



## **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, January 8, 2019. 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/ Jose A. Guzman, Director of Planning and Zoning

## **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 8 de Enero del 2019. La junta se llevará 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/ Jose A. Guzman, Director de Planeación y Zonificación



**AGENDA**  
**Planning & Zoning Commission**  
**Regular Meeting**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**San Luis, AZ 85349**  
**Tuesday, January 8, 2019**  
**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. PRESENTATIONS**

Presentation of plaque to Jose A. Ponce in recognition of his years of service to the Planning and Zoning Commission.

**4. 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.

**4. B. APPROVAL OF MINUTES**

-Regular Planning and Zoning Commission meeting held October 9, 2018

**5. 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.

**5. A.** Public hearing followed by discussion and possible action on any and all matters regarding Minor General Plan Amendment Case No. 2018-0682. A request by Vega and Vega Engineering PLC, on behalf of Sam Group Investment Company LTD Partnership, property owner, to amend the 2020 General Plan by changing the Land Use Designation of 18.76 acres from Business to Neighborhood.

A. Open public hearing

1. Staff presentation

2. Call to the Public on this item

B. Close public hearing

C. Action on Minor General Plan Amendment Case No. 2018-0682

- 5. B.** Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2018-0683. A request by Vega and Vega Engineering PLC, on behalf of Sam Group Investment Company LTD Partnership, property owner, to rezone 18.74 acres from Light Industrial (L-I) to Medium Density Residential (R1-6).
- A. Open public hearing
    - 1. Staff presentation
    - 2. Call to the Public on this item
  - B. Close public hearing
  - C. Action on Rezoning Case No. 1018-0683
- 6.** **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.
- 6. A.** Discussion and possible action on any all matter regarding request to accept application for property concerning Rezoning Case No. 2018-0321 in accordance with City Code Section 152.042(I).
- A. Staff presentation
  - B. Action on Application Acceptance Request.
- 6. B.** Discussion and possible action on any and all matters regarding Subdivision Case No. 2018-0633F. A request by Vega and Vega Engineering PLC on behalf of Comite de Bienestar Inc., property owner, for the final plat approval for Bienestar Estates 9C Subdivision to be located at 3415 E. Janet Napolitano Boulevard, San Luis, Arizona.
- A. Staff presentation
  - B. Action on Subdivision Case No. 2018-0633F
- 6. C.** Discussion and possible action on any and all matters regarding Subdivision Case No. 2018-0634F. A request by Vega and Vega Engineering PLC, on behalf of Comite de Bienestar Inc., property owner, for the final plat approval for Bienestar Estates Condominiums to be located at 495 N. Janet Napolitano Boulevard, San Luis, Arizona.
- A. Staff presentation
  - B. Action on Subdivision Case No. 2018-0634F
- 6. D.** Election of Officers.
- 7.** **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.
- 8.** **ADJOURNMENT**



## PRESENTATION

### **Planning & Zoning Commission Meeting**

**3.**

Meeting Date: 01/08/2019

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Presentation Topic/Summary:

#### **PRESENTATIONS**

Presentation of plaque to Jose A. Ponce in recognition of his years of service to the Planning and Zoning Commission.

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## AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

4.B.

Meeting Date: 01/08/2019

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#### Summary

#### **APPROVAL OF MINUTES**

-Regular Planning and Zoning Commission meeting held October 9, 2018

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#### Attachments

Minutes October 9, 2018

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## **MINUTES**

REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
SAN LUIS COUNCIL CHAMBERS  
1090 E. UNION STREET  
October 9, 2018  
7:00 PM

**1. CALL TO THE ORDER /ROL CALL:** The meeting was called to order at approximately 7:00 PM., by Chairman Javier Barraza.

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

**PRESENT:** Chairman Javier Barraza  
Vice Chairman Marco A. Pinzon  
Commission Member Hugo Garcia  
Commission Member Guillermina Fuentes  
Commission Member Veronica Zavala

**Absent:** Commission Member Daniel Bazua  
Commission Member Jose A. Ponce

**Others Present:** Jose A. Guzman, Director of Planning and Zoning  
Roman Pacheco, Planning Technician  
Gary Black, Comite de Bienestar  
Kay Macuil, City Attorney  
Ric Bauermann, Fire Department  
Tadeo de la Hoya, City Manager  
Vianey Vega, Vega & Vega Engineering

### **3. CONSENT AGENDA**

#### **3. A. APPROVAL OF MINUTES**

-Regular Planning and Zoning Commission meeting held September 11, 2018

**MOTION: Vice Chairman Marco A. Pinzon/Commission Member Hugo Garcia** to approve the consent agenda as presented. Motion passed unanimously (5-0).

**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 on any and all matters regarding Text Amendment Case No. 2018-0299. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.121 Light Industrial (L-1) Zoning District. (CONTINUED ITEM FROM REGULAR PLANNING AND ZONING MEETING HELD SEPTEMBER 11, 2018)**

#### **A. Open public hearing**

**Chairman Javier Barraza** to open public hearing.

##### **1. Staff presentation**

**Mr. Jose A. Guzman, Director of Planning and Zoning**, stated that the purpose of this Text Amendment Case is to make changes to the Light Industrial Zoning District, making it more compatible with the needs of the community based on the existing uses. He proceeded to list some of the possible uses that could be made to the facility, along with the requirements.

**Chairman Javier Barraza** asked that if on item 21 which stated storage yard for vehicles to Mexico, if we were exporting cars to Mexico, or just keep them there to sell locally.

**Mr. Guzman** asked if he recommended to take off the Mexico and just making it a storage facility.

**Ms. Kay Macuil, City Attorney,** suggested adding *“including, but not limited to.”*

**Chairman Javier Barraza** mentioned that people will complain if the cars are not being exported.

**Mr. Guzman** stated that there will be a limit of 30 days given.

**Commission Member Guillermina Fuentes** asked who was going to be in charge of enforcing the 30 days.

**Mr. Tadeo de la Hoya, City Manager,** added that the city does not have the resources available to hire someone to be in charge of that.

**Mr. Guzman** stated that it is required for the vehicles to be outside, or outside their fence if they have one, in order for it to be enforced. If the owner has them inside their fence, no enforcement can happen unless there is a complaint by the neighbors.

**Commission Member Veronica Zavala** stated that if the purpose of this amendment was to make it easier, since they were having a lot of cars parked in the residential area, causing complaints.

**Mr. Guzman** assured her this will be as stated in item 22.

Further discussion occurred about what would be considered a complaint. It was said that it will not be actively enforced, but rather then based upon a complaint basis.

**Mr. Guzman** added that he is adding this use as a permitted use, but not specifying what exactly is required.

**Commission Member Veronica Zavala** asked where the 30 day were taken from.

**Mr. Guzman** stated that during his meeting with the stakeholders, they mentioned that the average time was 30 days.

After further discussion, it was determined that someone would have to complain in order for it to be enforced.

**Mr. Guzman** added that after they receive a complaint, following code enforcement, a notice giving them 15 days to comply will be sent, and after a final notice giving them an additional 15 days. A total of 30 days.

## **2. Call to the Public on this item**

There was no comment from the public.

## **B. Close public hearing**

**Chairman Javier Barraza** to close public hearing.

## **C. Action on Text Amendment Case No. 2018-0299**

**MOTION: Commission Member Marco A. Pinzon /Commission Member Hugo Garcia** to take action on Text Amendment Case No. 2018-0299 with item discussed on vehicles being more than 30 days showing proof that they attempted to cross the vehicle to Mexico. Motion passed unanimously. (5-0)

**4. B. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-0385. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.106(C) relating to conditional uses in the Neighborhood Commercial (C-1) Zoning District. (CONTINUED ITEM FROM REGULAR PLANNING AND ZONING MEETING HELD SEPTEMBER 11, 2018)**

**A. Open public hearing**

Chairman Javier Barraza to open public hearing.

**1. Staff presentation**

Mr. Jose A. Guzman, Director of Planning and Zoning requested to withdraw the item. He added that they are currently working on new State regulations regarding food trucks. Mr. Guzman added that he will be conducting research and come back once it is ready.

**2. Call to the Public on this item**

There was no comment from the public.

**B. Close public hearing**

Chairman Javier Barraza to close public hearing.

**C. Action on Text Amendment Case No. 2018-0385**

**MOTION: Vice Chairman Marco A. Pinzon/Commission Member Hugo Garcia to accept applicants request to withdraw Text Amendment Case No. 2018-0385. Motion passed unanimously. (5-0)**

**4. C. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2018-0321. A request by Riedel Holdings LLC on behalf of Border Ranches AZ LLC, owner, to rezone 67.06 acres, located on the northeast corner of County 24th Street and 20th Avenue, from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6).**

**A. Open public hearing**

**Chairman Javier Barraza** to open public hearing.

**1. Staff presentation**

**Mr. Jose A. Guzman, Director of Planning and Zoning**, stated that this request was to rezone 67 acres from R-2 to R1-6 located in the east mesa of the City of San Luis. He added that the current zoning is R-2, which was approved by Ordinance No. 250 in 2007. **Mr. Guzman** mentioned that it included some conditions, one of them being to have land dedicated to the city for parks, and recreational purposes at no cost to the city. He added that approval of this item had the condition that the applicant negotiates the development agreement, before taking it to council.

**Commission Member Guillermina Fuentes** asked how many houses could fit in 67 acres.

**Mr. Guzman** stated that anywhere between 270-275 lots. He added that they are also proposing a lot for a school.

**Commission Member Guillermina Fuentes** asked if the city has enough services to serve the subdivision.

**Mr. Guzman** stated that the city has enough facilities to serve the subdivision.

**Vice Chairman Marco A. Pinzon** asked if we were complete on the piping.

**Mr. Guzman** stated that the sewer diversion project was completed years ago, which gave more capacity to the east.

**Commission Member Guillermina Fuentes** asked why developers are always subject to negotiate conditions, and why is it that they do not do it first, but rather come to the Commission.

**Ms. Kay Macuil, City Attorney** stated that the contracts are approved by Council, and do not need the recommendation from the Planning and Zoning Commission.

**Commission Member Guillermina Fuentes** added that developers should be negotiating with the City. She added that with builders it is done like that, so it should be like that for developers as well.

**Mr. Guzman** stated that the purpose is to have the approval of the Commission, and also for them to ask questions, or add any conditions if they want. He added that once the rezoning goes to the City Council they take the development agreement and the rezoning at the same time.

## **2. Call to the Public on this item**

There was no comment from the public.

### **B. Close public hearing**

**Chairman Javier Barraza** to close public hearing.

### **C. Action on Rezoning Case No. 2018-0321**

**MOTION: Commission Member Hugo Garcia/Vice Chairman Marco A. Pinzon** to forward Rezoning Case No. 2018-0321 to the City Council, with an approval recommendation subject to the condition that the developer negotiates a development agreement with staff. Motion passed unanimously with 4 ayes and 1 nay from Commission Member Guillermina Fuentes. (4-1)

**5. 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.

**5. A. Discussion and possible action on any and all matters regarding Subdivision Case No. 2018-0440P. A request by Vega and Vega Engineering PLC on behalf of Comite de Bienestar Inc., property owner, for the preliminary plat approval for Bienestar Estates Condos. The property is located at 495 N. Janet Napolitano Boulevard, San Luis, Arizona.**

**A. Staff presentation**

**Mr. Jose A. Guzman, Director of Planning and Zoning**, stated that the subject property is located on the east mesa of the City of San Luis within Bienestar Estates 9B Subdivision. He added that the preliminary plat approval is for the layout, and the applicant still needs to comply with all of the applicable City regulations at the time of the final plat. **Mr. Guzman** proceeded to mention that the property was originally designated as Tract B, which are usually tracts that are intended for public purpose such as parks or retention basins. He added that this particular tract was not designated with a specific public use when the final plat was recorded. **Mr. Guzman** stated that it is recommended that the adjacent property owners be notified, since during the process of the preliminary plat the notices are not sent to the adjacent owners.

**Commission Member Guillermina Fuentes** stated that whenever they file an application, they should send the adjacent owners a letter of intent. She added that she feels the process is done backwards, since she believes that by the time this is discussed the letter should have been sent out already.

**Chairman Javier Barraza** stated that the process is done that way only for Rezoning cases.

**Mr. Guzman** stated that the adjacent property owners are notified during Rezoning, Conditional Use, or Variance cases, because that is the state law. He further

explained that for Preliminary Plat, and Subdivision cases, it is not required to notify the adjacent owner.

**Commission Member Veronica Zavala** stated that for the people that live around, it would be nice to know what is happening. She added that she understands this is not a rezoning, but she believes the letter should be sent out of consideration.

**Mr. Guzman** stated that he added notifying the adjacent owners to the motion, therefore owners within 300 feet of the proposed area will be notified. He added that if the Commission feels like more should be notified, it can be arranged.

**Commission Member Hugo Garcia** asked how wide was the notification going to be made, and how was it going to be.

**Mr. Guzman** stated that the same procedure followed for rezoning would be used, and it would be sent to adjacent owners within 300 feet.

**Mr. Vianey Vega, Vega and Vega Engineering**, represents Comite de Bienestar, and is the developer for the project. He proceeded to explain what the plats and the tracts are dedicated for. He specified that because it's a tract, it doesn't mean it is for public use. **Mr. Vega** stated that the notification is not a requirement, since by law they are allowed to use it with the current zoning. He added that by sending the notification, it would create problems, since residents will start to ask questions and complain.

**Vice Chairman Marco A. Pinzon** stated that it was clear that the notifications were not required, but it was a good gesture and to not throw things out of proportion.

**Commission Member Guillermina Fuentes** asked **Mr. Guzman** to explain why notification were being sent out since it was not required.

**Mr. Guzman** stated that it was better to let the neighbors know about what is going on next to their house. This will allow the neighbors to express any concerns they might have.

**Commission Member Guillermina Fuentes** asked that if a resident were to come with an issue, what the city would do.

**Mr. Guzman** stated that the purpose of the notification is to avoid those type of questions once the condominiums are being built. He added that this will allow resident to express concerns before they start to be built.

**Fuentes** further more asked is this a requirement or not? **Guzman** responded no this is not a requirement.

Further discussion of whether the notification should be sent out and if it is a requirement occurred.

**Mr. Vega** stated that when resident complain the city cannot do anything, since by law Comite de Bienestar is allowed to develop on that property under this regulation.

**Gary Black, Comite de Bienestar,** stated that if the Commission opposes to send out notifications, they are doing their job, since they will also be backed up by law.

**Commission Member Veronica Zavala** stated that 10 years ago the plat was not yet designed for condominiums, but residents were sent out a letter then.

**Mr. Vega** stated that the designation of the zoning was emplaced when the plat was recorded.

**Vice Chairman Marco A. Pinzon** asked if the people that sell houses notify the buyers about the lot and what it could be used in the future.

**Mr. Guzman** stated that when people buy houses they get a copy of their CC&R where it states it.

**Commission Member Veronica Zavala** stated that although it says it on their CC&R, residents might not know what it is, so sending a notification is courtesy or like a

reminder. She understands that the city cannot do anything, but it is still right to make a notification.

Further discussion about how people would react and how the city could not do anything about it occurred.

**Mr. Vega** expressed how he did not agree with the notification to the adjacent owners.

#### **B. Action on Subdivision Case No. 2018-0345P**

**MOTION: Commission Member Hugo Garcia/Commission Member Guillermina Fuentes** to approve Subdivision Case No. 2018-0440P- Preliminary Plat for Bienestar Estates Condos and direct staff to not notify adjacent property owners of the proposed project. Motion passed unanimously. (5-0)

#### **6. CALL TO THE PUBLIC**

There was no comment from the public.

#### **7. ADJOURNMENT**

**MOTION: Commission Member Guillermina Fuentes/Vice Chairman Marco A. Pinzon** to adjourn the meeting at approximately 8:01 p.m. Motion passed unanimously. (5-0)



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

5.A.

**Meeting Date:** 01/08/2019

**Submitted By:** Jose A. Guzman, Director of Planning & Zoning, Planning & Zoning Department

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#### ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Minor General Plan Amendment Case No. 2018-0682. A request by Vega and Vega Engineering PLC, on behalf of Sam Group Investment Company LTD Partnership, property owner, to amend the 2020 General Plan by changing the Land Use Designation of 18.76 acres from Business to Neighborhood.

A. Open public hearing

1. Staff presentation

2. Call to the Public on this item

B. Close public hearing

C. Action on Minor General Plan Amendment Case No. 2018-0682

#### BACKGROUND:

This is a request by Vianey R. Vega P.E. of Vega & Vega Engineering, PLC, on behalf of Sam Group Investment Company LTD Partnership, owner, to change the Land Use Designation of 18.76 acres from Business to Neighborhood. The subject property is located on the east mesa of the City of San Luis on the southeast corner of Avenue E 1/2 and County 24th Street.

The properties to the north and west have a land use designation of Neighborhood and are vacant land. The property to the south have a land use designation of Business and is vacant land. On the east is also designated as Business and Southwest Arizona Industrial Subdivision is located with vacant lots.

The reason for the request is that the applicant applied for a rezoning of the property but the proposed zoning district is not compatible with the current land use designation. The rezoning case is to change the zoning of the 18.76 acres from Light Industrial (L-I) to Medium Density Residential (R1-6).

The intent of Business land designation is for higher intensity commercial, office, employment and appropriate industrial uses along major roadway corridors. The allowed zoning districts in this designation are commercial and industrial. The intent of Neighborhood land designation is to focus on the primary living areas in the community and allows all residential zoning districts.

The approval of this amendment would provide a land use designation that would allow for the intended request of the rezoning. The rezoning is for construction of a residential subdivision to be called Belleza Del Desierto Subdivision.

#### ANALYSIS:

In determining whether the proposed General Plan Amendment shall be approved, the Planning and Zoning Commission and City Council shall assure that the proposed amendment meets all of the following criteria:

1. The development pattern contained in the existing San Luis General Plan - Land Use Plan does not adequately provide appropriate optional sites for the use or change proposed in the amendment.
2. The amendment constitutes an overall improvement to the San Luis General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.
3. The amendment will not adversely impact the community as a whole or a portion of the community by:
  - a. Significantly altering acceptable existing land use patterns,
  - b. Requiring additional and more expensive improvements to roads, sewer, or water delivery systems than are needed to support the prevailing land uses and which, therefore, may impact developments in other areas,
  - c. Adversely impacting existing or previously planned uses through increased traffic generated by the proposal on existing systems, or
  - d. Affecting the livability of the area or the health and safety of the residents.
4. The amendment is consistent with the General Plan's overall intent, vision, goals and objectives as well as being compliant with other adopted plans, codes, and ordinances.

Furthermore, the General Plan states that any change to the land designation of more than 20 acres from non-residential to residential triggers a Major Amendment. Major Amendments, by State law, may only occur once per calendar year and a minor amendment may be processed throughout the year.

The conceptual plan is for phase one of the proposed subdivision, which support the presumption that further applications will be requested. This raised the questions whether this request qualified as a minor amendment or should be considered major amendment.

This request for land use designation change qualifies as a minor amendment since it is for less than 20 acres. However, a subsequent application will have to be processed as a Major Amendment. A memorandum from the City Attorney, attached to this report, gives a detailed explanation.

#### **CITIZEN REVIEW MEETING:**

As required by State Statute and the City Code, a Citizen Review meeting was held at the City Hall on December 26, 2018 at City Hall Council Chambers at 6:00 p.m. The intent of this meeting was to allow the public to learn about the project, ask questions and express any comments. There were no people from the public present.

#### **SUMMARY:**

The applicant has provided the information and materials necessary for the review of the Minor General Plan Amendment.

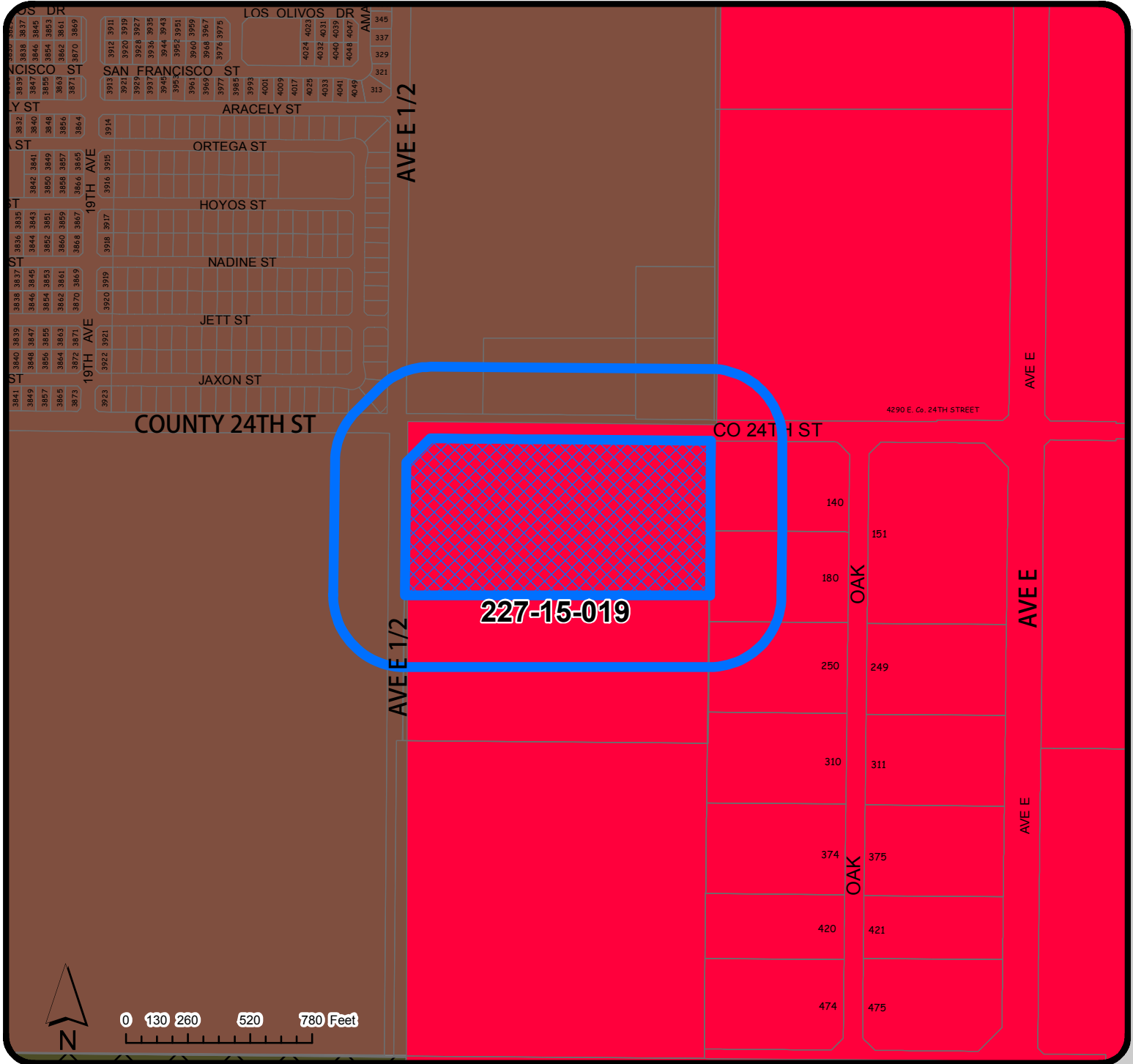
Staff recommendation will be provided to the Commission at the time of the meeting.

#### **RECOMMENDED MOTION:**

**RECOMMENDED MOTION WILL BE PROVIDED TO THE COMMISSION AT THE TIME OF THE MEETING.**

Location Map  
Conceptual Plan  
City Attorney Memorandum


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LOCATION OF SUBJECT PROPERTY

# Location Map

MINOR GENERAL PLAN AMENDMENT

 Southeast corner of Avenue E1/2 & County 24th Street.; Assessor's Parcel No. 227-15-019.

CHANGE 18.76 OF LAND USE DESIGNATION FROM BUSINESS to NEIGHBORHOOD

 300ft Notification Area

Legend  
 Neighborhood  
 Business

**Date:**  
12/19/2018



**Prepared By:**  
ISAAC GUTIERREZ

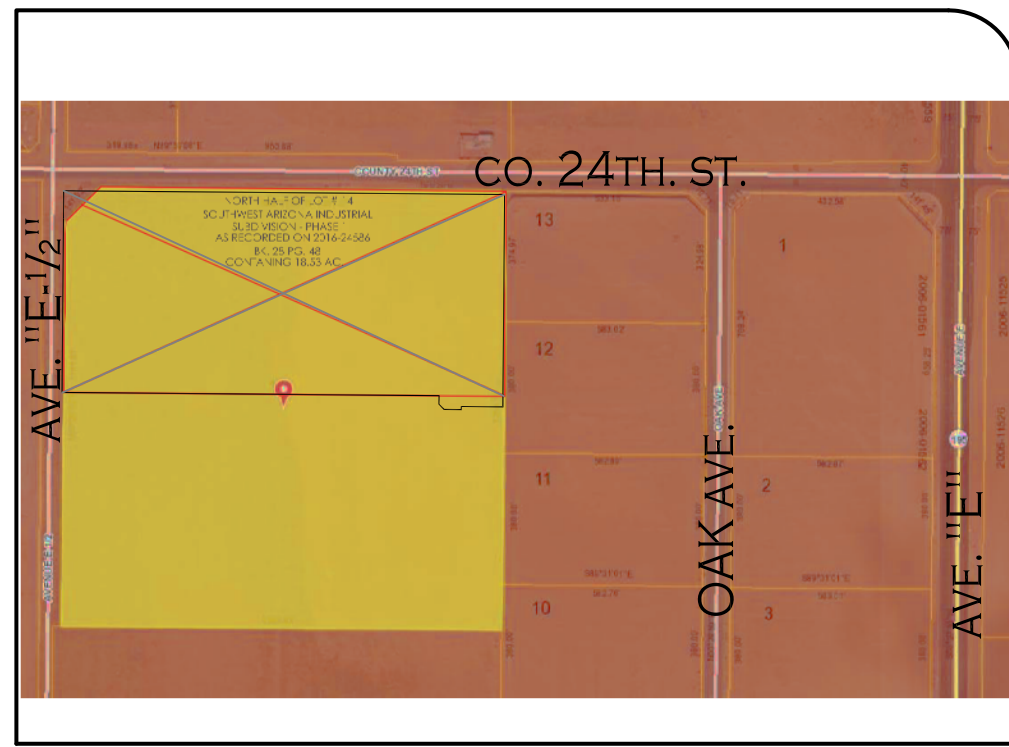
**Case No.**  
2018-0682

**Checked By:**  
ROMAN PACHECO

**APPROVED BY:**  
JOSE A. GUZMAN

# MINOR GENERAL PLAN AMENDMENT & REZONING REQUEST MAP

## PROPOSED CONCEPT PLAN FOR BELLEZA DEL DESIERTO- SUBDIVISION-(PHASE 1)



LOCATION MAP

PROPOSED AREA FOR REQUEST = 18.74 AC.



PRELIMINARY

MEMORANDUM

DATE: January 3, 2019

FROM: KAY MACUIL, CITY ATTORNEY

TO: JOSE A. GUZMAN, DIRECTOR OF PLANNING AND ZONING

RE: GENERAL PLAN AMENDMENT REQUEST FOR CASE NO. 2018-0682

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A request has been made by Vega & Vega Engineering, PLC, on behalf of Sam Group Investment Company LTD Partnership, owner, to amend the 2020 General Plan by changing the Land Use Designation of 18.74 acres from Business to Neighborhood. A portion of Assessor Parcel ID #227-15-019 located on the southeast corner of Avenue E ½ and County 24th Street, San Luis, Arizona. This request is made on a larger parcel that is currently planned for non-residential use. As stated in the City of San Luis General Plan 2020:

“The Arizona Revised Statutes define Major Amendments as (Section 9-461.06 Sub Section C & Section 11-824 Subsection C):

A substantial alteration of the municipality's/county's land use mixture or balance as established in the agency's general/comprehensive plan land use element. The agency's general/comprehensive plan shall define the criteria to determine if a proposed amendment to the plan effects a substantial alteration.”

City Code §152.047(D) states:

(1) A “major amendment” to the General Plan must be filed prior to June 15th of every year to be heard at the one City Council hearing designated each year to review major amendments to the General Plan. Major Amendments shall require an affirmative vote of at least two-thirds of the City Council.

(2) A “minor amendment” to the General Plan may be processed throughout the year and/or in conjunction with a development application.

The City of San Luis General Plan 2020 sets out the criteria for major plan amendments at page 106. Here it states in applicable part:

By State law, Major Amendments may only occur once per calendar year. The following criteria are to be used to determine whether a proposed amendment to the Land Use Element of the City of San Luis General Plan substantially alters the mixture or balance of land uses. A Major Amendment is any proposal that meets any one of these criteria:

MEMORANDUM

RE: General Plan Amendment

January 3, 2019

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1. Any change in a residential land use categories of 40 or more contiguous acres within the Planning Area to either another residential land use category or a non-residential land use category.
- 2. Any change in a non-residential land use category of 20 or more contiguous acres to a residential land use category.**
3. Any proposal that would amend the land use category of more than 80 acres within the Planning Area.
4. A General Plan text amendment, or modification or elimination or one or more of the goals or objectives contained in the Land Use Element of this General Plan that changes any goal or objective regarding residential densities, intensities or major roadway locations. [Emphasis added.]

By only requesting 18.74 acres of the larger parcel, it would appear that the applicant is trying to avoid the matter being processed as a major plan amendment, so as to avail itself of the minor plan amendment procedure. Major plan amendments can only be processed once a year. Minor amendments can proceed at any time. The concern is whether the applicant is trying to avoid the requirements and process of a major amendment by the subterfuge of several amendments of land less than 20 acres in size. If no further amendment of the larger parcel is ever requested, then no “subterfuge” of evading the purpose and requirements of ARS §9-461.06, in particular, A.R.S. §§9-461.06(D) and (E), the City Code, or the General Plan 2020 would occur. But if the amendment of the 18.74 acres is followed by a requested amendment of more land of the larger parcel, it would seem that such multiple requests for amendment are being done to evade or avoid the major plan amendment process.

The concept of “major plan amendment” and “minor plan amendment” with major plan amendments occurring only once a year and involving a special process was added to the Arizona Revised Statutes by a ballot measure known as “Growing Smarter” as put on the ballot by the Arizona State Legislature in the late 1990’s. Arizona has always had in its law the requirement that zoning amendments must conform to the general plan. (A.R.S. §9-462.01(F)). However, occurring before Growing Smarter was what was derisively called the “Scottsdale Solution,” i.e., first was an item on the agenda amending the general plan immediately followed by an item the rezoning the subject property. As a result, by such process, planning was reduced to being a meaningless matter. The purpose of allowing major amendments to occur only once a year was to make change difficult and give planning some true meaning and impact. As stated by the Arizona Legislature, one of the legislative purposes of Growing Smarter was; “that rezoning actions shall be more effectively guided by a community's general and

MEMORANDUM

RE: General Plan Amendment

January 3, 2019

Page 3

comprehensive plans.” (URBAN PLANNING—GROWING SMARTER ACT, 1998 Ariz. Legis. Serv. Ch. 204 (H.B. 2361) (WEST).

It is important to note that while A.R.S. §9-461.06 limits the ability of a city to consider major plan amendments to a single annual occurrence, what is a “major amendment” versus a “minor amendment” is left to local regulation. Hence, the size differential of 20 acres was a ‘line in the sand’ established by City Council, not the State of Arizona. However, changing that text of the general plan would, itself, require a major plan amendment.

Arizona courts, as a matter of public policy, have long been critical of attempts to try and cleverly get around requirements of regulation. If something is considered a “subterfuge,” it is illegal. For Arizona examples see SAL Leasing, Inc. v. State ex rel. Napolitano, 10 P.3d 1221 (Ariz. App. 1st Div. 2000) (sale/leaseback of vehicles subterfuge of laws providing consumer protection and were illegal); State ex rel. Goddard v. Phoenix Union High Sch. Dist. No. 210, 96 P.3d 220, 223 (Ariz. App. 1st Div. 2004) (school district early retirement plan not a subterfuge of ERISA); Schwarz v. City of Glendale, 950 P.2d 167, 170 (Ariz. App. 1st Div. 1997) (buying land to create a buffer zone not a subterfuge of zoning regulations); Molnar v. Indus. Commn. of Arizona, 687 P.2d 1285, 1288 (Ariz. App. 1st Div. 1984) (use of independent contractor’s agreement an illegal subterfuge of workman’s compensation contribution requirements) . Rathkopf’s *The Law of Zoning and Planning* lists examples of where, in the planning and zoning context, courts have held as illegal, subterfuges where “. . . the rezoning of two or more parcels was merely a subterfuge to obscure the actual purpose of according special treatment to one particular landowner.” § 41:7. Size and number of rezoned parcels—Number of parcels, 3 Rathkopf’s *The Law of Zoning and Planning* § 41:7 (4th ed.).

If the intent is to pursue a residential use of a land 20 acres or more, but simply applying in multiple applications to evade or avoid the requirements surrounding major amendments to a general plan as required by Growing Smarter, then any such plan amendment and subsequent rezoning would be invalid. However, one will not know that unless multiple applications are, in fact, attempted. Today that has not yet occurred.

## CONCLUSION

The present application for minor plan amendment qualifies under the standards for minor plan amendment since it is for a size less than 20 acres. But if more land from that larger parcel is requested by a subsequent application, any subsequent application

MEMORANDUM

RE: General Plan Amendment

January 3, 2019

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can only proceed as a major plan amendment since otherwise, the use of multiple applications would be an attempted subterfuge of the requirements of state and local regulation.



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

5.B.

**Meeting Date:** 01/08/2019

**Submitted By:** Jose A. Guzman, Director of Planning & Zoning, Planning & Zoning Department

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#### ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2018-0683. A request by Vega and Vega Engineering PLC, on behalf of Sam Group Investment Company LTD Partnership, property owner, to rezone 18.74 acres from Light Industrial (L-I) to Medium Density Residential (R1-6).

- A. Open public hearing
  - 1. Staff presentation
  - 2. Call to the Public on this item
- B. Close public hearing
- C. Action on Rezoning Case No. 1018-0683

#### BACKGROUND:

This is a request by Vianey R. Vega P.E. of Vega & Vega Engineering, PLC, on behalf of Sam Group Investment Company LTD Partnership, owner, to rezone 18.76 acres from Light Industrial (L-I) to Medium Density Residential (R1-6). The subject property is located on the east mesa of the City of San Luis on the southeast corner of Avenue E 1/2 and County 24th Street.

The properties to the north and west have are zoned Medium-High Density (R-2) and are vacant land. The property to the south is zoned Light Industrial (L-I) and is vacant land. On the east, Southwest Arizona Industrial Subdivision is located with vacant lots zoned industrial and commercial.

#### CITIZEN REVIEW MEETING:

As required by State Statute and the City Code, a Citizen Review meeting was held at the City Hall on December 26, 2018 at City Hall Council Chambers at 6:00 p.m. The intent of this meeting was to allow the public to learn about the project, ask questions and express any comments. There were no people from the public present.

#### GENERAL PLAN:

The current General Plan Land Use Designation for this parcel is Business which is not appropriate for the proposed residential zoning.

A General Plan Amendment is required before the rezoning takes effect. A Minor Amendment is being process in order to make the Land Use Designation compatible with the proposed residential zoning change.

#### SUMMARY:

The applicant has provided the information and materials necessary for the review of the rezoning request.

Staff recommendation will be provided to the Commission at the time of the meeting.

**RECOMMENDED MOTION:**

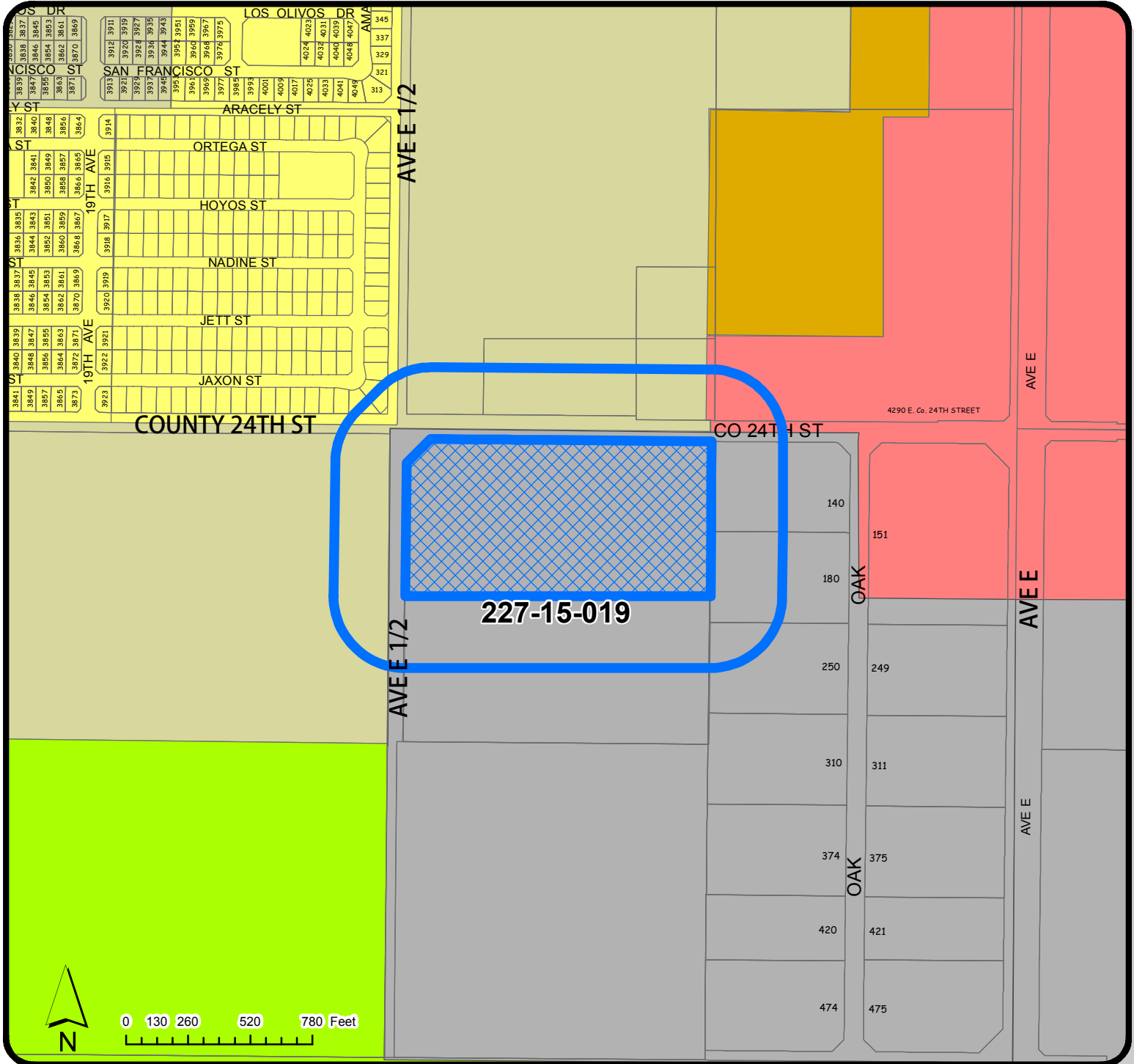
**RECOMMENDED MOTION WILL BE PROVIDED TO THE COMMISSION AT THE TIME OF THE MEETING.**

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**Attachments**

Location Map  
Conceptual Plan

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LOCATION OF SUBJECT PROPERTY

# Location Map

# REZONING

REZONE 18.76 ACRE FROM LI to R1-6

 Southeast corner of Avenue E1/2 & County 24th Street.; Assessor's Parcel No. 227-15-019.

 300ft Notification Area

**Legend**

- COMMERCIAL ZONING DISTRICTS
  - C-2
- INDUSTRIAL ZONING DISTRICTS
  - LI
- MULTIPLE RESIDENCE ZONING DISTRICTS
  - R-2
  - R-3
- SINGLE RESIDENCE ZONING DISTRICTS
  - R1-6
  - RA-10

**Date:**  
12/19/2018

**Checked By:**  
ROMAN PACHECO

DEVELOPMENT SERVICES



CITY OF SAN LUIS, AZ  
INC. 1979  
GIS

**Prepared By:**  
ISAAC GUTIERREZ

**APPROVED BY:**  
JOSE A. GUZMAN

**Case No.**  
2018-0683

# MINOR GENERAL PLAN AMENDMENT & REZONING REQUEST MAP

## PROPOSED CONCEPT PLAN FOR BELLEZA DEL DESIERTO- SUBDIVISION-(PHASE 1)



LOCATION MAP

PROPOSED AREA FOR REQUEST = 18.74 AC.



PRELIMINARY



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

6.A.

**Meeting Date:** 01/08/2019

**Submitted By:** Jose A. Guzman, Director of Planning & Zoning, Planning & Zoning Department

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#### ITEM:

Discussion and possible action on any all matter regarding request to accept application for property concerning Rezoning Case No. 2018-0321 in accordance with City Code Section 152.042(I).

- A. Staff presentation
- B. Action on Application Acceptance Request.

#### BACKGROUND:

The rezoning request was made by Riedel Holdings LLC on behalf of Border Ranches AZ LLC, owner, to rezone 67.06 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The subject property is located in the east mesa of the City of San Luis on the northeast corner of County 24th Street and 20th Avenue (Assessor Parcel ID No. 227-10-009).

This property was rezoned to the current zoning (R-2) back in 2007 by Ordinance No. 250 with conditions, one of the conditions was to have land dedicated and developed for parks and recreation purposes, at no cost to the City.

The new application to rezone to R1-6 was presented to the Commission and the public hearing was held during their regular meeting of October 9, 2018. The Staff Report, Attachments and Meeting Minutes are attached to this report for reference.

During the public hearing staff recommendation was for the Commission to forward this case to the City Council with an approval recommendation subject to the condition that the developer negotiated a development agreement with staff before presenting it to City Council.

The Planning and Zoning Commission forwarded this item to the City Council with approval recommendation subject to conditions as suggested by staff.

Staff received a request from the applicant to withdraw the application on October 18, 2018.

#### ANALYSIS:

In accordance with City Code Section 152.042(I) Subsequent applications, *"In the event that an application for amendment is denied by the City Council or that the application is withdrawn after the Commission hearing, the Commission shall not accept another application for the same amendment within 12 months of the original hearing unless agreed to by a super majority three-fourths vote of the Commission."*

In this case the application for rezoning was withdrawn by the applicant after the public hearing of the Commission. Therefore the applicant has to wait 12 months (October 8, 2019) to resubmit the application, unless the Commission agrees to accept the application before said date.

**SUMMARY:**

The applicant is requesting the acceptance of a subsequent application submittal before the 12 months required in order to continue with this project.

This request is for the acceptance of the application only, not the actual rezoning. If the Commission accepts the application, the rezoning request will be presented to the Commission in another meeting for recommendation to City Council.

**RECOMMENDED MOTION:**

**I MOVE TO ACCEPT SUBSEQUENT APPLICATION SUBMITTAL FOR PROPERTY REGARDING REZONING CASE NO. 2018-0321 IN ACCORDANCE WITH CITY CODE SECTION 152.042(I).**

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**Attachments**

Planning and Zoning Commission Meeting Staff Report and Attachments (10-9-18)

Planning and Zoning Commission Meeting Minutes (10-9-18)

Request to Withdraw Application (10-18-18)

Request to Accept Application (11-29-18)

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## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

4.C.

**Meeting Date:** 10/09/2018

**Submitted By:** Jose A. Guzman, Director of Planning & Zoning, Planning & Zoning Department

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#### ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2018-0321. A request by Riedel Holdings LLC on behalf of Border Ranches AZ LLC, owner, to rezone 67.06 acres, located on the northeast corner of County 24th Street and 20th Avenue, from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6).

- A. Open public hearing
  - 1. Staff presentation
  - 2. Call to the Public on this item
- B. Close public hearing
- C. Action on Rezoning Case No. 2018-0321

#### BACKGROUND:

The subject property is located in the east mesa of the City of San Luis; at the northeast corner of County 24th and 20th Avenue (Assessor Parcel ID No. 227-10-009). Bienestar 9A and Santa Cecilia 2 subdivisions are located to the west and are zoned Medium Density Residential (R1-6). Property to the east are zoned Medium-High Density Residential (R-2) and High Density Residential (R-3) and is undeveloped land. Property to the south is zoned as Medium Density Residential (R-2) and Light Industrial (L-I) further south. Property to the north is part of Yuma County and is undeveloped land.

#### 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 part of the review process, all land use cases are reviewed by various City and outside agencies. We have received comments from the following agencies:

- 1. City of San Luis Fire Department
- 2. Yuma County Airport Authority

As required by State Statute staff sent notification letters to property owners within 300 feet of the proposed project(61 letters). The City has not received any other significant concern or objection from the various review agencies or adjacent property owners.

#### CITIZEN REVIEW MEETING:

As required by State Statute (A.R.S. §9-462.03) and City Code (§152.040(C)), a Citizen Review meeting was held at City Hall on October 2, 2018.

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. There were no people from the public present.

**ANALYSIS:**

As an effort to alleviate the demand for bigger houses the City Council approved Ordinance No. 347, an ordinance to set up the minimum lot size to 6,000 sq. ft. for new subdivisions.

The reason for the rezoning request is that the property is zoned as Medium-High Density (R-2) which does not allow construction of single detached dwellings. The appropriate zoning for the construction of this subdivision is the requested, Medium Density Residential (R1-6) zoning district.

**SUMMARY:**

As mentioned above, the current zoning is Medium-High Density Residential (R-2) and was approved by Ordinance No. 250 back in 2007. The rezoning was approved with conditions, one of the conditions was to have land dedicated and developed for parks and recreation purposes, at no cost to the City.

Staff recommendation is to recommend approval of the request with the condition that the developer negotiates a development agreement with staff to address conditions of Ordinance No. 250.

**RECOMMENDED MOTION:**

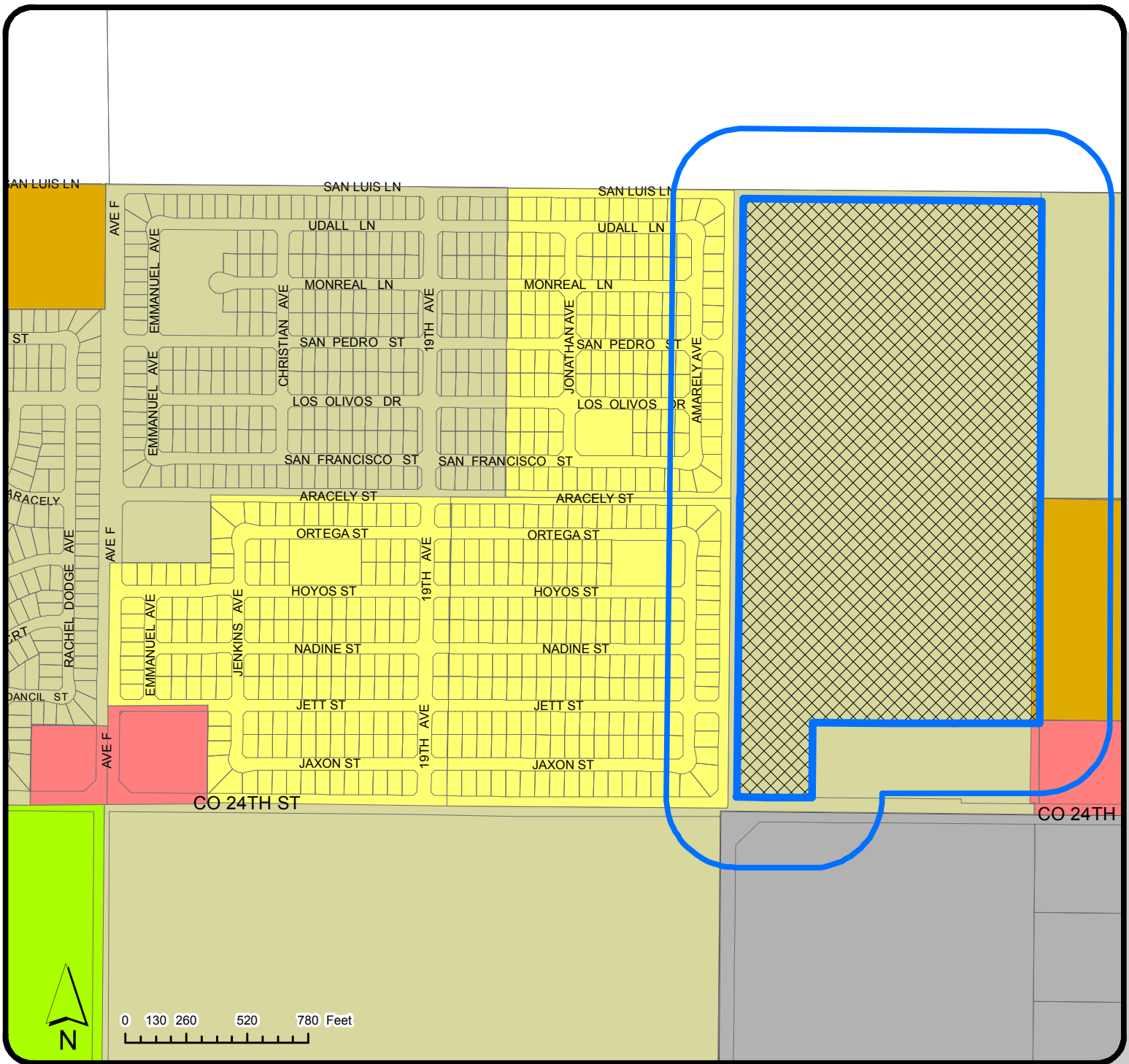
**I MOVE TO FORWARD REZONING CASE NO. 2018-0321 TO THE CITY COUNCIL, WITH AN APPROVAL RECOMMENDATION SUBJECT TO THE CONDITION THAT THE DEVELOPER NEGOTIATES A DEVELOPMENT AGREEMENT WITH STAFF.**

---

**Attachments**

Location Map  
Aerial Picture  
Conceptual Plan  
Ordinance No. 250  
San Luis Fire Department comments  
Yuma County Airport Authority

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# Location Map

**REZONING**

**REZONE FROM R-2 to R1-6**



The subject property address/location: North-west corner of County 24th and 20th Avenue; Assessor's Parcel No. 227-10-009 ( approximately 67.06 acres). This is a request to rezone 67.06 acres from R -2 to R1-6.

**Legend**

- MULTIPLE RESIDENCE ZONING DISTRICTS
  - R-2
  - R-3
- INDUSTRIAL ZONING DISTRICTS
  - I
- COMMERCIAL ZONING DISTRICTS
  - C-2
- SINGLE RESIDENCE ZONING DISTRICTS
  - RA-10



**300ft Notification Area**

**Date:**

9/13/2018

**Checked By:**

ROMAN PACHECO



GIS DIVISION

**Prepared By:**

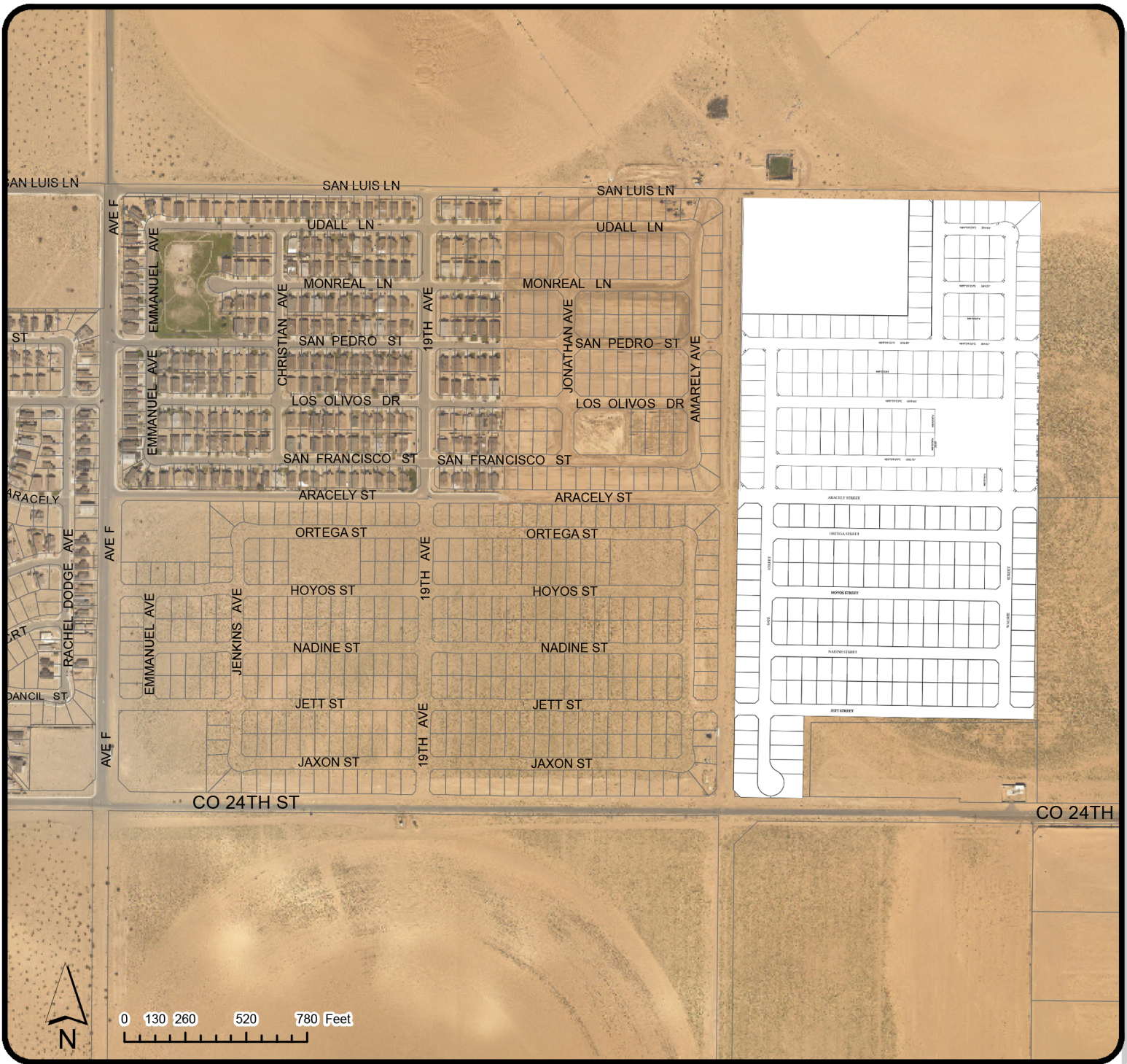
IG

**APPROVED BY:**

JOSE A. GUZMAN

**Case No.**

2018-0458



# Location Map

REZONING



The subject property address/location: North-west corner of County 24th and 20th Avenue; Assessor's Parcel No. 227-10-009 ( approximately 67.06 acres). This is a request to rezone 67.06 acres from R-2 to R1-6. Please include location of subject property, zoning legend, north arrow, scale on map, case #, 300 ft. buffer, and all necessary details.



300ft Notification Area

**Date:**

9/13/2018

**Checked By:**

ROMAN PACHECO



GIS DIVISION

**Prepared By:**

IG

**APPROVED BY:**

JOSE A. GUZMAN

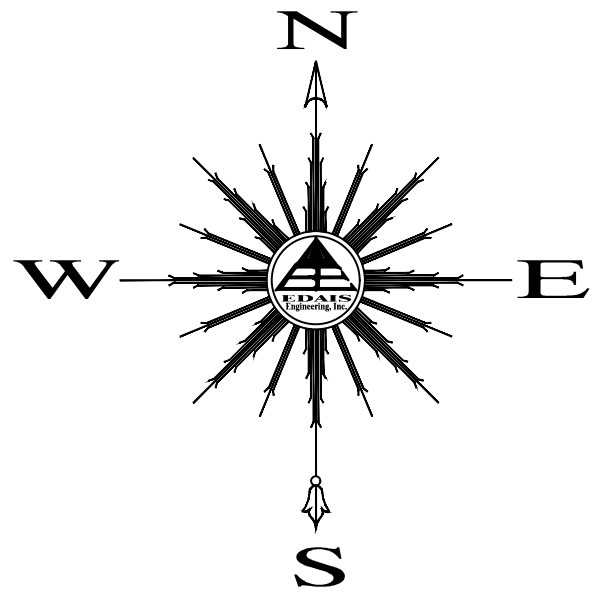
**Case No.**

2018-0458

# SANTA CECILIA No. 3 SUBDIVISION

LOT 3 OF BORDER RANCHES SUBDIVISION AS RECORDED IN BOOK 27 OF PLATS, PAGES 9-10,  
YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, ARIZONA

DATE OF PREPARATION: AUGUST 2018 NUMBER OF LOTS: 141 ACREAGE: 30.30 ACRES



SCALE: 1" = 100'

### LINE DATA

LINE	LENGTH	BEARING
L1	21.20'	N44°58'01"E
L2	21.22'	N45°01'59"W
L3	21.22'	S45°01'59"E
L4	21.20'	S44°57'45"W
L5	21.22'	S45°02'15"E
L6	42.44'	S45°02'03"E
L7	42.41'	S44°58'01"W

### CURVE DATA

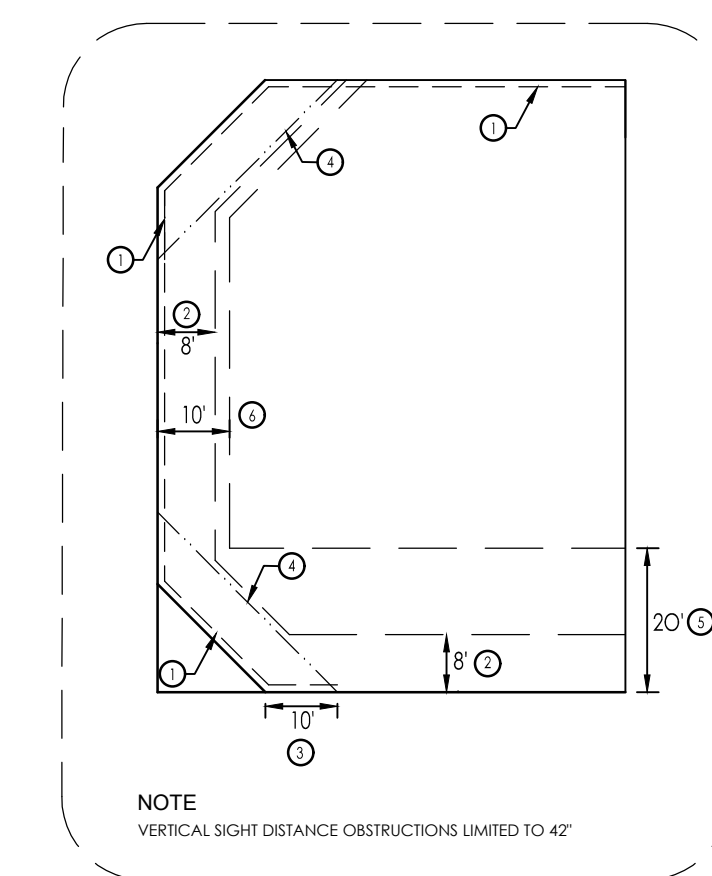
CURVE	DELTA	CHORD DIRECTION	CHORD	TANGENT	RADIUS	LENGTH
C1	062°44'13"	S31°54'52"E	57.78'	33.84'	55.50'	60.77'
C2	134°03'09"	N22°55'06"E	102.20'	130.92'	55.50'	129.85'
C3	090°00'00"	S45°03'20"E	78.49'	55.50'	55.50'	87.18'

### AREAS

LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA
332	5937.50 SF	352	8413.19 SF	372	6253.39 SF	392	6253.39 SF	412	6253.39 SF	432	6253.39 SF	452	6255.90 SF
333	6491.98 SF	353	8413.03 SF	373	6253.39 SF	393	6253.39 SF	413	6253.39 SF	433	6253.39 SF	453	6255.90 SF
334	6484.00 SF	354	9001.44 SF	374	6253.39 SF	394	6253.39 SF	414	6325.10 SF	434	6253.39 SF	454	6255.90 SF
335	6484.00 SF	355	6325.10 SF	375	6253.39 SF	395	6253.39 SF	415	6325.10 SF	435	6253.39 SF	455	6255.90 SF
336	6484.00 SF	356	6253.39 SF	376	6253.39 SF	396	6253.39 SF	416	6253.39 SF	436	6253.39 SF	456	6255.90 SF
337	6484.00 SF	357	6253.39 SF	377	6253.39 SF	397	6253.39 SF	417	6253.39 SF	437	6253.39 SF	457	6255.90 SF
338	6484.00 SF	358	6253.39 SF	378	6253.39 SF	398	6252.97 SF	418	6253.39 SF	438	6253.39 SF	458	6247.44 SF
339	6484.00 SF	359	6253.39 SF	379	6253.39 SF	399	6325.10 SF	419	6253.39 SF	439	6253.39 SF	459	6215.19 SF
340	6484.00 SF	360	6253.39 SF	380	6253.39 SF	400	6325.10 SF	420	6253.39 SF	440	6253.39 SF	460	6275.00 SF
341	6484.00 SF	361	6253.38 SF	381	6253.39 SF	401	6251.37 SF	421	6253.39 SF	441	6253.39 SF	461	6481.98 SF
342	6484.00 SF	362	6253.38 SF	382	6253.39 SF	402	6253.39 SF	422	6253.39 SF	442	6253.39 SF	462	6485.00 SF
343	6484.00 SF	363	6253.38 SF	383	6253.39 SF	403	6253.39 SF	423	6253.39 SF	443	6253.39 SF	463	6485.00 SF
344	6275.00 SF	364	6253.38 SF	384	6325.10 SF	404	6253.39 SF	424	6253.39 SF	444	6325.10 SF	464	6485.00 SF
345	6274.94 SF	365	6253.38 SF	385	6325.10 SF	405	6253.39 SF	425	6253.39 SF	445	6215.19 SF	465	6485.00 SF
346	5999.77 SF	366	6253.38 SF	386	6253.39 SF	406	6253.39 SF	426	6253.39 SF	446	6253.39 SF	466	6485.00 SF
347	5999.60 SF	367	6253.38 SF	387	6253.39 SF	407	6253.39 SF	427	6253.39 SF	447	6253.39 SF	467	6485.00 SF
348	5999.42 SF	368	6256.99 SF	388	6253.39 SF	408	6253.39 SF	428	6248.95 SF	448	6255.90 SF	468	6485.00 SF
349	10865.42 SF	369	6325.10 SF	389	6253.39 SF	409	6253.39 SF	429	6325.10 SF	449	6255.90 SF	469	6485.00 SF
350	9384.52 SF	370	6325.11 SF	390	6253.39 SF	410	6253.39 SF	430	6325.10 SF	450	6255.90 SF	470	6485.00 SF
351	7557.60 SF	371	6255.40 SF	391	6253.39 SF	411	6253.39 SF	431	6247.35 SF	451	6255.90 SF	471	6485.00 SF

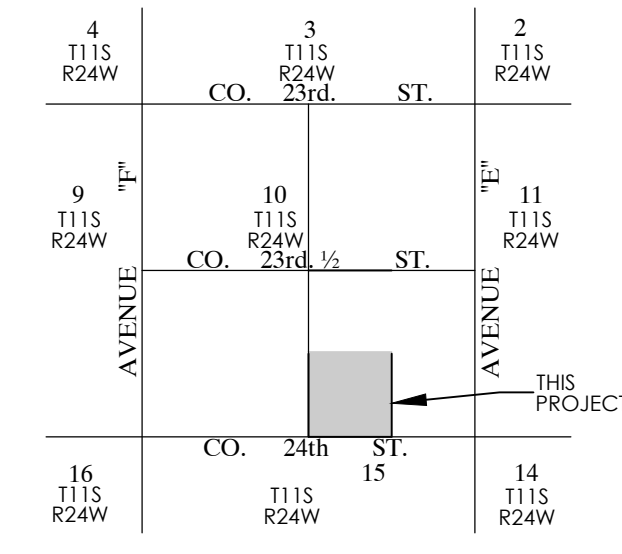
### LEGEND

- CENTERLINE
- RIGHT-OF-WAY (ROW) LINE
- NEW PROPERTY LINE
- EASEMENT (TYPE AS NOTED)
- BOUNDARY LINE
- NEW STREET MONUMENT AS PER YUMA COUNTY STD. DETAIL No. 4-080
- NEW SUBDIVISION BOUNDARY MONUMENT AS PER YUMA COUNTY STD. DETAIL No. 04-030
- EXISTING MONUMENT (TYPE AS SHOWN)
- ① NEW LOT NUMBER
- ④7 EXISTING LOT NUMBER
- A . P . N ASSESSOR PARCEL NUMBER
- B.C. BRASS CAP
- H.H. HAND HOLE
- Y.C.R. YUMA COUNTY RECORDS
- G. & S.R.B. & M. GILA AND SALT RIVER BASE AND MERIDIAN



TYPICAL CORNER LOT DETAIL

### LOCATION MAP



### TRACT AREAS OWNER

TRACT	AREA	OWNER
"A"	1.47 ACRES	R&G ASSOCIATES LLC. P.O. BOX 1649 SAN LUIS, AZ 85349 (928) 627-9385

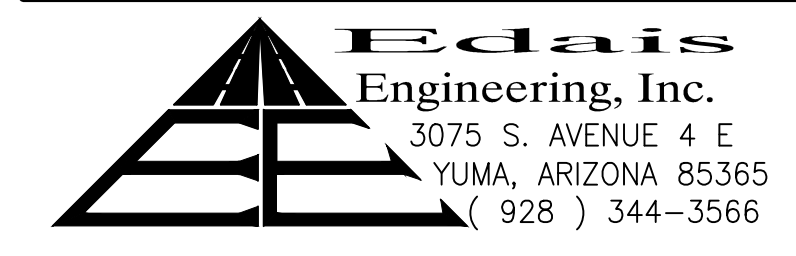
### BASIS OF BEARING

THE WEST LINE OF THE SW 1/4 OF SECTION 10, T11S, R24W, G.S.R.B.&M., YUMA COUNTY, ARIZONA (BEING THE CENTERLINE OF AVENUE "T"), AS SHOWN ON BORDER RANCHES SUBDIVISION, AS RECORDED IN BOOK 27 OF PLATS, PAGES 9&10, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, ARIZONA, NAMELY BEARING N00°02'42"W

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A LAND SURVEYOR LISTED ON THE ROSTER OF ACTIVE REGISTRANTS BY THE STATE BOARD OF TECHNICAL REGISTRATION OF ARIZONA AND THAT THIS MAP CONSISTING OF ONE (1) SHEET CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN.

### PREPARED BY:



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

# SANTA CECILIA No. 4 SUBDIVISION

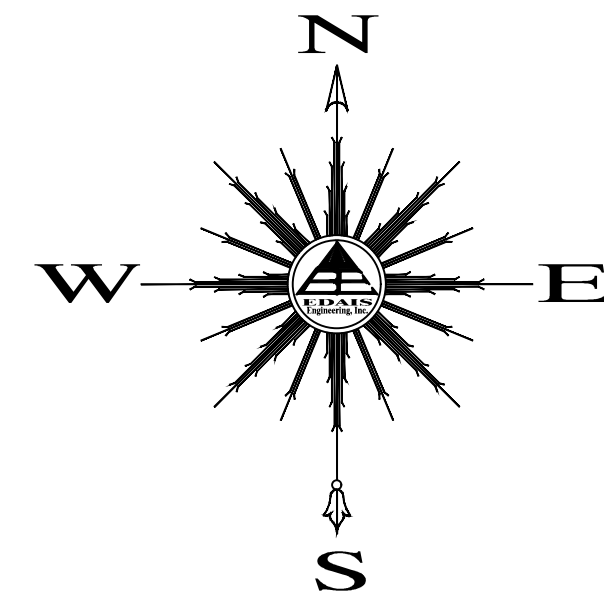
LOT 3 OF BORDER RANCHES SUBDIVISION AS RECORDED IN BOOK 27 OF PLATS, PAGES 9-10,  
YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, ARIZONA

DATE OF PREPARATION: AUGUST 2018 NUMBER OF LOTS: 134 ACREAGE: 36.76 ACRES

A.P.N. 227-10-001  
STATE OF ARIZONA  
(UNDEVELOPED LAND)  
ZONING: R1-40

### LINE DATA

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	21.20'	N44°58'01"E	L8	42.44'	N45°01'59"W
L2	21.22'	N45°01'59"W	L9	42.41'	N44°58'01"W
L3	21.22'	S45°01'59"E	L10	42.41'	S44°57'45"W
L4	21.20'	S44°57'45"W	L11	42.45'	S45°02'15"E
L5	21.22'	S45°02'15"E			
L6	50.00'	S10°19'26"W			
L7	49.84'	N79°34'51"E			



SCALE: 1" = 100'

### LEGEND

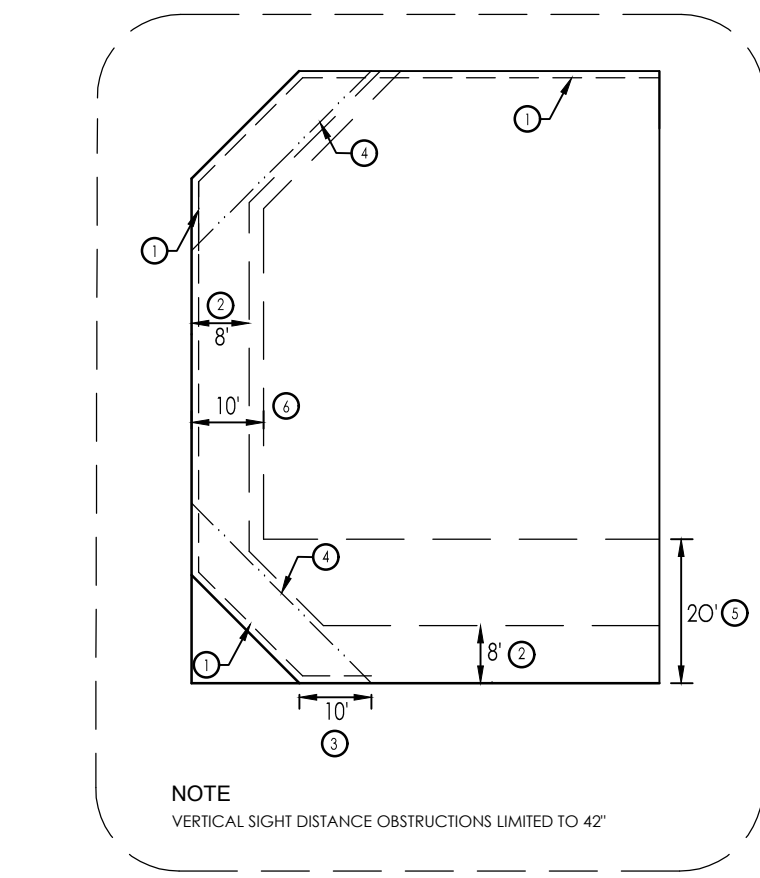
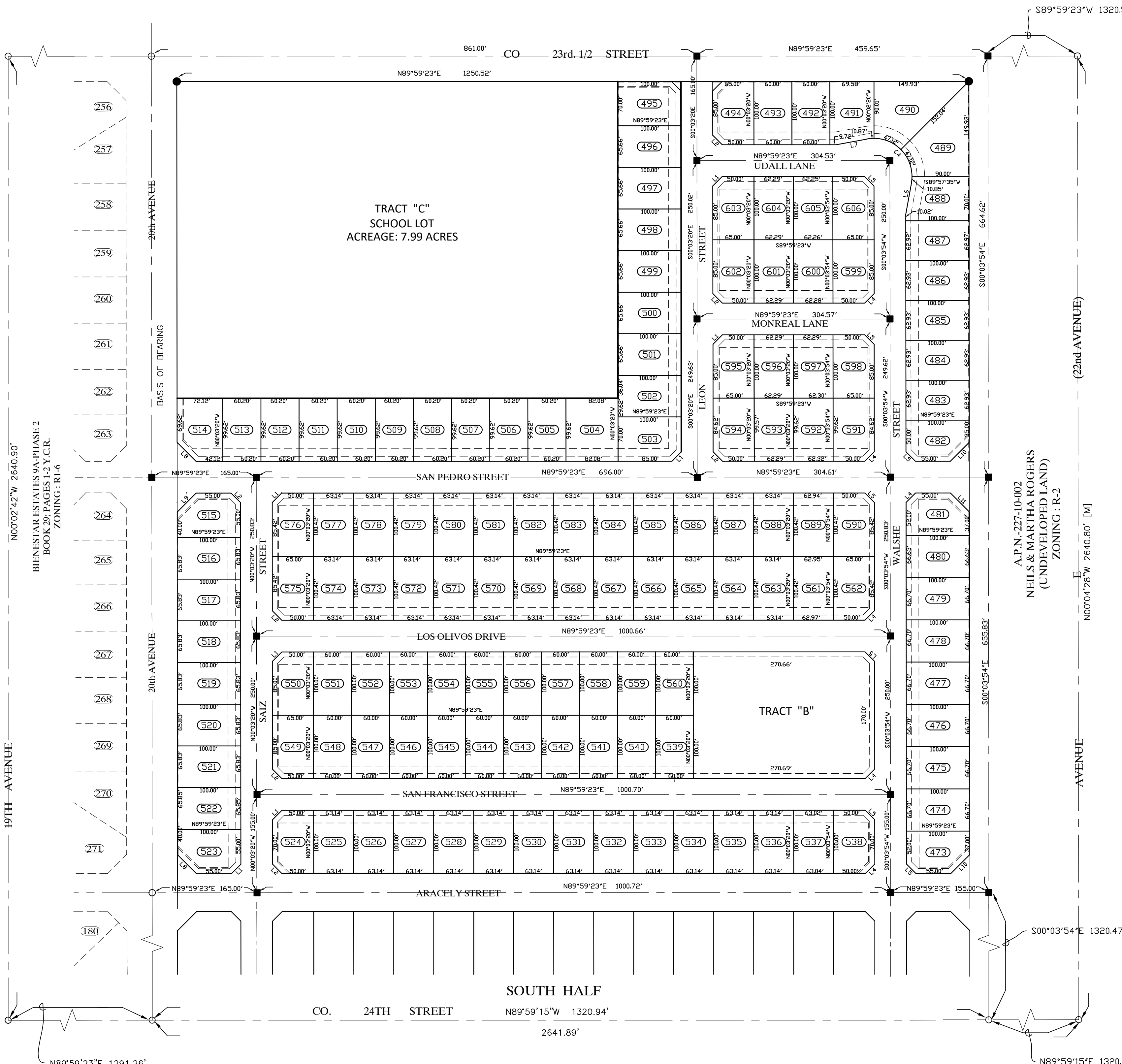
- CENTERLINE
- - - RIGHT-OF-WAY (ROW) LINE
- - - NEW PROPERTY LINE
- - - EASEMENT (TYPE AS NOTED)
- - - BOUNDARY LINE
- NEW STREET MONUMENT AS PER YUMA COUNTY STD. DETAIL No. 4-080
- NEW SUBDIVISION BOUNDARY MONUMENT AS PER YUMA COUNTY STD. DETAIL No. 04-030
- EXISTING MONUMENT (TYPE AS SHOWN)
- ① NEW LOT NUMBER
- ④ EXISTING LOT NUMBER
- A.P.N. ASSESSOR PARCEL NUMBER
- B.C. BRASS CAP
- H.H. HAND HOLE
- ( M ) MEASURED DATA
- ( R1 ) REFERS TO BORDER RANCHES SUBDIVISION RECORDED IN BOOK 27 OF PLATS, PAGE 9 YUMA COUNTY RECORDS
- ( I1 ) DATA REFER TO GENERAL LAND OFFICE PLAT OF SECTION 10, T11S, R24, OFFICIALLY FILED ON 3-12-1922, YUMA COUNTY RECORDS, YUMA COUNTY, AZ. YUMA COUNTY RECORDS
- Y.C.R. YUMA COUNTY RECORDS
- G. & S.R.B. & M. GILA AND SALT RIVER BASE AND MERIDIAN

### CURVE DATA

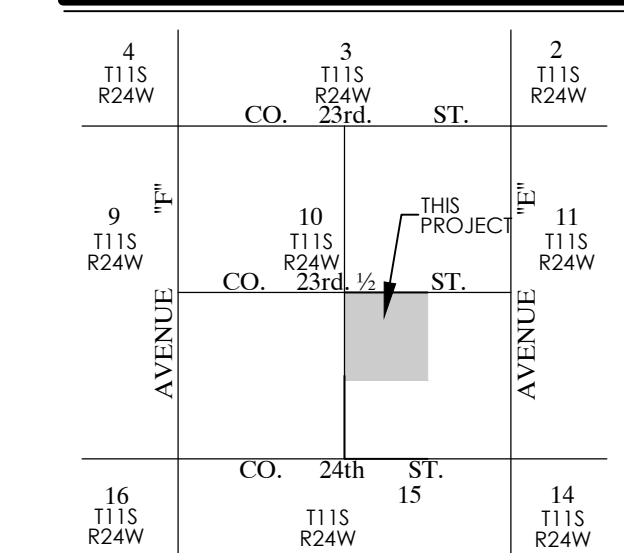
CURVE	DELTA	CHORD DIRECTION	CHORD	TANGENT	RADIUS	LENGTH
C4	110°44'35"	N45°02'51"W	98.74'	86.88'	60.00'	115.97'

### AREAS

LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA
473	6137.50 SF	493	6000.00 SF	513	5997.17 SF	533	6314.00 SF	553	5999.99 SF	573	6340.21 SF	593	6205.42 SF
474	6670.00 SF	494	6387.50 SF	514	6734.65 SF	534	6314.00 SF	554	6000.01 SF	574	6340.21 SF	594	6362.89 SF
475	6670.00 SF	495	6887.51 SF	515	6437.50 SF	535	6314.00 SF	555	5999.98 SF	575	6414.48 SF	595	6387.50 SF
476	6670.00 SF	496	6566.01 SF	516	6583.00 SF	536	6314.00 SF	556	6000.00 SF	576	6414.48 SF	596	6229.00 SF
477	6670.00 SF	497	6566.02 SF	517	6583.00 SF	537	6302.85 SF	557	6000.02 SF	577	6340.21 SF	597	6229.56 SF
478	6670.00 SF	498	6566.03 SF	518	6583.00 SF	538	6275.00 SF	558	6000.00 SF	578	6340.21 SF	598	6387.50 SF
479	6670.00 SF	499	6566.03 SF	519	6583.00 SF	539	6000.00 SF	559	6000.00 SF	579	6340.21 SF	599	6387.50 SF
480	6663.00 SF	500	6566.04 SF	520	6583.00 SF	540	6000.00 SF	560	6000.00 SF	580	6340.21 SF	600	6227.11 SF
481	6137.50 SF	501	6566.05 SF	521	6583.00 SF	541	6000.00 SF	561	6322.43 SF	581	6340.21 SF	601	6229.00 SF
482	5937.50 SF	502	6566.18 SF	522	6585.00 SF	542	6000.01 SF	562	6414.48 SF	582	6340.21 SF	602	6387.50 SF
483	6293.00 SF	503	6888.20 SF	523	6437.50 SF	543	6000.00 SF	563	6340.21 SF	583	6340.21 SF	603	6387.50 SF
484	6293.00 SF	504	8176.83 SF	524	6275.00 SF	544	6000.00 SF	564	6340.21 SF	584	6340.21 SF	604	6229.00 SF
485	6293.00 SF	505	5997.20 SF	525	6314.00 SF	545	6000.00 SF	565	6340.21 SF	585	6340.21 SF	605	6225.47 SF
486	6293.00 SF	506	5997.19 SF	526	6314.00 SF	546	6000.00 SF	566	6340.21 SF	586	6340.21 SF	606	6387.50 SF
487	6294.55 SF	507	5997.19 SF	527	6314.00 SF	547	6000.00 SF	567	6340.21 SF	587	6340.21 SF		
488	6673.86 SF	508	5997.19 SF	528	6314.00 SF	548	6000.00 SF	568	6340.21 SF	588	6340.21 SF		
489	9831.07 SF	509	5997.18 SF	529	6314.00 SF	549	6387.50 SF	569	6340.21 SF	589	6320.78 SF		
490	9831.82 SF	510	5997.18 SF	530	6314.00 SF	550	6387.50 SF	570	6340.21 SF	590	6414.48 SF		
491	6631.43 SF	511	5997.18 SF	531	6314.00 SF	551	6000.00 SF	571	6340.21 SF	591	6362.91 SF		
492	6000.00 SF	512	5997.18 SF	532	6314.00 SF	552	6000.00 SF	572	6340.21 SF	592	6207.61 SF		



### LOCATION MAP



### TRACT AREAS OWNER

TRACT	AREA	OWNER
"A"	1.91 ACRES	RIEDEL HOLDINGS, LLC
"B"	7.99 ACRES	P.O. BOX 1649 SAN LUIS, AZ 85349 (928) 627-8593

### BASIS OF BEARING

THE WEST LINE OF THE SW 1/4 OF SECTION 10, T11S, R24W, G.S.R.B.&M., YUMA COUNTY, ARIZONA (BEING THE CENTERLINE OF AVENUE "T"), AS SHOWN ON BORDER RANCHES SUBDIVISION, AS RECORDED IN BOOK 27 OF PLATS, PAGES 9&10, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, ARIZONA, NAMELY BEARING N00°02'42"W

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A LAND SURVEYOR LISTED ON THE ROSTER OF ACTIVE REGISTRANTS BY THE STATE BOARD OF TECHNICAL REGISTRATION OF ARIZONA AND THAT THIS MAP CONSISTING OF ONE (1) SHEET CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN.

### PREPARED BY:

**Edais**  
Engineering, Inc.  
3075 S. AVENUE 4 E  
YUMA, ARIZONA 85365  
(928) 344-3566

**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

WHEN RECORDED MAIL TO:  
CITY OF SAN LUIS  
P.O. BOX 1170  
SAN LUIS, AZ 85349  
ATTN: CITY CLERK

OFFICIAL RECORDS OF  
YUMA COUNTY RECORDER  
SUSAN MARLER



**FEE #: 2007 – 16715**

05/07/2007 10:08 PAGES: 0004  
FEES: 3.00 4.00 1.00 .00 .00  
REQ BY: CITY OF SAN LUIS  
REC BY: PATTY MAGANA

COPY  
AS TO FILING DATA ONLY

The above area is to be reserved for recording information

\*\*\*\*\*

**C A P T I O N   H E A D I N G :**

**Ordinance No. 250**



# *Ordinance*

## ORDINANCE NO. 250

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING ORDINANCE NO. 13, AS AMENDED, REZONING 280 ACRES LOCATED AT THE NORTH-EAST CORNER OF AVENUE 'F' AND COUNTY 24<sup>TH</sup> STREET FROM COUNTY RURAL AREA TEN (10) ACRE PARCELS (RA-10) TO INTERMEDIATE DENSITY RESIDENTIAL (R-2) ON 257.5 ACRES, TO HIGH DENSITY RESIDENTIAL (R-3) ON 10 ACRES AND TO GENERAL COMMERCIAL (C-2) ON 12.5 ACRES, AND AMENDING THE ZONING MAP TO CONFORM THERETO.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AS FOLLOWS:

**Section 1:** That Ordinance #13, as amended, be further amended that the real property described as follows:

The southwest quarter of section 10 except the south 330 feet of the west 330 feet.

The southeast quarter of section 10 except the southeast quarter of the southeast quarter and except the east half of the north-east quarter of the southeast quarter of said section 10.

Said section 10 being in Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian. Yuma County, Arizona.

Be rezoned from County RA-10 to Intermediate Density Residential (R-2) as defined in Ordinance #13, as amended, and upon this ordinance taking effect, shall be subject to all rules, regulations and requirements of the R-2 Zoning District of Ordinance #13, as amended.

**Section 2:** That Ordinance #13, as amended, be further amended that the real property described as follows:

The west half of the east half of the northeast quarter of the southeast quarter of Section 10, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian. Yuma County, Arizona.

Be rezoned from County RA-10 to High Density Residential (R-3) as defined in Ordinance #13, as amended, and upon this ordinance taking effect, shall be subject to all rules, regulations and requirements of the R-3 Zoning District of Ordinance #13, as amended.

**Section 3:** That Ordinance #13, as amended, be further amended that the real property described as follows:

The south 330 feet of the west 330 feet of the southwest quarter and the east half of the east half of the northeast quarter of the southeast quarter of Section 10, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian. Yuma County, Arizona.

Be rezoned from County RA-10 to General Commercial (C-2) as defined in Ordinance #13, as amended, and upon this ordinance taking effect, shall be subject to all rules, regulations, and requirements of the C-2 Zoning District of Ordinance #13, as amended.

**Section 4:** Adoption of this ordinance will include the following conditions:


1. Dedication of an additional seventeen feet of street right-of-way along County 24<sup>th</sup> Street.
2. Dedication of an additional seventeen feet of street right-of-way along Avenue 'F'
3. Dedication of forty (40) feet of street right-of-way along County 23 ½ Street.
4. All off-site improvements noted in the "Joint Development Agreement" made on the 16<sup>th</sup> day of March 2007 between the Comite de Bienestar, Border Ranches LLC and Sam Group to be constructed.
5. That land be dedicated and developed throughout the property being rezoned for parks and recreation purposes, at no cost to the City. These dedications shall be made at the discretion of the city and approved at the time of subdivision plat approval. The amount acreage dedicated shall not be less than a total of 12 nor more than 15 acres. Said land may be used for water/drainage retention purposes.
6. That the property be developed and all of the conditions met within 5 years of the effective date of this ordinance or the zoning will revert to the present previous zoning classification.

**Section 5:** That the zoning map adopted under said Ordinance #13, as amended is hereby ordered to be changed so as to show that said real property described in this ordinance is located within the zoning district herein provided.

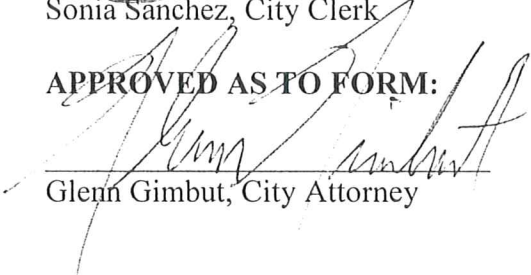
**PASSED AND ADOPTED** by the Mayor and City Council of the City of San Luis,  
Arizona, this 25<sup>th</sup> day of April, 2007.

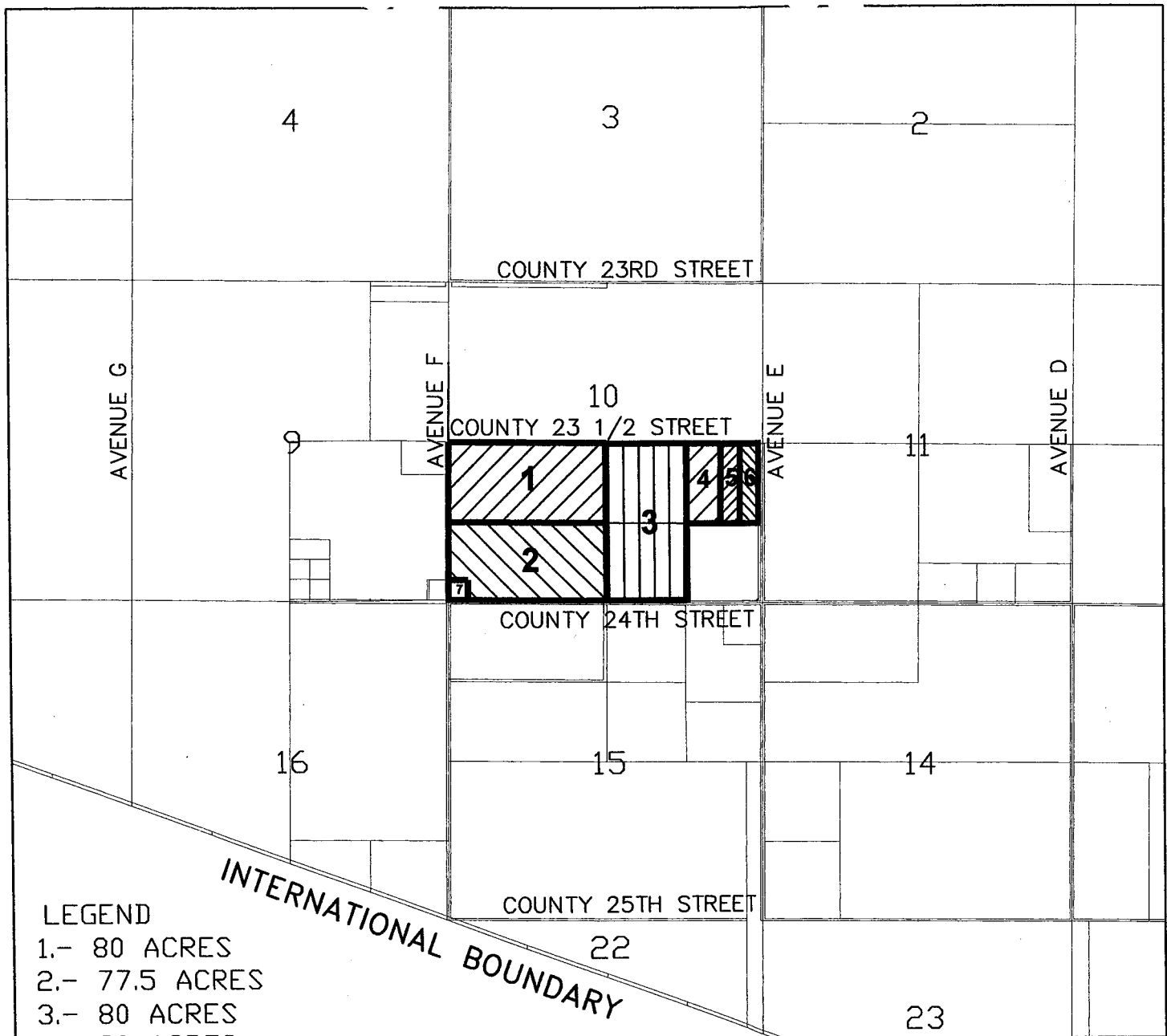
  
Juan Carlos Escamilla, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sonia Sanchez, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Glenn Gimbut, City Attorney



**LEGEND**

- 1.- 80 ACRES
- 2.- 77.5 ACRES
- 3.- 80 ACRES
- 4.- 20 ACRES
- 5.- 10 ACRES
- 6.- 10 ACRES
- 7.- 2.5 ACRES

LOCATION MAP

LOCATION OF SUBJECT PROPERTY



*Rezoning 07-04*

**ORDINANCE NO.**



Prepared By: DMS

Checked By:

Planning & Zoning  
GIS Work



Date: 12/10/07

Revised:

**250**



September 14, 2018

**REZONING CASE NUMBER: 2018-0458**

**CASE SUMMARY:** A request by Riedel Holdings LLC, applicant, on behalf of Border Ranches, LLC, owner, to rezone 67.06 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6) zoning district. Assessor parcel ID # 227-10-009 located at North-west corner of County 24<sup>th</sup> and 20<sup>th</sup> Avenue, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivisions to be called Santa Cecilia No. 3 and 4.

A Citizen Review Meeting has been scheduled on the 2<sup>nd</sup> day of October, 2018 at 6:00 p.m. at the San Luis City Hall Council Chambers, 1090 E. Union Street, San Luis, Arizona, in order to give interested parties an opportunity to meet with the applicant to have questions answered and express any issues or concerns prior to any public hearing.

**PUBLIC HEARING: October 9, 2018**

**COMMENTS DUE: September 20, 2018**

Your comments on this case will help us prepare an accurate and timely staff report. Your comments on this case will be inserted "as is" into the staff report with your name, department, and telephone number, should the applicant have any questions. Your comments are a public record and will be available to the public, media, and the applicant, in addition to the Commission hearing this case. Please complete the section below and return via e-mail. For additional information please contact me at 341-8563, extension 2014, or at [Jaguzman@cityofsanluis.org](mailto:Jaguzman@cityofsanluis.org)

Thank you,

Jose A. Guzman  
Director of Planning & Zoning  
Attachment: Location Map and Conceptual Plan

.....  
 COMMENTS       NO COMMENTS

**Enter Comments below:**

The City of San Luis Fire Department has no comments at this time, but reserves the right to comment upon subsequent submittals. Final decisions regarding this request are best made by the Planning and Zoning Department

**Date:**

09/17/18

**Agency:**

The City of San Luis Fire Department

**Phone:**

928/341-8550

**Return to:** [P&Z@cityofsanluis.org](mailto:P&Z@cityofsanluis.org)



September 14, 2018

**REZONING CASE NUMBER: 2018-0458**

**CASE SUMMARY:** A request by Riedel Holdings LLC, applicant, on behalf of Border Ranches, LLC, owner, to rezone 67.06 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6) zoning district. Assessor parcel ID # 227-10-009 located at North-west corner of County 24<sup>th</sup> and 20<sup>th</sup> Avenue, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivisions to be called Santa Cecilia No. 3 and 4.

A Citizen Review Meeting has been scheduled on the 2<sup>nd</sup> day of October, 2018 at 6:00 p.m. at the San Luis City Hall Council Chambers, 1090 E. Union Street, San Luis, Arizona, in order to give interested parties an opportunity to meet with the applicant to have questions answered and express any issues or concerns prior to any public hearing.

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Thank you,

Jose A. Guzman  
Director of Planning & Zoning  
Attachment: Location Map and Conceptual Plan

.....  
 COMMENTS       NO COMMENTS     

**Enter Comments below:**

The property is located near Rolle Airfield where aviation activity is expected to increase in the near future. It is recommended to submit an Avigation Easement acknowledging aviation activities. Thank you for the opportunity to comment.

**Date:**

9/15/18

**Agency:**

Yuma County Airport Authority

**Phone:**

928-726-5882

**Return to:** [P&Z@cityofsanluis.org](mailto:P&Z@cityofsanluis.org)

**4. C. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2018-0321. A request by Riedel Holdings LLC on behalf of Border Ranches AZ LLC, owner, to rezone 67.06 acres, located on the northeast corner of County 24th Street and 20th Avenue, from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6).**

**A. Open public hearing**

**Chairman Javier Barraza** to open public hearing.

**1. Staff presentation**

**Mr. Jose A. Guzman, Director of Planning and Zoning**, stated that this request was to rezone 67 acres from R-2 to R1-6 located in the east mesa of the City of San Luis. He added that the current zoning is R-2, which was approved by Ordinance No. 250 in 2007. **Mr. Guzman** mentioned that it included some conditions, one of them being to have land dedicated to the city for parks, and recreational purposes at no cost to the city. He added that approval of this item had the condition that the applicant negotiates the development agreement, before taking it to council.

**Commission Member Guillermina Fuentes** asked how many houses could fit in 67 acres.

**Mr. Guzman** stated that anywhere between 270-275 lots. He added that they are also proposing a lot for a school.

**Commission Member Guillermina Fuentes** asked if the city has enough services to serve the subdivision.

**Mr. Guzman** stated that the city has enough facilities to serve the subdivision.

**Vice Chairman Marco A. Pinzon** asked if we were complete on the piping.

**Mr. Guzman** stated that the sewer diversion project was completed years ago, which gave more capacity to the east.

**Commission Member Guillermina Fuentes** asked why developers are always subject to negotiate conditions, and why is it that they do not do it first, but rather come to the Commission.

**Ms. Kay Macuil, City Attorney** stated that the contracts are approved by Council, and do not need the recommendation from the Planning and Zoning Commission.

**Commission Member Guillermina Fuentes** added that developers should be negotiating with the City. She added that with builders it is done like that, so it should be like that for developers as well.

**Mr. Guzman** stated that the purpose is to have the approval of the Commission, and also for them to ask questions, or add any conditions if they want. He added that once the rezoning goes to the City Council they take the development agreement and the rezoning at the same time.

## **2. Call to the Public on this item**

There was no comment from the public.

### **B. Close public hearing**

**Chairman Javier Barraza** to close public hearing.

### **C. Action on Rezoning Case No. 2018-0321**

**MOTION: Commission Member Hugo Garcia/Vice Chairman Marco A. Pinzon** to forward Rezoning Case No. 2018-0321 to the City Council, with an approval recommendation subject to the condition that the developer negotiates a development agreement with staff. Motion passed unanimously with 4 ayes and 1 nay from Commission Member Guillermina Fuentes. (4-1)

## Jose A. Guzman

---

**From:** Nieves G Riedel <ngriedel@hotmail.com>  
**Sent:** Thursday, October 18, 2018 8:05 AM  
**To:** Jose A. Guzman; Roman Pacheco  
**Subject:** Rezoning Santa Cecilia # 3

Good morning everyone.

Roman I am requesting a withdrawal of the Rezoning application for santa Cecilia # 3 Consider these a formal request. If you have any questions please call me.

Sent from my iPad. Thanks Nieves

## Jose A. Guzman

---

**From:** Nieves G Riedel <ngriedel@hotmail.com>  
**Sent:** Thursday, November 29, 2018 3:10 PM  
**To:** Jose A. Guzman; Roman Pacheco  
**Subject:** Santa Cecilia 3 - 4 Rezoning application.

Good afternoon Jose .

I am writing these letter concerning the Rezoning application form that we submitted to the city of San Luis on 8-21-18 for Santa Cecilia 3-4- in this particular matter on 10-18-18- I submitted a request to hold on the process.

Please consider this letter a petition to continue with the zoning request we will like for you to consider my request if there are s any questions please call me.

Sent from my iPad thanks Nieves Riedel



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

6.B.

**Meeting Date:** 01/08/2019

**Submitted By:** Jose A. Guzman, Director of Planning & Zoning, Planning & Zoning Department

---

#### ITEM:

Discussion and possible action on any and all matters regarding Subdivision Case No. 2018-0633F. A request by Vega and Vega Engineering PLC on behalf of Comite de Bienestar Inc., property owner, for the final plat approval for Bienestar Estates 9C Subdivision to be located at 3415 E. Janet Napolitano Boulevard, San Luis, Arizona.

A. Staff presentation

B. Action on Subdivision Case No. 2018-0633F

#### BACKGROUND:

The subject property is located on the east mesa of the City of San Luis. It is located in the center of Bienestar Estates 9B Subdivision. Bienestar Estates 9B is a single-family residential subdivision zoned as Medium-High Density Residential (R-2). The property to the east is developed and used as a retention basin for the subdivision.

This property was originally designated as Tract A, usually tracts are intended for public purpose such as parks or retention basins.

The property was rezoned from High Density Residential (R-3) to Medium Density Residential (R1-6) in order to allow the construction of the proposed subdivision (Rezoning Case No. 2018-0115).

The proposed project is to develop the land as single-family residential subdivision consisting of 16 lots of which the minimum size of 6,000 square feet.

#### 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.

#### ANALYSIS:

In 2007, the Arizona Legislature adopted legislation that required municipalities to certify that all new subdivisions had an assured 100-year water supply. On February 11, 2011 the City of San Luis was designated by the Arizona Department of Water Resources (ADWR) as having a 100-year adequate water supply. Consequently, individual subdivisions do not have to submit additional certification.

#### SUMMARY:

The applicant has substantially provided the information and materials necessary for review of Final Plat for Bienestar Estates 9C Subdivision.

Review comments were sent out to the applicant's engineer on December 24, 2018. Staff has not received the revised plans, however, in an effort to be proactive and be more development friendly, staff recommends approval of the final plat for Subdivision Case No. 2018-0633F. Approval subject to the condition that before presenting this item to City Council, the applicant must address the following comments:

1. The Final Plat shall be presented to City Council when all conditions of approval have been met.  
The property-owner shall provide the City Department of Planning and Zoning with check made out to the Yuma County Recorder for appropriate amount.
2. If applicable, applicant must submit signed petitions for the creation of Improvement Districts as per Subdivision Regulations Sections 3.17-5 to Section 3.17-7.
3. The applicant must address, as noted, the review comments (12-24-18) attached prior to presenting Final Plat before the City Council.

**RECOMMENDED MOTION:**

**I MOVE TO FORWARD SUBDIVISION CASE NO. 2018-0633F WITH AN APPROVAL RECOMMENDATION TO THE CITY COUNCIL. RECOMMENDATION SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL.**

---

**Attachments**

Conditions of Approval  
Location Map  
Aerial Map  
Final Plat

---

**CONDITIONS OF APPROVAL**

1. The Final Plat shall be presented to City Council when all conditions of approval have been met. The property-owner shall provide the City Department of Planning and Zoning with check made out to the Yuma County Recorder for appropriate amount.
2. If applicable, applicant must submit signed petitions for the creation of Improvement Districts as per Subdivision Regulations Sections 3.17-5 to Section 3.17-7.
3. The applicant must address, as noted, the review comments (12-24-18) attached prior to presenting Final Plat before the City Council.

## Jose A. Guzman

---

**From:** Jose A. Guzman  
**Sent:** Monday, December 24, 2018 6:08 PM  
**To:** vianey@veganvega.com  
**Cc:** Eulogio Vera; Roman Pacheco  
**Subject:** Bienestar Estates 9C

Good afternoon Vianey,

Below are the comments for Bienestar Estates 9C:

### City Engineer Comments:

Plat

1. Provide 1-ft Non-Access Easement along the northwest side of Lot 2 (along Janet Napolitano Blvd.)
2. Coordinate with the City for Street Names

Paving and Grading Plan

-.

Preliminary Water and Sewer Plan

1. Key Note 11 -calls for additional sewer protection to be Ductile Iron Pipe. Coordinate with Public Works for acceptable material (perhaps 909 PVC instead.)

### Public Works Comments:

General Layout

- Request was made to review the option of removing offset intersection as it does not meet our construction standards. It is believed that same amount of lots can be accomplished without creating an offset intersection with Bradley Holcom Place.
- Was a safety analysis conducted for proposed design?
- How are left turns to be managed?
- How are turning movement conflicts mitigated?

Paving and Grading

- Placement of street signs shall be per MUTCD. Stop sign on "Street One" appears to be far from intersection.

### Development Services Division:

1. Signatures must read Director of Planning and Zoning instead of Development Services Director
2. City to review possible street names.
3. Proposed fence must comply with City Code Section 152.219
4. Protective fence is missing for Lot 10.
5. Please provide Lot Data table- minimum lot size is 6,000 sq. ft.

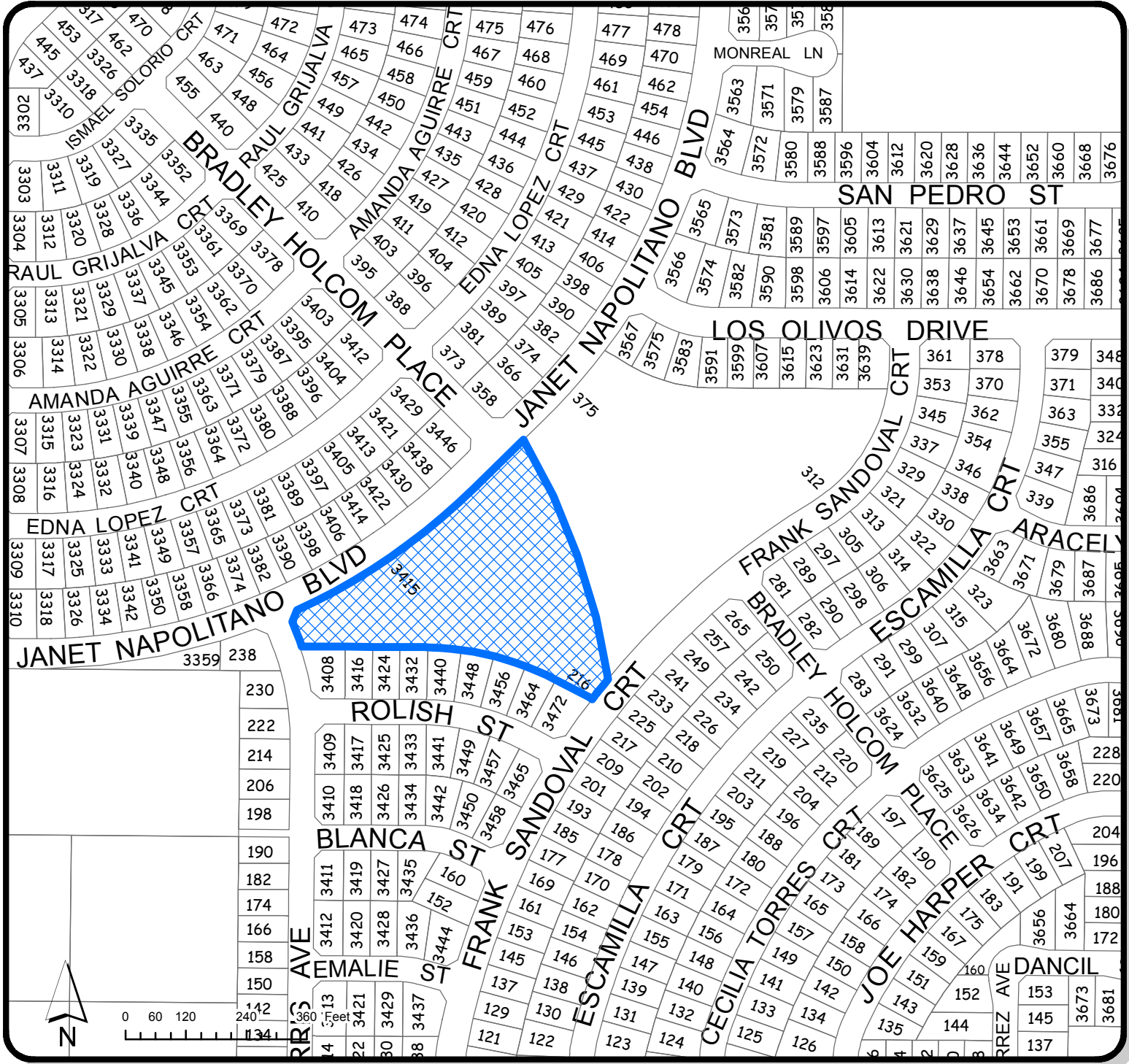
Let me know if you have any questions. Happy Holidays, thank you,

**JOSE ANTONIO GUZMAN**  
DIRECTOR OF PLANNING AND ZONING  
CITY OF SAN LUIS

1090 East Union Street | P.O. Box 3750 | San Luis, AZ 85349

P: (928) 341-8563 Ext. 2014 | Direct Line: (928) 314-9114  
[jaguzman@cityofsanluis.org](mailto:jaguzman@cityofsanluis.org) | [www.cityofsanluis.org](http://www.cityofsanluis.org)






LOCATION OF SUBJECT PROPERTY

# Location Map

# SUBDIVISION

 Parcel: 777-59-900  
 Address: 3415 E JANET NAPOLITANO BLVD  
 Subdivision: BIENESTAR ESTATES 9B TRACT A Section: 09 Township: 11S Range: 24W

**Date:**  
11/26/18

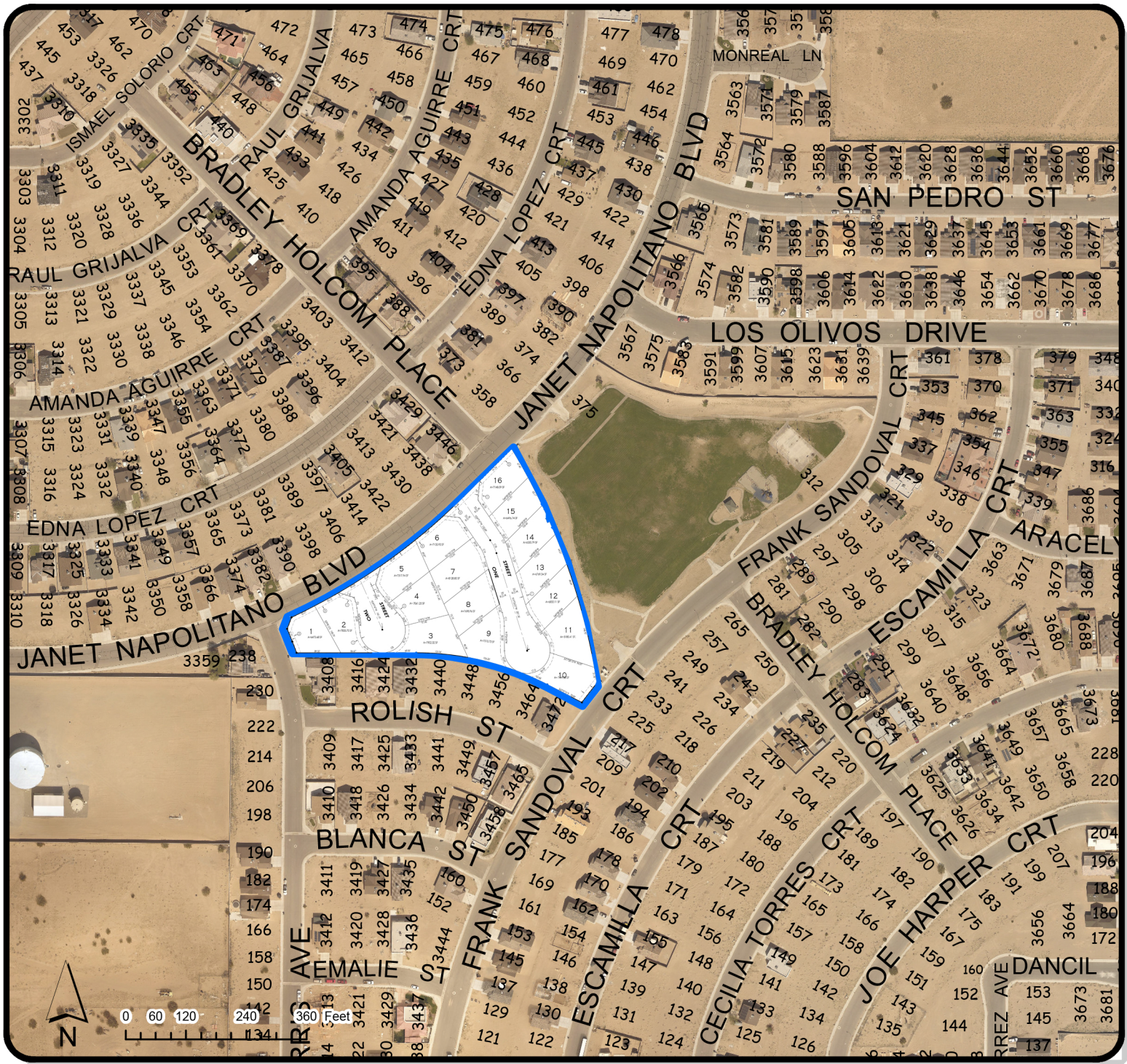
**Checked By:**  
ROMAN PACHECO



**Prepared By:**  
ISAAC GUTIERREZ

**APPROVED BY:**  
JOSE A. GUZMAN

**Case No.**  
2018-0633F



LOCATION OF SUBJECT PROPERTY

# Location Map

# SUBDIVISION



Parcel: 777-59-900  
 Address: 3415 E JANET NAPOLITANO BLVD  
 Subdivision: BIENESTAR ESTATES 9B TRACT A Section: 09 Township: 11S Range: 24W

**Date:**

11/26/18

**Checked By:**

ROMAN PACHECO

PLANNING AND ZONING



GIS

**Prepared By:**

ISAAC GUTIERREZ

**APPROVED BY:**

JOSE A. GUZMAN

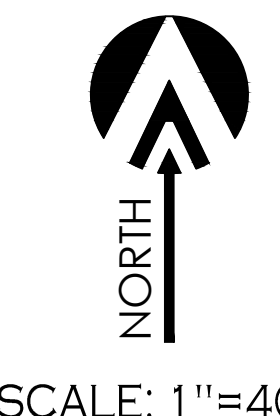
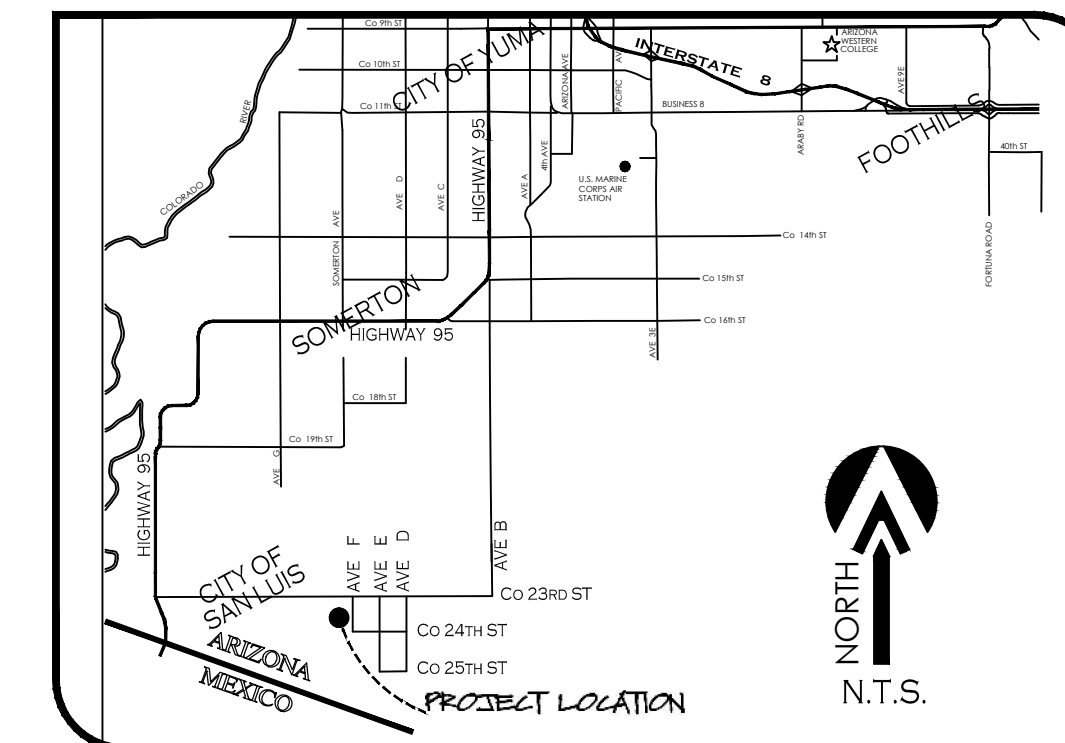
**Case No.:**

2018-0633F

# BIENESTAR ESTATES 9C

A SUBDIVISION OF TRACT "A" OF BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24 OF PLATS, PAGES 14 - 16, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, AZ NOVEMBER OF 2018 ACREAGE: 3.45 AC (GROSS)

## FINAL PLAT



VICINITY MAP

### APPROVED

STATE OF ARIZONA }  
COUNTY OF YUMA }  
THIS SUBDIVISION AS PLATTED HEREON HAS BEEN APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA

MAYOR \_\_\_\_\_  
CITY MANAGER \_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES \_\_\_\_\_  
CITY ENGINEER \_\_\_\_\_  
CITY PUBLIC WORKS DIRECTOR \_\_\_\_\_

### OWNER OF RECORD:

COMITE DE BIENESTAR INC. AZ CORP.  
943 E. 7<sup>TH</sup> STREET  
PO BOX 7170  
SAN LUIS, AZ, 85349  
**BASIS OF BEARING**  
THE NORTH-SOUTH MID-SECTION LINE OF SEC. 9 T11S, R24W, G.8&R.B.M., YUMA COUNTY, ARIZONA (BEING THIS LINE THE CENTERLINE OF AVENUE "F"), AS SHOWN ON BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24 OF PLATS, PAGES 14 - 16, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, AZ  
BEARING N00°01'49"W

### KEYNOTES

- ① NEW 8' UTILITY EASEMENT
- ② NEW 1' NON-ACCESS EASEMENT
- ③ EXISTING 8' UTILITY EASEMENT [R1]

### NOTE

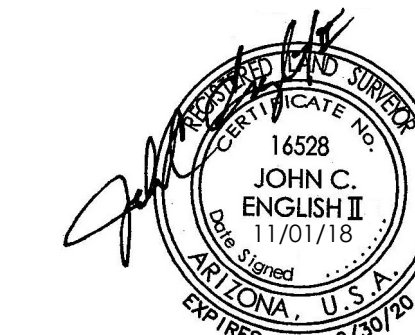
- ◆ PROPERTY CORNERS TO BE MARKED BY 1/2" DIAMETER REBAR TAGGED WITH CAP L.S. 16528
- ◆ PROJECT ZONING: R-1-6

### ELABORATED BY:

VNV18-350  
**VEGA & VEGA**  
ENGINEERING, PLLC  
1846 S. 8th Avenue 928-329-0000 Tel  
Yuma, Az, 85364 928-247-6232 Fax  
www.vegaandvega.com

### LAND SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I AM A LAND SURVEYOR LISTED ON THE ROSTER OF ACTIVE REGISTRANTS BY THE STATE BOARD OF TECHNICAL REGISTRATION OF ARIZONA AND THAT THIS MAP CONSISTING OF ONE (1) SHEET CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING MAY OF 2018 THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN, OR WILL BE IN PLACE WITHIN ONE YEAR FROM RECORDATION OF THIS MAP. THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE SURVEY IS TRUE AND COMPLETE AS SHOWN. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS PARTS.



BY: *John C. English II* R.L.S. No. 16528

### DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, AS OWNER HAS CAUSED THE FOLLOWING DESCRIBED PROPERTY, A SUBDIVISION OF TRACT "A" OF BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24 OF PLATS, PAGES 14 - 16, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, AZ, AS PLATTED HEREON, TO BE SUBDIVIDED INTO LOTS & STREETS UNDER THE NAME OF "BIENESTAR ESTATES 9C SUBDIVISION" AND HEREBY DECLARES THAT THE ACCOMPANYING PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF LOTS AND STREETS CONSTITUTING SAID "BIENESTAR ESTATES 9C SUBDIVISION", THAT EACH LOT SHALL BE KNOWN BY THE NUMBER AND THE STREETS BY THE NAME GIVEN EACH RESPECTIVELY ON SAID PLAT; AND THAT COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, HEREBY DEDICATES THE STREETS SHOWN HEREON TO THE PUBLIC FOR ITS USE AND BENEFIT, THE EASEMENTS ARE DEDICATED FOR THE USES SHOWN AND DEFINED ON SAID PLAT AND AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED CONCURRENTLY HEREWITH.

IN WITNESS WHEREOF: COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, HAS CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED AS ATTESTED BY THE SIGNATURE OF GEORGE GUERRERO, AS PRESIDENT OF COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, THEREUNTO DULY AUTHORIZED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_.

GEORGE GUERRERO  
PRESIDENT OF COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION.

### ACKNOWLEDGMENT

STATE OF ARIZONA }  
COUNTY OF YUMA }  
ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_, BEFORE ME, THE UNDERSIGNED NOTARY, PERSONALLY APPEARED: GEORGE GUERRERO, AS PRESIDENT OF COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION.  
IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL.

BY: \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC

### LEGEND

- INDICATES BOUNDARY LINE
- - - INDICATES CENTERLINE
- - - INDICATES EASEMENT LINE
- 11 NEW LOT NUMBER
- SET PROPERTY CORNERS TO BE MARKED BY 1/2" DIA. REBAR TAGGED WITH CAP L.S. 16528 (UNLESS NOTED OTHERWISE)
- NEW YUMA COUNTY STD. DETAIL No. 4-080 STREET MONUMENT
- EXISTING MONUMENT (TYPE AS SHOWN)
- B.C. INDICATES BRASS CAP
- Y.C.R. INDICATES YUMA COUNTY RECORDERS
- G.L.O. INDICATES GENERAL LAND OFFICE
- N.A.E. INDICATES NON ACCESS EASEMENT
- [M] INDICATES MEASURED DATA
- [R] DATA REFERS TO BIENESTAR ESTATES 9B, AS RECORDED IN BOOK 24, PAGES 14 - 16, Y.C.R., YUMA COUNTY, AZ.



**CURVE DATA**

NUMBER	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH	TANGENT	RADIUS	ARC LENGTH
C1 [M]	45°39'15"	N67°48'05"E	934.94'	507.20'	1205.00'	940.16'
C1 [R]	45°39'15"	N67°48'05"E	934.94'	507.20'	1205.00'	940.16'
C2 [R]	14°28'34"	S37°44'11"W	303.64'	153.04'	1205.00'	304.45'
C3 [R]	30°32'36"	S74°46'24"E	105.36'	54.41'	200.00'	106.62'
C4	19°38'18"	S14°15'59"E	142.85'	72.09'	525.00'	143.29'
C4 [R]	19°38'18"	S14°15'59"E	142.85'	72.09'	525.00'	143.29'
C5	1°46'46"	N37°48'47"E	50.00'	25.00'	1610.00'	50.00'
C6	13°55'20"	N14°22'42"W	22.79'	11.48'	94.00'	22.84'
C7	18°09'25"	S32°19'59"E	29.66'	15.02'	94.00'	29.79'
C8	214°20'28"	S65°52'13"W	87.90'	148.87'	46.00'	172.08'
C9	22°23'52"	N19°59'08"W	504.96'	257.38'	1300.00'	508.19'
C9 [R]	22°23'52"	N19°59'08"W	504.96'	257.38'	1300.00'	508.19'
C10	2°32'47"	S20°48'44"E	24.44'	12.22'	550.00'	24.44'
C11	17°01'136"	N8°55'33"W	27.83'	14.07'	94.00'	27.93'
C12	17°18'52"	S26°54'7"E	28.30'	13.81'	94.00'	28.41'
C13	214°20'28"	S72°25'11"W	87.90'	148.87'	46.00'	172.08'
C14	27°24'51"	S76°20'17"E	272.50'	140.25'	575.00'	275.12'
C15	19°51'28"	N54°54'11"E	425.89'	216.18'	1235.00'	428.03'
C15 [R]	19°51'27"	N54°54'12"E	425.89'	216.18'	1235.00'	428.02'
C16	16°41'26"	S25°47'4"E	21.77'	11.00'	75.00'	21.85'
C17	16°41'26"	S25°47'4"E	21.77'	11.00'	75.00'	21.85'

**LINE DATA**

NUMBER	LENGTH	BEARING
L1	32.70'	N72°39'44"W
L2	38.37'	S15°51'12"W
L3	32.93'	N88°30'57"W
L4	39.26'	N05°25'31"E
L5	24.96'	S20°39'45"W



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

6.C.

**Meeting Date:** 01/08/2019

**Submitted By:** Jose A. Guzman, Director of Planning & Zoning, Planning & Zoning Department

---

#### ITEM:

Discussion and possible action on any and all matters regarding Subdivision Case No. 2018-0634F. A request by Vega and Vega Engineering PLC, on behalf of Comite de Bienestar Inc., property owner, for the final plat approval for Bienestar Estates Condominiums to be located at 495 N. Janet Napolitano Boulevard, San Luis, Arizona.

A. Staff presentation

B. Action on Subdivision Case No. 2018-0634F

#### BACKGROUND:

The property is located on the east mesa of the City of San Luis. It is located within Bienestar Estates 9B Subdivision. Bienestar Estates 9B is a single-family residential subdivision zoned as Medium-High Density Residential (R-2).

This property was originally designated as Tract B, usually tracts are intended for public purpose such as parks or retention basins.

This proposed project is to develop the land as a condominium complex with 12 units and common areas.

#### 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.

#### ANALYSIS:

As mentioned in the review comments sent out to the applicant's engineer on December 24, 2018; the creation of condominiums is subject to Arizona Revised Statutes Title 33 Chapter 9 Article 2.

In 2007, the Arizona Legislature adopted legislation that required municipalities to certify that all new subdivision had an assured 100-year water supply. On February 11, 2011 the City of San Luis was designated by the Arizona Department of Water Resources (ADWR) as having a 100-year adequate water supply. Consequently, individual subdivisions do not have to submit additional certification.

#### SUMMARY:

The applicant has substantially provided the information and materials necessary for review of Final Plat for Bienestar Estates Condominiums.

Review comments were sent out to the applicant's engineer on December 24, 2018. Staff has not received the revised plans, however, in an effort to be proactive and be more development friendly, staff recommends approval of the final plat for Subdivision Case No. 2018-0634F. Approval subject to the condition that before presenting this item to City Council, the applicant must address the following

comments:

1. The Final Plat shall be presented to City Council when all conditions of approval have been met. The property-owner shall provide the City Department of Planning and Zoning with check made out to the Yuma County Recorder for appropriate amount.
2. The applicant must address, as noted, the review comments (12-24-18) attached prior to presenting the final plat before the City Council.

**RECOMMENDED MOTION:**

**I MOVE TO FORWARD SUBDIVISION CASE NO. 2018-0634F WITH AN APPROVAL RECOMMENDATION TO THE CITY COUNCIL. RECOMMENDATION SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL.**

---

**Attachments**

Conditions of Approval

Location Map

Aerial Map

Final Plat

---

**CONDITIONS OF APPROVAL**

1. The Final Plat shall be presented to City Council when all conditions of approval have been met. The property-owner shall provide the City Department of Planning and Zoning with check made out to the Yuma County Recorder for appropriate amount.
2. The applicant must address, as noted, the review comments (12-24-18) attached prior to presenting Final Plat before the City Council.

## Jose A. Guzman

---

**From:** Jose A. Guzman  
**Sent:** Monday, December 24, 2018 6:08 PM  
**To:** vianey@veganvega.com  
**Cc:** Eulogio Vera; Roman Pacheco  
**Subject:** Bienestar Estates Condominiums review comments

Good afternoon Vianey,

Below are the comments received for Bienestar Estates Condominiums:

### Engineer Comments:

#### Plat

1. Is the proposed subdivision proposed as condominiums or as townhomes? The general definition of a condominium is the subdivided space inside of a building, and if his definition is used by the City, these would instead be townhouses.
2. The minimum lot width is 40 feet per Table 5 of Zoning Ordinance.
3. Keynote 4 designates Tract A as also the public pool and landscaping easement.
4. Show building setback lines on the plat. *(If this is intended to be a true condominium project, the lots should consist of only the building footprints, with the yards being common areas.)*
5. Is adequate turning radius available for fire department vehicles at the southeast corner of Lot 6?
6. Dedicate an easement to the City of San Luis for the public water and sewer lines.
7. Coordinate with the City for Street Name
8. Submit documents for the Condominium Owner's Association and CC&R's or other documents for the City to review.

#### Paving and Grading Plan

1. Provide Stop Signs/Street Signs.
2. Provide Street Lighting as needed.

#### Preliminary Water and Sewer Plan

1. Fire hydrant is in the middle of travelled way. Provide a better protected location for it.
2. Show City water and sewer easements.

### Public Works Comments:

#### Plat

- Driveway alignment off Janet Napolitano is offset Udall Street alignment. Provide analysis showing design is adequate.

#### Paving and Grading

- San Luis Lane is a mid-section line road and requires that driveway has adequate turning radius and the use of curb returns. Not the residential street type driveway.

#### Water and Sewer

- Increase sewer line size to 8". Minimum size for clean out is 8"

- How will fire lines be operated? Will homeowner association be responsible for prompt repairs?
- I see fire lines have valves. Is that acceptable Ric?
- 6" water main to 3" fire line connection detail
- All 3" fire line water valves installation at the water main, a flanged/thread connection, not at property line.

Development Services Division Comments:

1. Project zoning is R-2
2. Signatures must read Director of Planning and Zoning instead of Development Services Director.
3. Creation of condominium is subject to Arizona Revised Statutes Title 33 Chapter 9 Article 2, please provide documentation appropriately.
4. Proposed fence must comply with City Code Section 152.219
5. Landscape plans shall be submitted in accordance with City Code 152.300
6. Building footprints must be shown on plans and proposed building height in order to review setbacks.

Let me know if you have any questions. Thank you and happy holidays!

**JOSE ANTONIO GUZMAN**

DIRECTOR OF PLANNING AND ZONING

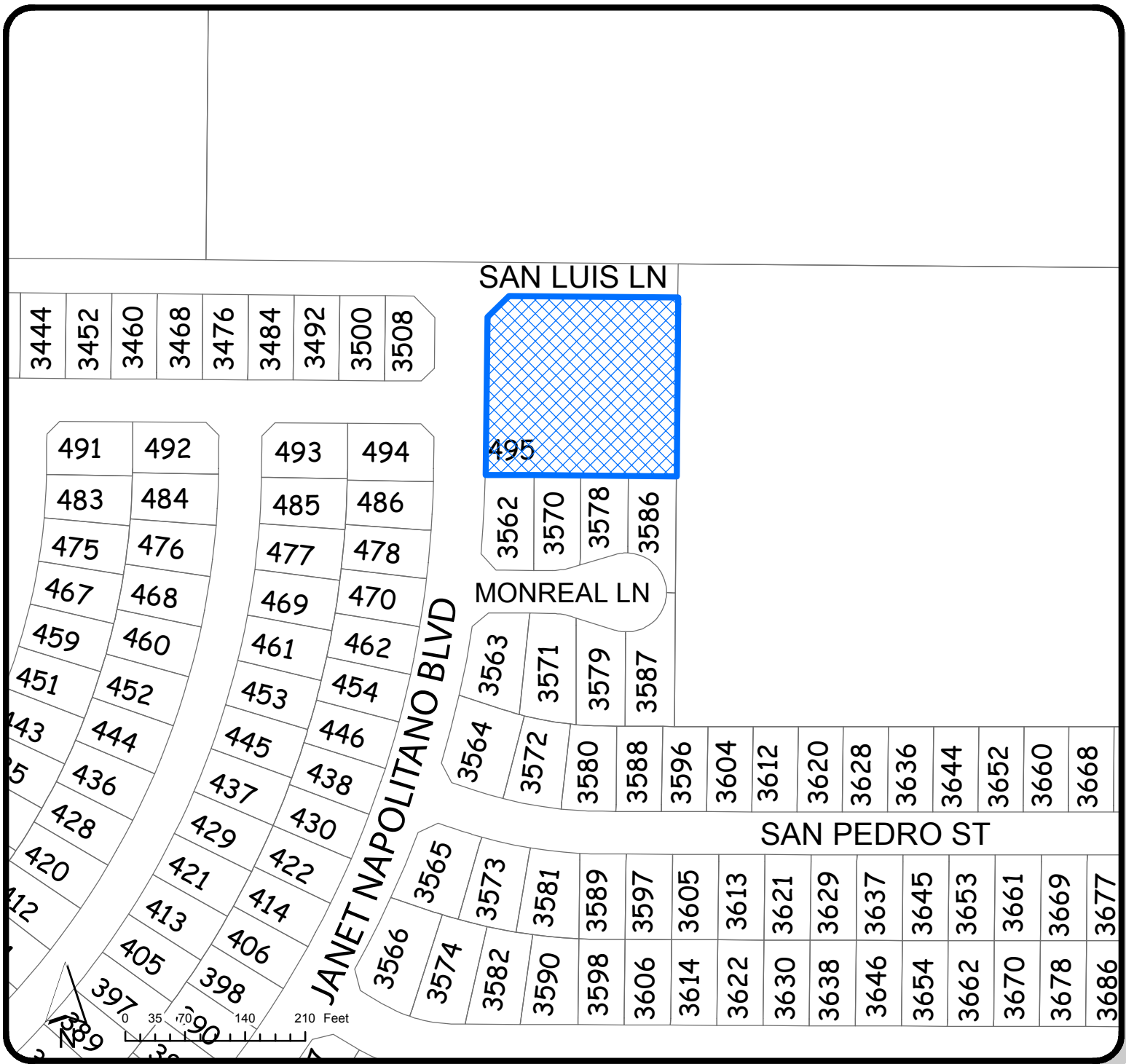
**CITY OF SAN LUIS**

1090 East Union Street | P.O. Box 3750 | San Luis, AZ 85349

P: (928) 341-8563 Ext. 2014 | Direct Line: (928) 314-9114

[jaguzman@cityofsanluis.org](mailto:jaguzman@cityofsanluis.org) | [www.cityofsanluis.org](http://www.cityofsanluis.org)






LOCATION OF SUBJECT PROPERTY

# Location Map

SUBDIVISION

 Parcel: 777-52-900  
 Address: 495 N JANET NAPOLITANO BLVD  
 Legal: Subdivision: BIENESTAR ESTATE 9B TRACT B Section: 09 Township: 11S Range: 24W

**Date:**  
11/26/18

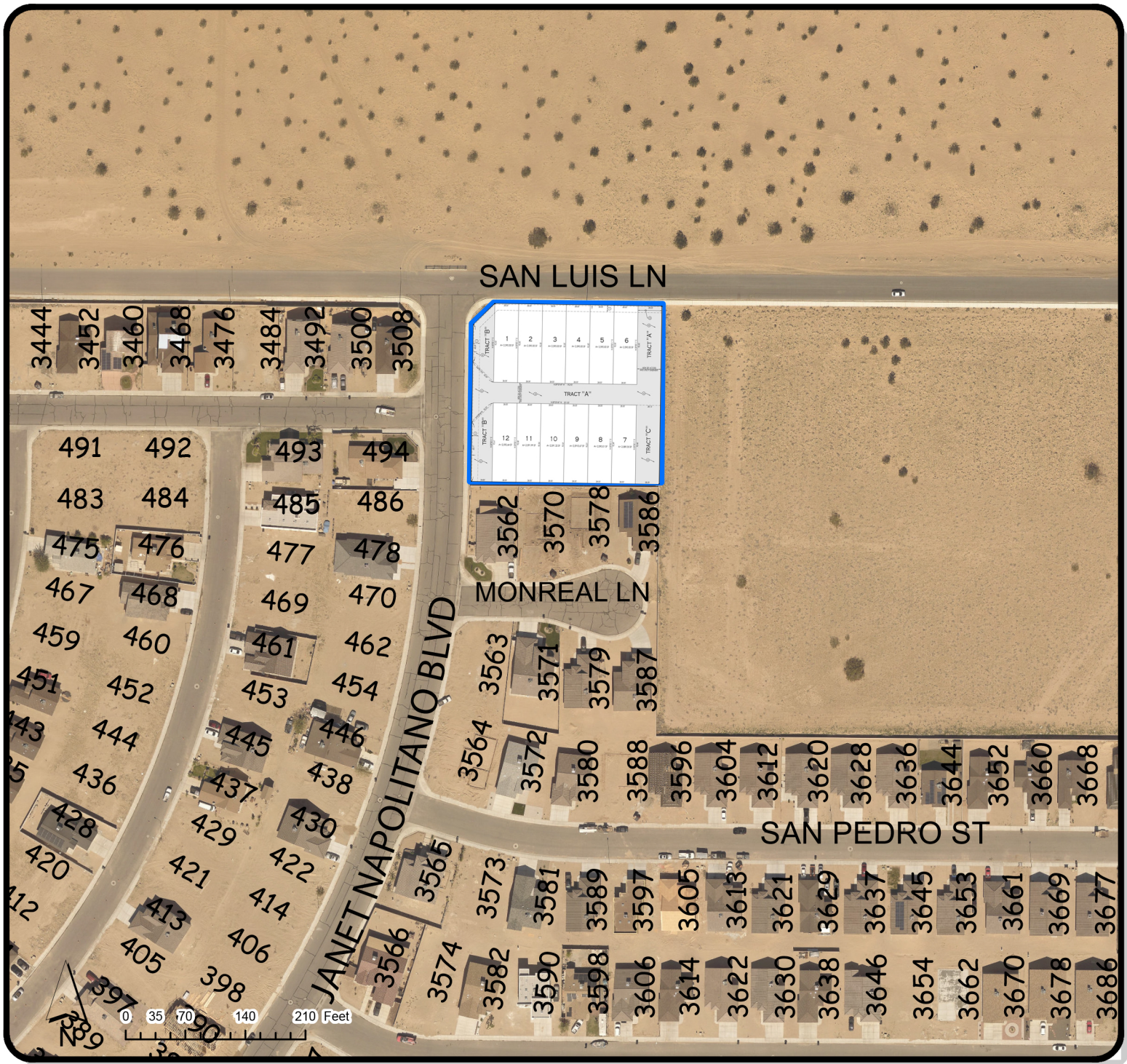
**Checked By:**  
ROMAN PACHECO



**Prepared By:**  
ISAAC GUTIERREZ

**APPROVED BY:**  
JOSE A. GUZMAN

**Case No.**  
2018-0634F



LOCATION OF SUBJECT PROPERTY

# Location Map

# SUBDIVISION



Parcel: 777-52-900

Address: 495 N JANET NAPOLITANO BLVD

Legal: Subdivision: BIENESTAR ESTATE 9B TRACT B Section: 09 Township: 11S Range: 24W

**Date:**

11/26/18

**Checked By:**

ROMAN PACHECO

PLANNING AND ZONING



GIS

**Prepared By:**

ISAAC GUTIERREZ

**APPROVED BY:**

JOSE A. GUZMAN

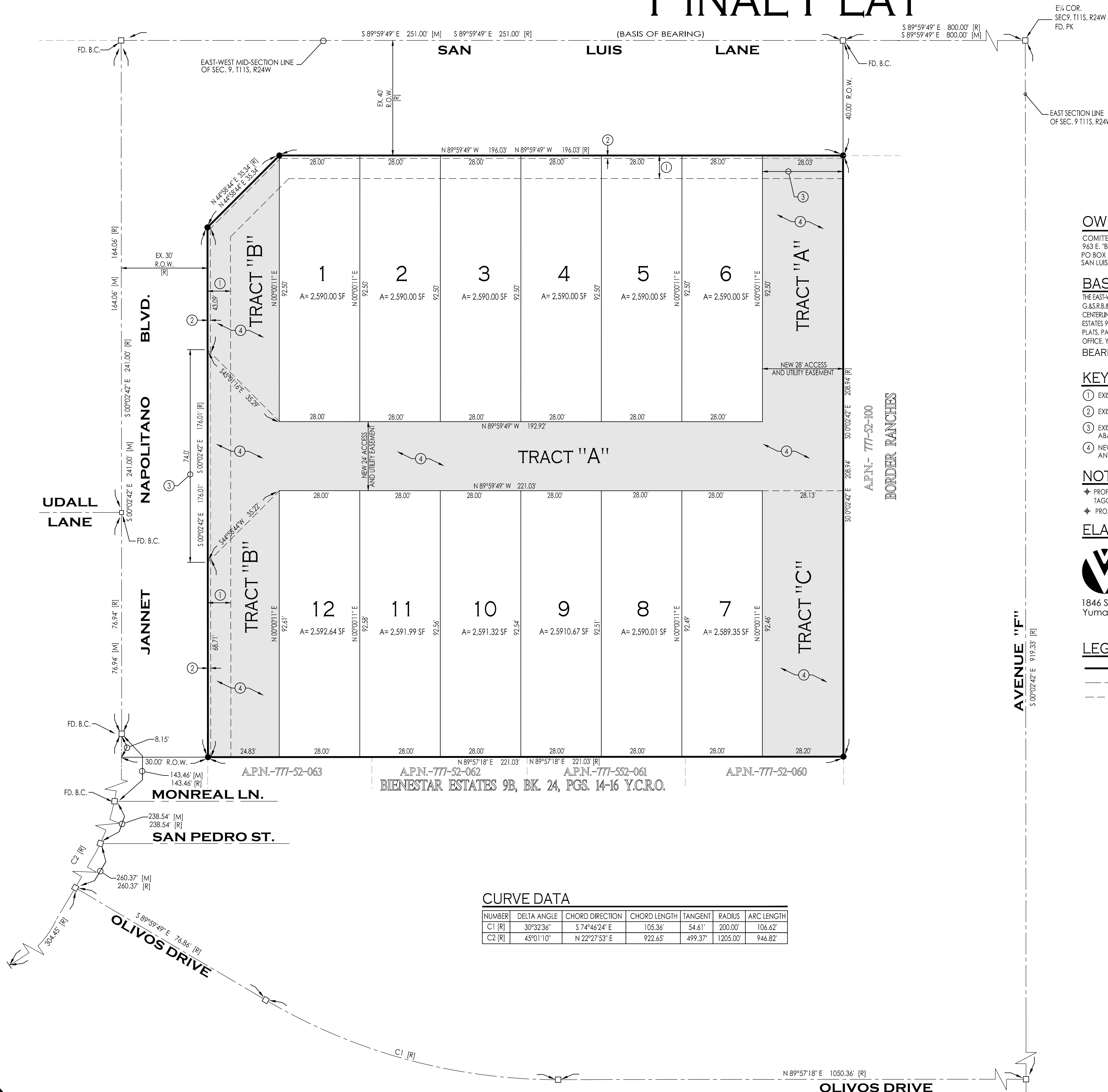
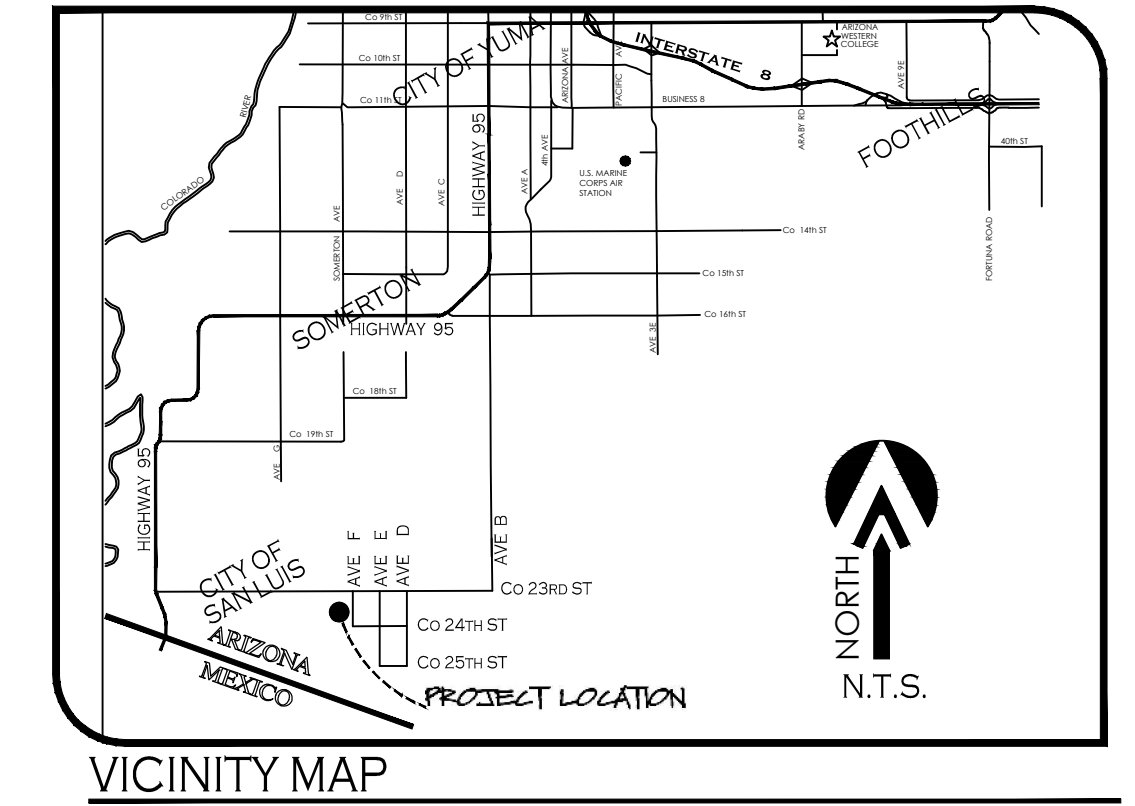
**Case No.**

2018-0634F

# BIENESTAR ESTATES CONDOMINIUMS

A SUBDIVISION OF TRACT "B" OF BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24 OF PLATS, PAGES 14 - 16, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, AZ OCTOBER OF 2018 ACREAGE: 1.05 AC (GROSS)

## FINAL PLAT



### OWNER OF RECORD:

COMITE DE BIENESTAR INC. AZ CORP.  
963 E. 'B' STREET  
PO BOX 7170  
SAN LUIS, AZ. 85349

### BASIS OF BEARING

THE EAST-WEST MID-SECTION LINE OF SEC. 9 T11S, R24W, G. & S. 8 & 8 A.M., YUMA COUNTY, ARIZONA (BEING THE LINE THE CENTERLINE OF SAN LUIS LANE AS SHOWN ON BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24 OF PLATS, PAGES 14 - 16, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, AZ  
BEARINGS S 89°59'49" E

### KEYNOTES

- EXISTING 6' UTILITY EASEMENT [R]
- EXISTING 1' NON-ACCESS EASEMENT
- EXISTING 1' NON-ACCESS EASEMENT TO BE ABANDONED UPON FINAL PLAT RECORDATION
- NEW UTILITY, ACCESS & LANDSCAPING EASEMENT AND COMMUNITY POOL AREA

### NOTE

- PROPERTY CORNERS TO BE MARKED BY 1/2" DIAMETER REBAR TAGGED WITH CAP L.S. 16528
- PROJECT ZONING: R-1-6

### ELABORATED BY:

VNV18-700

### LEGEND

- INDICATES BOUNDARY LINE
- INDICATES CENTERLINE
- INDICATES EASEMENT LINE
- NEW LOT NUMBER
- SET PROPERTY CORNERS TO BE MARKED BY 1/2" DIA. REBAR TAGGED WITH CAP L.S. 16528 (UNLESS NOTED OTHERWISE)
- NEW YUMA COUNTY STD. DETAIL No. 4-080 STREET MONUMENT
- EXISTING MONUMENT (TYPE AS SHOWN)
- B.C. INDICATES BRASS CAP
- Y.C.R. INDICATES YUMA COUNTY RECORDERS
- G.L.O. INDICATES GENERAL LAND OFFICE
- N.A.E. INDICATES NON ACCESS EASEMENT
- [M] INDICATES MEASURED DATA
- [R] DATA REFERS TO BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24, PAGES 14 - 16, Y.C.R., YUMA COUNTY, AZ.

### DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, AS OWNER HAS CAUSED THE FOLLOWING DESCRIBED PROPERTY, A SUBDIVISION OF A PORTION OF THE NW 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 24 WEST, G. & S. 8 & 8 A.M., YUMA COUNTY, AZ, AS PLATTED HEREON, TO BE SUBDIVIDED INTO LOTS & TRACTS, UNDER THE NAME OF BIENESTAR ESTATES CONDOMINIUMS AND HEREBY DECLARES THAT THE ACCOMPANYING PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF LOTS, TRACTS CONSTITUTING SAID "BIENESTAR ESTATES CONDOMINIUMS". THAT EACH LOT SHALL BE KNOWN BY THE NUMBER AND TRACT BY THE LETTER GIVEN EACH RESPECTIVELY ON SAID PLAT; AND THAT COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, HEREBY DEDICATES TRACT "A" WHICH INCLUDES DRIVE ISLE AREA IS DESIGNATED FOR PRIVATE USE BY RESIDENTS OF "BIENESTAR ESTATES CONDOMINIUMS" AND EASEMENTS FOR PUBLIC UTILITIES, CABLE TELEVISION, WATER, SEWER, EMERGENCY VEHICLE ACCESS AND REFUSE COLLECTION; TRACT "B" WILL BE RESERVED FOR LANDSCAPING AREA AND DESIGNATED COMMON AREA FOR PRIVATE USE BY RESIDENTS OF "BIENESTAR ESTATES CONDOMINIUMS"; TRACT "C" IS DESIGNATED COMMON AREA AND RESERVE FOR PRIVATE USE BY RESIDENTS OF "BIENESTAR ESTATES CONDOMINIUMS"; THE EASEMENTS ARE DEDICATED FOR THE PURPOSE SHOWN HEREON AND ARE SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED CONCURRENTLY HEREWITH.

IN WITNESS WHEREOF: COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, HAS CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED AS ATTESTED BY THE SIGNATURE OF GEORGE GUERRERO, AS PRESIDENT OF COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION, THEREUNTO DULY AUTHORIZED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_.

GEORGE GUERRERO  
PRESIDENT OF COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION.

### ACKNOWLEDGMENT

STATE OF ARIZONA )  
COUNTY OF YUMA )

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_ BEFORE ME, THE UNDERSIGNED NOTARY, PERSONALLY APPEARED: GEORGE GUERRERO, AS PRESIDENT OF COMITE DE BIENESTAR, INC. AN ARIZONA CORPORATION.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL.  
BY: \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC

### APPROVED

STATE OF ARIZONA )  
COUNTY OF YUMA )  
THIS SUBDIVISION AS PLATTED HEREON HAS BEEN APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA.  
\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CITY MANAGER  
\_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES  
\_\_\_\_\_  
CITY ENGINEER  
\_\_\_\_\_  
CITY PUBLIC WORKS DIRECTOR

### LAND SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I AM A LAND SURVEYOR LISTED ON THE ROSTER OF ACTIVE REGISTRANTS BY THE STATE BOARD OF TECHNICAL REGISTRATION OF ARIZONA AND THAT THIS MAP CONSISTING OF ONE (1) SHEET CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING JUNE OF 2018 THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN, OR WILL BE IN PLACE WITHIN ONE YEAR FROM RECORDATION OF THIS MAP. THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE SURVEY IS TRUE AND COMPLETE AS SHOWN. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS PARTS.



BY: John C. English II  
JOHN C. ENGLISH II R.L.S. No. 16598

### CURVE DATA

NUMBER	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH	TANGENT	RADIUS	ARC LENGTH
C1 [R]	30°32'36"	S 74°44'24" E	105.36'	54.61'	200.00'	106.62'
C2 [R]	45°01'10"	N 22°27'53" E	922.65'	499.37'	1205.00'	946.82'



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

6.D.

**Meeting Date:** 01/08/2019

**Submitted By:** Jose A. Guzman, Director of Planning & Zoning, Planning & Zoning Department

---

#### ITEM:

Election of Officers.

#### BACKGROUND:

As per City Code Section 152.026(G)(1), "A member must have served on the Commission for a period of one (1) year prior to being eligible to serve as an officer. The Commission shall elect a chairperson and vice-chairperson from among its own members at its first meeting in January each year. The chairperson shall preside at all meetings and shall take such actions as necessary to preserve order and the integrity of all proceedings before the Commission. The vice-chairperson shall perform the duties of the chairperson in the latter's absence or disability."

#### SUMMARY:

At this time the following Commission members have served for at least one year and are eligible to act as chairperson or vice-chairperson:

Javier Barraza appointed on 02/24/2016  
Marco A. Pinzon appointed on 01/25/2017  
Daniel Bazua appointed on 06/10/2009  
Guillermina Fuentes appointed on 05/14/2014

#### RECOMMENDED MOTION:

**I MOVE TO APPOINT \_\_\_\_\_ TO SERVE AS  
CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION.**

**I MOVE TO APPOINT \_\_\_\_\_ TO SERVE AS  
VICE-CHAIR-PERSON OF THE PLANNING AND ZONING COMMISSION.**

---