



## **NOTICE OF REGULAR PLANNING AND ZONING COMMISSION MEETING**

In accordance with Section 38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission of the City of San Luis, Arizona will hold a Regular Planning & Zoning Commission Meeting at 7:00 p.m., Tuesday, June 14, 2016. The meeting will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. Everyone from the public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment of 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 San Luis Human Resources Department, 1090 East Union Street, San Luis, Arizona 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recordings. Parents in order to exercise their rights may either file written consent with the City Clerk to such recordings, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

THIS NOTICE IS GIVEN BY:

/s/ Roman Pacheco, Planning Technician

## **AVISO DE JUNTA REGULAR DE LA COMISIÓN DE PLANEACIÓN Y ZONAMIENTO**

De acuerdo a la Sección 38-431.01 de los Estatutos Revisados del Estado de Arizona, se les informa a los Miembros de la Comisión de Planeación y Zonamiento y al público en general que la Comisión de Planeación y Zonamiento de San Luis, Arizona, tendrán una junta regular a las 7:00 p.m., el día Martes, 14 de Junio del 2016. La junta se llevara a cabo en la Cámara del Consejo de la ciudad, ubicado en el 1090 East Union Street, San Luis, Arizona, 85349. El público esta cordialmente invitado.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación de 1973, la Ciudad de San Luis no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la ciudad, contactar a: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, 1090 Este Calle Unión, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de éste aviso y de acuerdo con los Estatutos Revisados del Estado de Arizona, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar o no dar el consentimiento ante el Estado o alguna subdivisión política grabe a un menor de edad, ya sea en audio o video. Las juntas del Concilio se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden solicitar por escrito a la Secretaria de la Ciudad dicha grabación, o tomar acción personal para asegurarse que su hijo/hija menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con el Estatuto Revisado del Estado de Arizona §1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Roman Pacheco, Técnico en Planeación



**AGENDA  
PLANNING & ZONING COMMISSION  
REGULAR MEETING  
San Luis Council Chambers  
1090 E. Union Street  
San Luis, AZ 85349  
Tuesday, June 14, 2016  
7:00 P.M.**

**MEMBERS OF THE SAN LUIS PLANNING & ZONING COMMISSION WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION.**

**1. CALL TO ORDER/ROLL CALL**

**2. PLEDGE OF ALLEGIANCE**

**3. CONSENT AGENDA**

All matters are considered to be routine by the Planning & Zoning Commission and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

**3. A. MINUTES OF**

-Regular P&Z Commission Meeting held April 12, 2016

**4. 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.

**4. A.** Public hearing followed by discussion and possible action regarding Rezoning Case No. 2016-0198. A request by Jose Fimbres, owner, to rezone 6,958 square feet lot from High Density (R-3) to Manufacture Home (MH) zoning district. Assessor Parcel ID # 777-28-050 located at 315 E. Cuauhtemoc Street, San Luis, Arizona.

**A. Open Public Hearing**

**B. Close Public Hearing**

**C. Action on Rezoning Case No. 2016-0198**

**5. NEW ITEMS OF BUSINESS FOR FUTURE AGENDAS**

**6. CALL TO THE PUBLIC** - This is the time for the public to comment. Members of the Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(G), action taken as a result of comment will be limited to directing staff to study the matter, or scheduling the matter for further discussion and decision at a future date. All Planning & Zoning Commission meetings are recorded.

**7. ADJOURNMENT**



## PRESENTATION

### Planning & Zoning Commission Meeting

3. A.

Meeting Date: 06/14/2016

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Presentation Topic/Summary:

#### **MINUTES OF**

-Regular P&Z Commission Meeting held April 12, 2016

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#### Attachments

P&Z Minutes April 12, 2016

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## **MINUTES**

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

**CALL TO THE ORDER /ROLL CALL.** The meeting was called to order at approximately 7:00 PM., by Chairman Bill Cordova.

**PLEDGE OF ALLEGIANCE:** Pledge of Allegiance was led by Chairman Bill Cordova.

**PRESENT:**

Chairman Bill Cordova  
Vice Chairman Javier Barraza  
Commission Member Daniel Bazua  
Commission Member Hugo Garcia  
Commission Member Maria G. Guzman  
Commission Member Jose A. Ponce

**ABSENT:**

Commission Member Guillermina Fuentes

**OTHER PRESENT:**

John Starkey, Zoning Administrator  
Jose A. Guzman, Assistant Planner  
Roman Pacheco, Planning Technician  
Kay Macuil, City Attorney  
Richard Bauermann, Fire Inspector  
Ruben Walsh, Council Member  
Vianey Vega, Vega & Vega Engineering, PLC.  
Nieves G. Riedel, Riedel Construction, Inc.

**CONSENT AGENDA:**

1. **Approval of Minutes**
  - [Regular Planning & Zoning Commission Meeting held January 12, 2016](#)
2. **Withdrawals by Applicant** - None
3. **Time Extensions** – None
4. **Continuances** --None
5. **Approvals** – None

**MOTION:** Javier Barraza / Daniel Bazua to APPROVE the Consent Agenda as presented. Motion passed unanimously (6-0).

**At the request of John Starkey, Zoning Administrator Item 4.B., was moved from the order on the agenda and was presented as the first item.**

**PUBLIC HEARINGS**

**AGENDA ITEM 4.B.**

Public hearing followed by discussion and possible action regarding Rezoning Case No.2016-065. A request by Edais Engineering, Inc., on behalf of Nieves Riedel, Riedel Construction, Inc., owner, to rezone 27.58 acres, more or less, from Rural Area Residential (RA-10) to Medium Density Residential (R1-6) zoning district. Assessor Parcel ID #776-11-001 and Assessor Parcel ID #776-03-003 located south of County 22nd Street between the East Main Canal and Las Quintas De San Luis Subdivision.

**Open Public Hearing**

**Angela Gallardo, Edais Engineering,** stated that Las Quintas de San Luis II will consist of 112 residential lots, it's located along the East Main Canal. The main access will be located on County 22<sup>nd</sup> Street and the secondary access thru

Torres Street. It is our intention to comply with all the City regulations and Mrs. Riedel will be able to answer any questions.

**John Starkey, Zoning Administrator** summarized staff report recommending APPROVAL of Rezoning Case No. 2015-065 to the City Council with conditions as presented by staff.

**Chairman Bill Cordova** asked Mrs. Riedel if the lots for the two story are closer to the Main Canal. **Ms. Riedel** responded not particularly they are not closer than the rest. The reason that we changed that about the two story houses is because people have approached me about why are they not going to be able to build two story houses. I am not in particular like to build two story houses. If you decide that is not a good idea, it does not make any difference to me at least I presented to you.

**Vice Chairman Barraza** stated that he had a question in regards to condition number 4 in the "ANALYSIS" section of the staff report are you talking about County 22<sup>nd</sup> Street and Torres Street. **John Starkey Zoning Administrator** responded that 22<sup>nd</sup> Street is already developed.

**Riedel** responded everything that the city has asked us, we have taken care of. **Commission Member Bazua** asked is the restriction for building single story is for the entire subdivision. **Starkey** responded that originally it was for the entire subdivision but as Mrs. Riedel stated people have requested her to build two story homes and what Mrs. Riedel said is: if someone asked her to build a two story she would build it in south of lot 16.

### **CLOSE PUBLIC HEARING**

**MOTION: Maria G. Guzman / Hugo Garcia** to close public hearing. Motion passed unanimously with 6-0 votes.

**MOTION: Maria G. Guzman / Hugo Garcia** to recommend APPROVAL of Rezoning Case No. 2016-065 to the City Council with Conditions as presented by staff. Motion passed unanimously with 6-0 votes.

**AGENDA ITEM NO. 4. A.**

**Public hearing followed by discussion and possible action regarding Rezoning Case No. 2016-066. A request by Vega & Vega Engineering, PLC, on behalf of Comite De Bienestar Inc., owner, to rezone 29 acres, more or less, from Medium-High Density (R-2) to Medium Density Residential (R1-6) zoning district. Assessor Parcel ID # 777-54-243 located on the southwest corner of Avenue E ½ & County 23 ½ Street.**

**OPEN PUBLIC HEARING**

**MOTION: Javier Barraza / Hugo Garcia** to open public hearing. Motion passed unanimously with 6-0 votes.

**John Starkey, Zoning Administrator,** summarized staff report recommending APPROVAL of Rezoning Case No. 2016-0666.

**Vianey Vega, Vega & Vega Engineering, PLC.** Stated that the original project was already designed and ready to be built and that the existing permit collapsed and expired. We went and redesign the subdivision with the new ordinance in place. The original plat had 154 lots planed for the subdivision, but with the new 6,000 square feet minimum size lot we went down to 138 lots. The case in front of you is the rezoning of the property to be in compliance with the zoning ordinance. We are looking forward to have the preliminary & final plat in front of the commission.

**CLOSE PUBLIC HEARING**

**MOTION: Maria G. Guzman / Hugo Garcia** to close public hearing. Motion passed unanimously with 6-0 votes.

City Staff informed Chairman Cordova that the Planning & Zoning Commission needed to invite the public present to comment regarding this item. The Commission reopen the public hearing.

## **OPEN PUBLIC HEARING**

**MOTION: Javier Barraza / Hugo Garcia** to open public hearing. Motion passed unanimously with 6-0 votes.

**Sarai Salazar 3941 San Pedro Street** stated that they were present at the Citizen Review Meeting and her question was if the developer is going to build the wall and if a house is going to be built next to mine or are there going to be houses here and there. I am also worried that with the movement of the land, desert animals will go into my property.

**Gary Black, Comite De Bien Estar, Representative**, stated that this is an organize construction, the lots will be built normally. The Self-Help is built 10-12 houses at a time. There will be so many things involve with it as far as doing the infrastructure. There will be ADEQ requirements as far as netting and making sure that debris does not go into the other part of the subdivision. We followed all of their guidelines and we have done that on 9A and 9B. We will have water trucks to limit the amount of dust and particles in the air.

**Glenda Ramirez 3940 E. San Pedro Street**, I also have the same concern as Ms. Salazar. But I would like to present my own concern so the commission can understand. On August of last year there were about 5 snakes that came up to my front door and I have a 5 year old child. And in regards with this development we are in favor but what we want is safety.

**Barraza** asked Mr. Black what would be the best practices in your experiences to alleviate that potential problem about the critters moving into the houses.

**Mr. Black** responded that first of all, there has to be a plan. A plan for construction that is, number one: taking care of the water, netting, doing everything you can to stop your debris from going offsite.

**Commission Member Ponce** asked if there was going to be a brick fence. **Mr. Black** responded there is no plans at this point for this, but if there is a requirement we will entertain that.

**Commission Member Bazua** stated that the best way to control or eliminate the critters is to start construction so they can move to another zone.

**Vianey Vega, Vega & Vega Engineering** explained that as far of the wall those are interior walls and not a part of the infrastructure of the subdivision. That is the element of the actual residence and the screen wall is built when the house is built. That is among the adjoining property owners, so that is when the fence is built and it is not a requirement for the developer to install those screen walls and to answer the question, that is not consider in the design.

#### **CLOSE PUBLIC HEARING**

**MOTION:** **Hugo Garcia / Maria G. Guzman** to recommend close public hearing. Motion passed with 6-0 votes.

**MOTION:** **Maria G. Guzman / Hugo Garcia** to recommend APPROVAL of Rezoning Case No. 2016-066 to the City Council as presented by staff. Motion passed unanimously with 6-0 votes.

#### **ITEMS REQUIRING DISCUSSION AND/OR ACTION**

NONE

#### **INFORMATION AND DISCUSSION ITEMS**

NONE

#### **NEW ITEMS OF BUSINESS FOR FUTURE AGENDAS**

**Starkey** informed members of the Planning & Zoning Commission that there was going to be a text amendment on the next month agenda relating to Sign Regulations.

#### **CALL TO THE PUBLIC**

There were no public comments.

#### **ADJOURNMENT**

**Chairman Barraza** adjourned the meeting at approximately 7:47 PM.



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

4. A.

**Meeting Date:** 06/14/2016

**Submitted By:** Roman Pacheco, Planning Technician, Development Services

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#### **ITEM:**

Public hearing followed by discussion and possible action regarding Rezoning Case No. 2016-0198. A request by Jose Fimbres, owner, to rezone 6,958 square feet lot from High Density (R-3) to Manufacture Home (MH) zoning district. Assessor Parcel ID # 777-28-050 located at 315 E. Cuauhtemoc Street, San Luis, Arizona.

**A. Open Public Hearing**

**B. Close Public Hearing**

**C. Action on Rezoning Case No. 2016-0198**

#### **BACKGROUND:**

The subject property is located in Rancho San Luis Mobile Home. The properties to the northeast area are zoned as Mobile Home (MH). Moctezuma Apartments is located to the south of the proposed rezoning; it is zoned as High Density (R-3).

#### GENERAL PLAN:

This area is designated as Neighborhood in the City of San Luis 2020 General Plan. The activities proposed will be consistent with that designation (Chapter 2, Page 19-20). The Neighborhood Land Use designation allows all types of residential development.

#### AGENCY REVIEW:

As a part of the review process, all land use cases are reviewed by various City and outside agencies. The City has not received any significant concerns or objections from the various review agencies or adjacent property owners. As required by State Statute, staff sent notification letters to property owners within 300 feet of the proposed project (30 letters). The City has not received any other significant concerns or objections from the various review agencies or adjacent property owners.

#### CITIZEN REVIEW:

As required by State statute (A.R.S. §9-462.03) and City of San Luis Zoning Ordinance (Section 3.0-C), a Citizen Review meeting was held at City Hall on June 7th.

The purpose of the Citizen Review Meeting is to provide adjacent landowners and other potentially affected citizens an opportunity to ask questions and express any issues or concerns that they may have with the proposed rezoning or specific plan application prior to the public hearing.

#### **SUMMARY:**

This lot was rezoned from the Manufacture Home (MH) Zoning District to High Density Residential (R-3), so a fourplex apartment building could be built on the parcel. It has been several years and that did not happen. The existing manufacture home on this site is very old and the owner wants to replace it. Therefore, the lot needs to be rezoned back to MH.

#### **RECOMMENDED MOTION:**

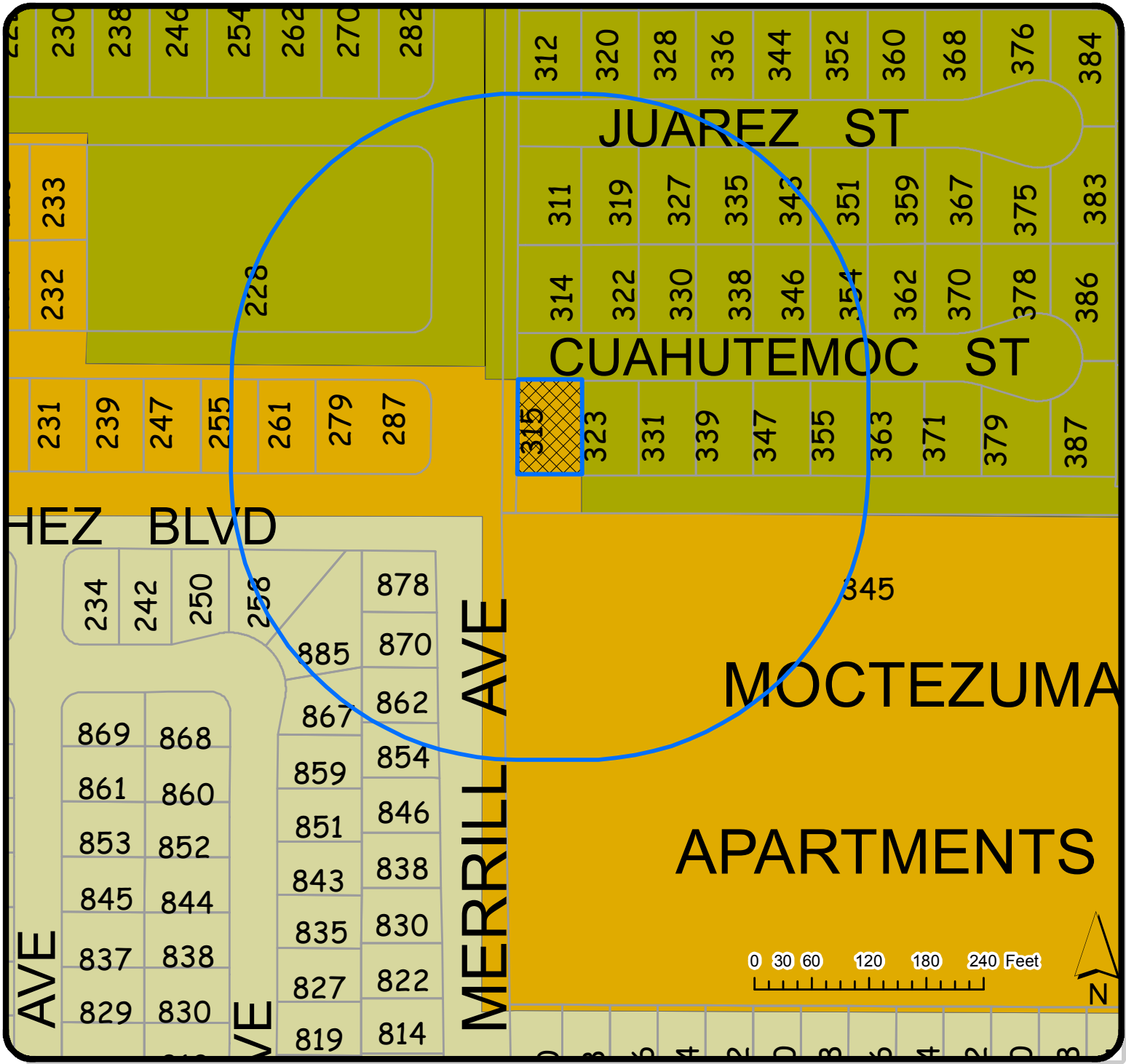
**I move to recommend APPROVAL of Rezoning Case No. 2016-0198 to the City Council as presented by staff.**

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**Attachments**

Location Map

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**PROPOSED LOCATION**  
**PARCEL: 77528050**  
**315 E CUAHUTEMOC ST**



**300 ft Notification Buffer**

# Location Map

**REZONING**

**ZONING LEGEND**

**MANUFACTURED HOME ZONING DISTRICTS**

 MH

**MULTIPLE RESIDENCE ZONING DISTRICTS**

 R-2

 R-3

**Date:**  
 4/28/2016

**Checked By:**



**Prepared By:**  
 IG

**APPROVED BY:**  
 JS

**Case No.**  
 2016-0198