

## **MINUTES**

REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
SAN LUIS COUNCIL CHAMBERS  
1090 E. UNION STREET  
OCTOBER 8, 2019  
7:00 PM

**1. CALL TO THE ORDER /ROLL CALL:** The meeting was called to order at 7:10 PM, by Chairman Marco A. Pinzon.

**2. PLEDGE OF ALLEGIANCE:** Pledge of Allegiance was led by Chairman Marco A. Pinzon.

**PRESENT:**

- Chairman Marco A. Pinzon
- Commission Member Daniel Bazua
- Commission Member Javier Barraza
- Commission Member Hugo Garcia
- Commission Member Guillermina Fuentes
- Commission Member Veronica Zavala

**ABSENT:**

**Staff Present:**

- Jose A. Guzman, Director of Planning and Zoning
- Roman Pacheco, Planning Technician
- Kay Macuil, City Attorney
- America Cano, Administrative Coordinator
- Eulogio Vera, Public Works Director

**Others Present:**

Buna George, Greater Yuma Port Authority  
Christian Cuevas, Interpreter  
Elizabeth Carpenter  
Frank Rascon, Industrial Park Association  
Gloria Torres, Council Member  
Joe Harper, Resident  
Mario Jauregui, San Luis Industrial Park  
Mark Concha, Riedel Holdings, AZ, LLC.  
Najeh K. Edais, Edais Engineering, Inc.  
Olivia Jenkins, Riedel Holdings AZ, LLC.  
Nieves Riedel, Riedel Holdings AZ, LLC.  
Russel L. Jones, RL Jones  
Susan K. Thorpe, Yuma County Administrator

**3. CONSENT AGENDA**

**3. A. APPROVAL OF MINUTES**

-Regular Planning and Zoning Commission meeting held September 10, 2019.

**MOTION: Vice Chairman Daniel Bazua/ Commission Member Hugo Garcia** to approve the consent agenda as presented. The motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice-Chairman Daniel Bazua	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye

Commission Member Guillermina Fuentes	Aye
Commission Member Veronica Zavala	Aye

**4. ITEMS REQUIRING DISCUSSION AND/OR ACTION** – 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 on any and all matters regarding Major General Plan Amendment Case No. 2019-0394. A request by Edais Engineering, Inc. on behalf of San Luis Port, LLC, to change the land use designation from Business and Industrial to Neighborhood for 164.76 acres located at the northeast corner of Avenue E and County 24<sup>th</sup> Street.**

**A. Open public hearing**

**MOTION: Commission Member Javier Barraza/Commission Member Veronica Zavala to open public hearing. The Motion passed unanimously.**

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice-Chairman Daniel Bazua	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member Guillermina Fuentes	Aye
Commission Member Veronica Zavala	Aye

**1. Staff Presentation**

**Jose A. Guzman, Director of Planning and Zoning**, summarized staff report recommending to CONTINUE public hearing regarding Major Amendment Case No. 2019-0394 to the Planning and Zoning Commission meeting of October 15, 2019.

**Najeh Edais, Edais Engineering**, San Luis running out of residential land. When we were considering this piece of property located north of 24th Street and this piece of property is far from border. The chance to ever developing for Industrial is very rare. Leaving this land vacant

for a very long time is not beneficial to the City of San Luis and its citizens. This is good for us because there is a need for residential development and it is far from industrial activity and far from the border. As you see, we are not changing the business part for the commercial. The corridor along Avenue E it is going to remain as commercial. We think this is very viable for the city to have businesses such as gas stations, hotels and strip shopping centers to support traffic that goes back and forth into the port. Therefore, we are leaving corridor along Avenue E and along 24th street as commercial. Furthermore, Mr. Edais stated that they are working for what is best for that area.

**Commission Member Guillermina Fuentes**, asked what is the distance from the corridor from Avenue E and 24<sup>th</sup> Street. **Mr. Edais** responded about 1/8 of mile (660 ft.). Furthermore, Fuentes stated that the reason why she was asking that question is that because people starting to asking how far or is this going to be right on Avenue E and County 24<sup>th</sup> Street. **Edais** responded that the area behind them is what they are suggesting to be residential.

**Peter Gill, 1451 South Adams Street, Yuma, Arizona**, Stated that his father-in-law is Stephen Shadle, the property owner. We been working for many years to do a development plan for this property, playing with medium density housing, low and high density. This is more of a combination of those efforts of those many years.

**Russel Jones, 3644 West Brandi Lane, Yuma, AZ**, representing RL Jones Properties a company that owns almost over half of Magrino Industrial area that has been developed so far. We already invested between ten to fifteen million dollars in improvements to that area and have plans to do other improvements so obviously what happen to the industrial properties there and its values are very important to us. This particular project is not within the normal distance to be considered so I am coming from a different perspective on this. When Charlie Urtuzuastegui and myself signed the papers to apply to become a City of San Luis. One of our first projects was the Industrial Park that is currently in the City of San Luis and that is because the original group felt that if we do not have meaningful jobs in San Luis is was going to hurt us because the way that taxes work in Arizona. Housing does not pays its full way, I am sure you all know that. The taxes and things that it pays at a state level do not cover the cost supervising public services the housing. Therefore, you need the commercial and industrial at the tax rate that they pay. In addition, the rate they pay for electricity and everything else which keeps everything else flowing. As you consider this different projects I would ask you to look at the requirements and lets not do like we did on Juan Sanchez/Cesar Chavez and have all these stop signs and stop lights nothing is coordinating. Everybody in town tries their best to avoid Juan Sanchez/Cesar Chavez because of that, let us not do that to Avenue E, there has to be a balance.

**Mario Jauregui, County Resident**, stated that he is a long time resident of San Luis. He is been a member of this community since he was 11 years old. His business partner Henry Chavez and

himself own a business here in San Luis were hundreds of trucks come in and out of our facility it is about 17 acres. We found ourselves that is not enough. Therefore, we purchase 13 acres of the Magrino Industrial Park. We are in the process right now of building a 25,000 square new building (Phase 1). The Commercial Port of Entry is a huge asset that we have and we cannot jeopardized. This last year for the first year in ten years we have 28% growth in commercial import in this port and we foresee this increasing in the next 5 years. Right now as we may see 300 trucks on Avenue E, you are going to see 400 next year and 1,000 trucks on Avenue E within the next 4 years. Avenue E and Industrial Park are adjacent to Customs Commercial Port of Entry are such a critical part of this community. We are going to be employing a whole lot more people with long term and well-paying jobs. Most of you can picture where we are right now, surrounded by housing and how inconvenient it is for everybody. we do not want to see that happen be close to housing. That needs to be limited access it is going to be very dangerous. Growth exits me, I want to see more houses been built it is just a critical part.

**Gary Magrino** stated that he is one of the funders of this. There is no industrial opportunities in South County. I am not connected with anybody here I am on the board of the Greater Yuma Port Authority and I can let all of you know that the Greater Yuma Port Authority has authorize me to say that they are very concern about this action. I am a business director of the Cocopah Tribe who do own property in the Industrial Park. When we first came out here and found the old cattle crossing, we thought it would be an easy place to put a commercial port because there was already cattle going across. We found that there was still a five-year adventure with the presidential permit. When we put the Industrial Park in, if you think about it like a heart, it is the economic pump. In addition, the only thing that feeds the heart is Avenue E. The three spots, 25<sup>th</sup>, 24<sup>th</sup> and up to 23, limited access. When we put in the I95 going up to Yuma, limited access. We wanted to ensure the trucks coming from through San Luis would have a safe way to get across this property and an expeditious way to get to the freeway. **Mr. Magrino** furthermore, stated that another thing that really scare him is a school district on Avenue E.

**Chairman Pinzon** stated that the traffic would always be an issue. We hope that one day it is done in a good way for everyone, in a way there is not too much congestion.

**MOTION: Commission Member Guillermina Fuentes/Commission Member Hugo Garcia** to continue public hearing regarding Major General Plan Amendment Case No. 2019-0394 to the Planning and Zoning Commission meeting of October 15, 2019. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice-Chairman Daniel Bazua	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member Guillermina Fuentes	Aye
Commission Member Veronica Zavala	Aye

**4. B. Public hearing followed by discussion and possible action on any and all matters regarding Major General Plan Amendment Case No. 2019-0395. A request by Vega & Vega Engineering, PLC. on behalf of Sam Group Investment Company Partnership to change the land use designation from Business to Neighborhood for 18.44 acres located at the southeast corner of 20<sup>th</sup> Avenue and County 24<sup>th</sup> Street.**

**A. Open public hearing**

**MOTION: Commission Member Javier Barraza/Commission Member Veronica Zavala to open public hearing. The Motion passed unanimously**

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice-Chairman Daniel Bazua	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member Guillermina Fuentes	Aye
Commission Member Veronica Zavala	Aye

**1. Staff Presentation**

**Jose A. Guzman, Director of Planning and Zoning,** summarized staff report recommending to CONTINUE public hearing regarding Major Amendment Case

No. 2019-0395 to the Planning and Zoning Commission meeting of October 15, 2019.

**Vianey Vega, Vega and Vega Engineering**, representing property owner for this case. This amendment is to complete second phase of Subdivision that they are going to start construction in the next couple of weeks. We are going to the final approval stages with the city to get first phase under construction. The project started trying to develop all 40 acres at one phase but because of the rezoning and amendments to the general plan we had to break the project into two phases. The first phase was rezone and it was design to residential R1-6 lots, we have about 90 lots that will be constructed in that phase. The requirement on the second phase was that we needed to apply for a major amendment to change the land use designation to neighborhood and be able to rezone the property to develop the second phase of the residential area. The property would have residential to the west eventually all 40 acres would have residential to the north and right now to the east, we have that existing Industrial Park. A buffer has been created on the east side on the phase 1 to separate residential and industrial and we will do the same on this second phase.

**Vice Chairman Bazua**, asked if this property is to the west of Avenue E? Vega, responded that is correct. It is located south of County 24<sup>th</sup> Street, about ½ of mile up to the west property line.

**Russell Jones, RL Jones**, stated that the Medical Center facility is kind of a stretch to call it industrial; it is a commercial application that is going to bring a lot of traffic to enclose proximity to Avenue E. My observation is we do already see traffic from the housing on Avenue F would come back if they are going to Yuma they would come down on County 24<sup>th</sup> or 23<sup>rd</sup> ½ and they will access Avenue E for stop sign and they will proceed down to get on 195 to go into Yuma. The medical facilities will bring additional traffic. I cannot urge you strongly enough in whatever you decide to do whatever you require the developer to do. When I added all up, we are looking 1,250 homes. We are talking 5 to 7 thousand people. Let make sure that the traffic it is on Avenue E and on County 25<sup>th</sup>, we maintain that. What happens on D and F Street it is a different story but let us keep E sacrosanct and preserve.

**Commission Member Veronica Zavala** asked what the hours of operation for the Port. **Jones** responded that we are from 7:00 a.m. to 7:00 p.m. and in the future, we will have Sunday hours and expand to 9:00 p.m. for trucks. **Zavala** asked Mr. Jones if he had a land available for industrial next to your building. **Jones** responded that he had two facilities built and has a great deal of demand that we might be starting a fourth one.

**MOTION: Chairman Marco A. Pinzon/Vice Chairman Daniel Bazua** to continue public hearing regarding Major General Plan Amendment Case No. 2019-0395 to the Planning and Zoning Commission meeting of October 15, 2019. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice-Chairman Daniel Bazua	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member Guillermina Fuentes	Aye
Commission Member Veronica Zavala	Aye

**4. C. Public hearing followed by discussion and possible action on any and all matters regarding Major General Plan Amendment Case No. 2019-0396. A request by Vega & Vega Engineering, PLC, to change the land use designation of 493 acres located at the southwest corner of County 24th Street and Avenue D.**

**A. Open public hearing**

**MOTION: Commission Member Guillermina Fuentes/Commission Member Veronica Zavala** to open public hearing. The Motion passed unanimously

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice-Chairman Daniel Bazua	Aye



Avenue D where we can look into providing additional industrial if needed. We feel that this is a good plan that we are presenting that will come and create those buffers that are required.

**Commission Member Barraza** asked how many potential lots and trips per day. Mr. Vega responded between 6-8. **Barraza** mentioned that he sees the increase of traffic and that is a concern that we should look into it. **Vianey** stated that with growth comes challenges and with all this new propose developments of you will need new improvements, to mitigate all these growth. The city needs to grow and the improvements need to be in place to allow the growth.

**Mario Jauregui** stated that he was just recently in Salinas, California visiting a potential customer and as I was talking to him one of his main concern was getting trucks coming to San Luis that has been really difficult for our customers. They come in to Yuma but to come down to San Luis it is been a struggle. We are doing our best to tell them we have a limited access highway, 20 to 25 minutes and you can be from interstate eight to the Industrial Park. This is getting us nervous because we obviously do not want jeopardize that corridor. Therefore, whatever we do as a community we just need to make sure that is well protected.

**Russel Jones** – stated that he conditionally would of object to the rezoning for the following reasons: 1.) is 25<sup>th</sup> Street. When the Industrial Park was develop, the GYPA got a state grant. City of San Luis, Cocopah and everybody that collaborates. As wells as the initial tenants (Myself, Henry Chavez, Mario and Frank) we had to put considerable monies of our own, specially to finish 25<sup>th</sup> Street. Because the property owner that is been consider here, never contributed their share of 25<sup>th</sup> Street. My question to you is who is going to pay for D, who is going to pay for the overpass, how are we going to keep the integrity of E and 25<sup>th</sup> Street if we are going to add that many cars who trips 25<sup>th</sup> Street. We already paid our share in the Industrial Park and those property owners for what we have and for what we are doing. My questions is who is going to pay for the other entire infrastructure so that we can keep E and 25<sup>th</sup> flowing and not dangerous. So that is why I said conditionally objected to this because until I see evidence that there is the funds for the infrastructure.

**Frank Rascon** stated one of his frank business has been here in Arizona since 1992 and before that my father had a shop here and has been for quite longer. We have some property there in the Industrial Park, we worked very hard along everybody else to develop that, and I personal feel that home development in the city is

important and that needs to happen. We need to make sure that we consider a nice healthy solution for ingress and egress off Avenue E. What is been propose it sounds to me like four stops lights along the way in about a two mile run. It is what it is trucks slow down pick up speed, it get dangerous. We are promoting the Port and it is taking a long time to get it there but we are finally seem growth and it is going to get bigger. In addition, I am not against the houses just against the concepts that the houses causing dangerous to the public.

**Elizabeth Carpenter**, owner and representative of the partner that belongs to the group that owns the 640 acres that we have propose for major amendments. I have lived this project for the last 20 years. You can see over 20 years period how long it has taken to give as far as we have. It is a long time to hold on to a piece of property and not able to see some fruits of your labor. We put a lot of thought on what we want to do with this piece of property taking in consideration for the possibility for industrial and commercial in conjunction with residential. We understand the concerns of the traffic, we are mindful of what it can do to the area and what can enhance the area. First of all nobody thought about the schools for all of the residences that are in this area. We have committed to donate a minimum of 10 acres now to the Somerton School District. Most people do not know that this area is within the Somerton School District. What we planned to do with that area – the area we are donating is not on Avenue E. This area is located on County 24<sup>th</sup> east side, because that is where we have land available to do it. We planned for parks, stuff like this that will contribute to the life style in the community out there. We have almost 14 hundred acres out there, which we own. Therefore, there is plenty of land to go for industrial and residential and be a good mix. Along County 25<sup>th</sup> Street, it is Industrial, and along Avenue E, it is Commercial. We have no plans to petition to have other access roads other than what it is already designated. San Luis has no property taxes; the industrial development does not contribute anything because there is no property taxes that they have to pay to the City of San Luis. Sales tax however can come from the commercial I do not think Industrial pays any sales tax,

so that does not contribute to anything to help for the well been of the city. Employment is great but it taken a long time to get this employment down here. I have travel to countries that with different manufacture try to sell this area just as

the Port Authority has done. In addition, everybody that has purchase in there up to this time is local.

**Susan Thorpe, Board Member of Greater Yuma Port Authority**, stated that they have talked about this, have seen it and are very concern about it. The industrial is moving and I think with a little bit of patience we can all be very successful. Our Industrial Park is being sold to people outside of Yuma. I think the same thing will be happening with Industrial Park that is owned by the other facility. They just need to be patience and will see some results with their Industrial Park and not have to go to a short term of trying to find residential because that is where the market is. I think that is a short-term solution that will have long-term economic development disaster consequences for the City of San Luis and the Port. And the Port is going to be the life flood for San Luis with jobs, transportation, traffic, and sales tax. I very opposed to this, the Greater Yuma Port Authority authorized all of us members to talk about our opposition to this.

**Buna George 2788 31<sup>st</sup> place, Yuma, Arizona Executive Director for Greater Yuma Port Authority**, stated that currently we do not have develop land available, we have three new users coming into the park. We are currently working on our next phase and we already have one user that is already interested in about half of the phases that are coming into it. Phase No. 4 is going to be about 132 acres. Along with the establish users we have new users coming in, so we are seen again that activity. This was a topic of conversation in our last board meeting to where we really want to stress that Avenue E headed to SR195 it cannot be restricted. Therefore, you have to understand that the passage serves as a main artery for the commercial trucks travel to and from the Port. We want to ensure that you should not encroach residences up to Avenue E, as it was design for heavy traffic. We see how San Luis 1 gets back up all the way out San Luis and we are talking in the future if we are going to bring POV through that section portion exactly how is that going to turn out. We ask the city to protect original usage of this area and to take consideration the proposed changes to

ensure that the decisions made prevent conflicts within the residential development and future industrial and economic activities.

**Russell Jones** furthermore stated that in the last year, we had a company come to us that wanted approximately 50 to 100 thousand space, we did not have the space in our building and we said sorry. We put them in contact with old Medal Craft building people so they move in there and are very happy. More recently, we had another for 100,000 square feet that they need it; we did not have it here available. We contact the owners of the Medal Craft building, and they told us they were full, that they had no more room. Therefore, the 100,000 square feet is going to Calexico. We are a hot spot in this region.

**MOTION: Chairman Marco A. Pinzon/Chairman Javier Barraza** to continue public hearing regarding Major General Plan Amendment Case No. 2019-0396 to the Planning and Zoning Commission meeting of October 15, 2019. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice-Chairman Daniel Bazua	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member Guillermina Fuentes	Aye
Commission Member Veronica Zavala	Aye

## **5. CALL TO THE PUBLIC.**

There was no comment from the public.

## 6. ADJOURNMENT

**MOTION: Commission Member Guillermina Fuentes/Commission Member Veronica Zavala** to adjourn the meeting at 8:27 p.m. Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Commission Member Hugo Garcia	Aye
Commission Member Guillermina Fuentes	Aye
Commission Member Veronica Zavala	Aye