

## MINUTES

SPECIAL MEETING  
PLANNING AND ZONING COMMISSION  
SAN LUIS COUNCIL CHAMBERS  
1090 E. UNION STREET  
NOVEMBER 29, 2016  
7:00 PM

**CALL TO THE ORDER /ROLL CALL.** The meeting was called to order at approximately 7:01 PM., by Vice Chairman Javier Barraza.

**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 Jose A. Ponce

### **ABSENT:**

Chairman Bill Cordova  
Commission Member Daniel Bazua  
Commission Member Maria G. Guzman

**OTHER PRESENT:** John Starkey, Planning and Zoning Director  
Roman Pacheco, Planning Technician  
Jose A. Guzman, Assistant Planner  
Kay Macuil, City Attorney  
Richard Bauermann, Firefighter/EMPT  
Nieves Riedel, Riedel Holdings, LLC  
Vianey Vega, Vega and Vega Engineering, PLLC  
Gary Black, Comite de Bien Estar, Inc.

**PUBLIC HEARINGS**

**AGENDA ITEM 3.A.**

**Public hearing followed by discussion and possible action regarding Rezoning Case No. 2016-0469. A request by Jesse Couch, on behalf of Border Ranches, LLC, owner, to rezone approximately 10 acres from High Density Residential (R-3) to Community Commercial (C-2) zoning district. Property located on the southwest corner of County 23 1/2 Street and Avenue F.**

**Open Public Hearing**

**MOTION: Guillermina Fuentes / Jose A. Ponce** to open public hearing. Motion passed unanimously with 4-0 votes.

**John Starkey, Planning and Zoning Director,** stated that the applicant has sent staff an email requesting to continue this item indefinitely until further notice.

**CLOSE PUBLIC HEARING**

**MOTION: Hugo Garcia / Guillermina Fuentes** to close public hearing. Motion passed unanimously with 4-0 votes.

**MOTION: Guillermina Fuentes / Hugo Garcia** to CONTINUE Rezoning Case No. 2016-0469 indefinitely. Motion passed unanimously with 4-0 votes.

**AGENDA ITEM 3.B.**

**Public hearing followed by discussion and possible action regarding Conditional Use Permit Case No. 2016-0471. A request by Jesse Couch, on behalf of Border Ranches, LLC, owner, for a Conditional Use Permit to allow a mini storage facility to be located on the southwest corner of County 23 1/2 Street and Avenue F.**

**Open Public Hearing**

**MOTION: Hugo Garcia / Guillermina Fuentes** to open public hearing. Motion passed unanimously with 4-0 votes.

**John Starkey, Planning and Zoning Director**, stated that the applicant has requested to continue this item indefinitely until further notice.

#### **CLOSE PUBLIC HEARING**

**MOTION: Hugo Garcia / Guillermina Fuentes** to close public hearing. Motion passed unanimously with 4-0 votes.

**MOTION: Hugo Garcia / Jose A. Ponce** to CONTINUE Rezoning Case No. 2016-0471 indefinitely. Motion passed unanimously with 4-0 votes.

#### **AGENDA ITEM 3.C.**

**Public hearing followed by discussion and possible action regarding Rezoning Case No. 2016-0498. A request by Edais Engineering, Inc., on behalf of Riedel Holding, LLC, owner, to rezone approximately 10 acres, located north of County 22<sup>nd</sup> Street and east of the East Main Canal from Rural Area Residential (RA-10) to Medium Density Residential (R1-6) zoning district.**

#### **Open Public Hearing**

**MOTION: Javier A. Ponce / Hugo Garcia** to open public hearing. Motion passed unanimously with 4-0 votes.

**John Starkey, Planning and Zoning Director**, summarized staff report recommending APPROVAL of Rezoning Case No. 2016-0498, subject to the CONDITION that the developer must provide a secondary point of access for the proposed subdivision.

**Acting Chairman Barraza** asked the second access is going to connect to what area. **Starkey** responded that the other subdivision that is in the process almost of final plat approval is south of County 22<sup>nd</sup> but it has access to that existing subdivision. This 10 acres there is farm land in the valley next it and there is BLM mesa land in the east of it. At this time, the only access to it right now, off of County 22<sup>nd</sup> Street.

**Barraza** asked do you think this proposed development would cause like a traffic light at that intersection. **Starkey**, responded that would be up to

Public Works, or you have to do a traffic study, or get a warrant to install a traffic signal. But, I think as of this time until such time the area is fully developed, I am not sure a traffic signal would be there any time in the future.

**Nieves Garcia Riedel, 1694 N. 9<sup>th</sup> Avenue, Applicant,** stated that she is requesting a change of zoning. Right now, what I have in my head is that I think that the City of San Luis within the next 2 years would be able to do a gated community. The thing with the two access, I don't see a problem, is just BLM land next to it. When we did Los Alamos subdivision it was a mile and we had to cross a lot of Federal Land. And we went to the process of asking the Federal Land for right-of-ways. This is exactly how we are planning and doing. But this is not a subdivision that will become overnight. This subdivision will take for us to do a least a year and half but no more than two years. The market is ready for this type of housing but is not a top priority. For us, to be able to get financing and really test the market, I would like to have this zoning to have something to go by. Furthermore, Riedel stated that she appreciate not having to do the plans, because on Las Quintas II we had to change the plans 4 times, and it is getting to the point of no matter how many times we change the plans, there is always something else. And, I am not going to repeat the same mistake. We first go with the change of the zoning and then I will get together with the City. I want the City to put everything in writing that they expect from us, and then we will take it from there.

**Gary Black, 963 E. B Street, Comite de Bienestar Repetitive,** stated that he support this type of project and thinks that this is a great idea. Also, Mr. Black stated that we need different types of housing and attract different people to the community.

#### **CLOSE PUBLIC HEARING**

**MOTION: Guillermina Fuentes / Hugo Garcia** to close public hearing. Motion passed unanimously with 4-0 votes.

**MOTION:** **Hugo Garcia / Jose A. Ponce** to move forward Rezoning Case No. 2016-0498 to City Council, with an APPROVAL recommendation subject to the CONDITION that the developer must provide a secondary point of access for the proposed subdivision. Motion passed unanimously with 4-0 votes.

**AGENDA ITEM 4.A.**

**Discussion and possible action on any and all matters regarding Subdivision Case No. 2016-0517F. A request by Vega & Vega Engineering, PLC, on behalf of Comite De Bien Estar Inc., for the Final Plat approval for Bienestar Estates 9A Phase 2. The property is located on the southwest corner of Avenue E 1/2 and County 23 1/2 Street.**

**John Starkey, Planning and Zoning Director**, summarized staff report recommending APPROVAL of Final Plat Case No. 2016-0517F subject to the conditions attached to the staff report "Conditions of Approval".

**Vianey Vega, Vega and Vega Engineering 1846 S. 8<sup>th</sup> Avenue, Yuma, AZ**, stated that he wanted to confirm what Mr. Starkey proposing as far as the comments. We got the opportunity to respond to all the comments in and due to the timing of the review of the project some of the staff members have not had a chance to review all the comments. But, we will work with the staff address if there any. We feel that all the comments were addressed on the resubmittal. **Mr. Vega** furthermore stated that if there are any discussion that need to be done with any staff members we are willing to do that.

**Starkey** asked Mr. Black if this subdivision is going to be mostly for Self-Help or we be doing other types of home in there. **Mr. Black** responded this project will be basically for Self-Help but there is no conditions to be just for Self-Help, so it could be several different things. **Starkey** asked do you have any intention of selling lots to people and let them build their own homes, or Comite is going to do most of the construction? **Black** responded that the way the market is today, everything here has to go thru a builder or the Self-Help Program that we have. But our intent is to do Self-Help Program.

**MOTION:** **Hugo Garcia / Javier A. Ponce** to recommend APPROVAL of Final Plat Case No. 2016-0517F subject to the conditions of approval attached to the staff report. Motion passed unanimously with 4-0 votes.

**AGENDA ITEM 4.B.**

**Motion to have a joint work session on December 7, 2016 with the City Council on any and all matters regarding the Open Meeting Law, Conflict of Interest and various laws on Conduct of Public Office.**

**Kay Macuil, City Attorney**, informed the members of the commission that we are going to have a training from Mr. Ray Urias, Attorney who does our Hearing Officer Meetings, he has been an assistant City Attorney in Yuma. And he is going to give the Open Meeting Law, Robert's Rules of Order refresher, and to maximize his time we want to do it with the City Council. There is a meeting on December 7<sup>th</sup> at 6:00 p.m. So, that this body can go to that meeting we are asking for a motion for joint session.

**MOTION:** **Hugo Garcia / Guillermina Fuentes** to have a joint work session on December 7, 2016 with the City Council. Motion passed unanimously with 4-0 votes.

**AGENDA ITEM 5**

**INFORMATION AND DISCUSSION ITEMS**

NONE

**AGENDA ITEM 6**

**NEW ITEMS OF BUSINESS FOR FUTURE AGENDAS**

**Mr. Starkey** mentioned that we have one other subdivision, it is a commercial / Industrial subdivision on Avenue E and County 24 Street.

**AGENDA ITEM 7**

**CALL TO THE PUBLIC**

No comments from the public.

**AGENDA ITEM 8**

**ADJOURNMENT**

**MOTION**: **Javier Barraza / Hugo Garcia** to adjourn the Regular Planning & Zoning Meeting at approximately 7:52 p.m. Motion passed unanimously.