

MINUTES

REGULAR MEETING
PLANNING AND ZONING COMMISSION
SAN LUIS COUNCIL CHAMBERS
1090 E. UNION STREET
APRIL 11, 2017
7:00 PM

1. CALL TO THE ORDER /ROLL CALL: The meeting was called to order at approximately 7:03 PM., by Vice Chairman Javier Barraza.

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

PRESENT:

Vice Chairman Javier Barraza
Commission Member Hugo Garcia
Commission Member Guillermina Fuentes
Commission Member Marco A. Pinzon

ABSENT:

Chairman Bill Cordova
Commission Member Daniel Bazua
Commission Member Jose A. Ponce

OTHER PRESENT: Jose A. Guzman, Acting Planning and Zoning Director
Roman Pacheco, Planning Technician
Kay Macuil, City Attorney
Ray Urias, Attorney
Richard Bauermann, Firefighter/EMPT
John Starkey, Edais Engineering
Alberto Geraldo, San Luis, AZ, Resident

3. CONSENT AGENDA:

3. A. MINUTES OF

- Regular Planning & Zoning Commission Meeting held October 11, 2016

MOTION: Marco A. Pinzon / Hugo Garcia to APPROVE the Consent Agenda as presented. Motion passed unanimously (4-0).

4. PUBLIC HEARINGS

4. A. Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2017-0123. A request by Alberto Geraldo, on behalf of Comite de Bien Estar, Inc., owner, for a Conditional Use Permit to allow the establishment of a religious institution at 1050 E. Arizona Street in San Luis, Arizona.

A. Open Public Hearing

Jose A. Guzman, Acting Planning and Zoning Director, summarized staff report recommending APPROVAL of Rezoning Case No. 2017-0123.

Commission Member Marco A. Pinzon asked Mr. Guzman to repeat what he had stated regarding the improvements of parking. **Guzman** responded that the conditional use is for the use of the property as a church but they still have to comply with all the requirements, which are the improvements of the parking and landscaping. The applicant did not meet the one year of the conditional use, so it expired and they had to start with the process again. This time the applicant is planning to do all the improvements before the permit expires.

Acting Chairman Javier Barraza, asked Mr. Geraldo what prevented you from moving in to the building the first time.

Alberto Geraldo, Applicant, responded that the first time, we were working on the contract to be re-written and to get it more specific about what we wanted, that took time. By the time we got everything square away the

permit expired. Sister in Christ told me that some neighbor came in and said we are ready for the church, when are you going to start.

Commissioner Hugo Garcia asked are you guys ready to start doing the remodeling, the landscaping and parking lot. Mr. Geraldo responded yes, that they were ready and knew about the requirements that they need to meet and that they have the funds. Also, Mr. Geraldo stated that they had started painting the walls.

Commissioner Pinzon asked so you had mentioned that you have the funds already and that you already talking with company for quotes for the improvements or are you guys going to do it yourself. Geraldo stated that somebody else is charge about that and was unable to be here tonight.

Commissioner Garcia asked how long do you think is going to take you guys to actually start remodeling that building? **Mr. Geraldo** responded that it will depend of what we need to do with it. We are expecting no more than 6 months.

B. Close Public Hearing

QUESTIONS FOR STAFF

Acting Chairman Barraza asked did they apply for a change of use or something that trigger all the improvement, what happened in the first? **Guzman** responded that it was previously used as an office and whenever they change the use we have to apply the new regulations. **Barraza** asked it would need to paved that parking lot or gravel would be a good standard. **Guzman** responded that something that does not lift dirt (dust free), we are good with that.

C. Action

MOTION: **Guillermina Fuentes / Marco A. Pinzon** to APPROVE Conditional Use Permit Case No. 2017-0123. Motion passed unanimously with 4-0 votes.

5. INFORMATION AND DISCUSSION ITEMS

A motion to reopen item No. 5 was made on the call to the public.

Commissioner Fuentes, asked do we have some kind of rules for the members of the commission to attend the meetings? **Guzman** responded yes. And if we do can we enforce them, how many meetings can we be absent without notifying? Because there are other people interested in coming. I see always the same faces coming to the meetings. It kinds of bothers me, I know that everybody has our own agendas too but if they are not committed to serve then they should step down. **Guzman** responded that after three (3) unexcused absences from any meetings Council can remove them from the board. We have not done any reports on their absences and it is probably something that we will start doing to see who has missed more than three and getting a report to Council to see if something can be done. **Fuentes** stated that a least they should notify you and if you know that a member has been absent you can notify Council.

Ray Urias, Attorney mentioned to Acting Chairman Barraza that his recommendation was if he wants to add this as an item on an upcoming meeting so staff can present options, ways to enforce it, and then you can have back and forth discussion among yourself and staff on how to improve attendance. Because it is something that is probably does need to be talked about. Furthermore, Mr. Urias stated that right now, because it is not listed on the agenda it really should not even had an answer by staff. Because now you are having a discussion, I was going to let one quick question one quick answer but if anybody else start talking now you have a full blown discussion on something that it is not on the agenda. Therefore I recommend to add this as an item on the agenda for future meeting.

Acting chairman Barraza requested for Mr. Guzman to create this item for the following Planning Commission hearing to address the concern brought by Commissioner Fuentes.

MOTION: Marco A. Pinzon / Guillermina Fuentes to CLOSE item No. 5.
Motion passed unanimously.

6. NEW ITEMS OF BUSINESS FOR FUTURE AGENDAS

Jose A. Guzman Acting Planning and Zoning Director, mentioned that as stated before we are going to have a minor general plan amendment and possible amendments for the month of May or June.

7. CALL TO THE PUBLIC

Acting Chairman Barraza asked if anybody present from the public would like to speak to come forward.

There were no public comments

At this time Commission Member Guillermina Fuentes asked if she can ask a question. **Acting Chairman** asked the attorney if this was time that a commissioner can speak or had to be in the prior item. **Ray Urias, Attorney** responded there is nothing on the agenda. **Mr. Urias** responded that as long as the rule is understood, that no action, no discussion, no anything can take place on anything that is not on the agenda. **Fuentes** stated that she should have made her comment in *item 5: Information and Discussion Items* but is ok, I do not expect a response so making my comment in the *Call to the Public* I won't get a response, right? Because I missed item number 5. **Mr. Urias** asked Commission Member Fuentes if she wanted to say something back on item number 5. **Fuentes** responded yes. **Mr. Urias** mentioned you could ask the chairman if he can go back to item number 5 and reopen that because you wanted to say something. **Acting Chairman Barraza** asked do I need a motion for that. **Mr. Urias** responded yes.

MOTION: **Guillermina Fuentes / Hugo Garcia** to reopen item number 5. Motion passed unanimously with 4-0 votes.

8. ADJOURNMENT

MOTION: **Guillermina Fuentes / Hugo Garcia** to adjourn the Regular Planning & Zoning Meeting at approximately 7:39 p.m. Motion passed unanimously.