the original plan we had to let fade off into the distance or sunset because we were going to have a large paradigm shift as far as our organization builds houses of worships. Because of that organizational shift we had to figure somethings out, we had organized personnel and decide on a new design be more fitting for a religious building. We did turned in some designs for staff to view. This is the same footprint close to 50 feet by 100 feet. As far as the developing goes, we were planning on developing the entire site but now we are proposing to develop half to save on initial cost and leave the rest of the site undeveloped until the need arises to develop the rest of it depending on the future growth. That is where we are, we had unfortunately let the conditional use permit expired because a lot of things had to be figured out.

QUESTIONS FOR STAFF

Commission member Bill Cordova asked the applicant if this building is going to be 50 hundred square feet. **Ramos** responded yes. **Commission member Maria G. Guzman** asked what type of development improvements are going to be required. **Mr. Starkey** stated that was part of the development/ subdivision and not in this stage.

OPEN PUBLIC HEARING

No Public Comment

CLOSE PUBLIC HEARING

MOTION: Guillermina Fuentes / Maria G. Guzman to recommend APPROVAL of Condition Use Permit Case No. 2015-0574 to the City Council as presented by staff. Motion passed unanimously with 5-0 votes.

AGENDA ITEM NO. 2

Public hearing followed by discussion and possible action regarding Text Amendment Case No. 2015-0655 , An amendment to the San Luis City Code, Zoning Regulations §152.026(G)(3) from four (4) votes to a majority of a quorum in order for the Planning and Zoning Commission pass a motion.

John Starkey, Zoning Administrator, explained that this was a simple change in our zoning ordinance where basically the zoning ordinance requires 4 votes for approval or denial for that matter. We have made it simpler for the fact that there been a couple of meetings were we only have 4 members and therefore we are changing the ordinance to allow three (3) votes to pass a motion with (4) or (5) members present. Starkey continued summarizing staff report recommending APPROVAL of Conditional Use Permit Case No. 2015-0655.

OPEN PUBLIC HEARING

There were no public comments.

CLOSE PUBLIC HEARING

MOTION: Maria G. Guzman / Guillermina Fuentes to recommend APPROVAL of Text Amendment Case No. 2015-0655 to the City Council as presented as Attachment A in the staff report for this agenda item. Motion passed unanimously with 5-0 votes.

AGENDA ITEM NO. 3

Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2015-0656, An amendment to the San Luis City Code, Chapter 152 Zoning Regulations §152.061, §152.075, §152.078, §152.090, §152.091, §152.092 and multiple residence zoning districts Table 4 and 5 relating to minimum lot size for single residence dwellings and eliminating single residence dwellings from the multiple residence zoning districts “R-2” and “R-3”.

John Starkey, Zoning Administrator, explained that about twenty years ago it was decided that the lots that we were building in town were too large for the houses that were built on it. So, somebody came up with an idea that if they rezone neighborhood to R-2, they could reduce the size of the lot from the current 6,000 square feet to 5,300 -5,800. Council has decided that we don't build large enough lots in this town. That they want to stop that behavior and that what this text amendment does. Basically the R-1-5 is being taken off of this ordinance. So that way the minimum size lot for single family home will be 6,000 square feet. Also, in order to keep from continued from what they already did, you can no longer take R-2 and R-3 areas that are zoned for multi families and subdividing them for single family homes. Starkey furthermore stated that you can still build houses on all the lots that are zone R-2, however you have to build to the R-1-6 standards. Also the R-1-6 now requires that you provide at least 1 car carport. Before they could build houses without a carport or garage.

Kay Macuil, City Attorney informed to the members of the Planning Commission that Council has not decided yet we had a work session on it and floated the idea and they forward it back to the Commission for recommendation.

QUESTIONS FOR STAFF

Chairman Barraza asked was this brought up by Council members. **Starkey** responded that this was brought up by Council members and the Mayor. Two other things that Council brought up at the work session was about may be requiring block fences around the lot when the houses were built and maybe landscaping.

Commission Member Guillermina explained that by adding these types of features it will add an additional cost to the purchase of a new home about \$8,000 more. Other issue will be people not qualifying for a home and we should be able to provide decent homes to the variety of the community that we have. Furthermore Fuentes stated that this should be up to the

developers and the people chose where if they want to leave, whether on a subdivision that requires landscape or one without.

Starkey explained that this ordinance does not have anything pertaining to landscaping or block fence. This only pertains to removing the R-1-5 and not allowing single family homes subdivision been built in the multi-family districts. You can make any recommendation you want. If you think that R-1-5 should still be in there just in case somebody wants to build a subdivision with small houses and a small carport in a 5,000 square foot lot because that is what all the people can afford. Then you can recommend that R-1-5 remain in the ordinance. The point that these members of the Council who wants to make these changes is that everybody building these subdivisions with lots of fifty-five hundred to fifty-eight hundred average. And people that want bigger lots can't get them in town. **Starkey** also mentioned that it is up to the Commission to make that recommendation of what you think is best. That he was not there to tell them what you should do, I am just here to explain what the attorney wrote and why it was written this way.

Jose A. Guzman, Assistant Planner, stated that in the last year the city has received more than ten (10) applications for variances to allow reduction of setbacks for new construction of homes.

OPEN PUBLIC HEARING

No Public Comment

CLOSE PUBLIC HEARING

MOTION: Bill Cordova / Maria G. Guzman to recommend APPROVAL of Text Amendment Case No. 2015-0656 to the City Council as presented by staff. Motion passed with 4-1 votes.

ITEMS REQUIRING DISCUSSION AND/OR ACTION

ITEM NO. 1

Public hearing followed by discussion and possible action on any and all matters regarding Subdivision Case No. 2015-0482F, a request by Nicklaus Engineering, Inc., on behalf of San Luis Port, LLC, for Final Plat approval regarding San Luis Port Subdivision, Phase 1. This subdivision will contain approximately 27 acres and is proposed to be divided into 8 lots and 1 tract with commercial (C-2) and Industrial (L-1) zoning districts. The property is located in the northeast corner of County 24th Street and Avenue E, San Luis, Arizona.

John Starkey, Zoning Administrator stated that the applicant has not responded to our correction letter on the subdivision plat that was submitted back in November. And I do not think they are going to have a response to us by the next meeting. Starkey recommended to continue this item to the March meeting.

MOTION: **Guillermina Fuentes / Bill Cordova** to recommend to CONTINUED Subdivision Case No. 2015-0482F to the next meeting in March. Motion passed unanimously with 5-0 votes.

ITEM NO. 2

Election of Officers

MOTION: **Javier Barraza / Maria G. Guzman** to appoint Bill Cordova as Chairman. Motion passed unanimously with 5-0 votes.

MOTION: **Guillermina Fuentes / Bill Cordova** to appoint Javier Barraza as Vice Chairman. Motion passed unanimously with 5-0 votes.

ITEM NO. 3

Discussion and possible action on any and all matters regarding scheduling Open Meeting Law refresher and training on Roberts' Rules for Planning and Zoning Commission by City Attorney (**Kay Macuil**)

Kay Macuil City Attorney stated that due the long meeting she recommended to reschedule the training to the next Planning and Zoning Commission meeting.

MOTION: **Maria G. Guzman / Bill Cordova** to schedule the training to the next regular schedule meeting. Motion passed unanimously with 5-0 votes.

INFORMATION AND DISCUSSION ITEMS

- None

CALL TO THE PUBLIC

There were no public comments.

ADJOURNMENT

Chairman Barraza adjourned the meeting at approximately 8:26 PM.