NOTICE OF SPECIAL 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 Special Planning & Zoning Commission Meeting at 7:00 p.m., Tuesday, October 15, 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/ Roman Pacheco, Planning Technician

AVISO DE JUNTA ESPECIAL 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 especial a las 7:00 p.m., el día Martes, 15 de Octubre 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/ Roman Pacheco, Técnico en Planeación

AGENDA
Planning & Zoning Commission
Special Meeting
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
Tuesday, October 15, 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. 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.

3. A. Public hearing followed by discussion and possible action on any and all matters regarding Major General Plan Amendment Case No. 2019-0394. A request by Edais Engineering, Inc. on behalf of San Luis Port, LLC, to change the land use designation from Business and Industrial to Neighborhood for 164.76 acres located at the northeast corner of Avenue E and County 24th Street.

A. Continuation of public hearing
   1. Staff presentation
   2. Call to the Public on this item

B. Action on public hearing

C. Action on Major General Plan Amendment Case No. 2019-0394

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

A. Continuation of public hearing
   1. Staff presentation
   2. Call to the Public on this item

B. Action on public hearing

C. Action on Major General Plan Amendment Case No. 2019-0395

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

A. Continuation of public hearing
   1. Staff presentation
   2. Call to the Public on this item

B. Action on public hearing

C. Action on Major General Plan Amendment Case No. 2019-0396

4. **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.

5. **ADJOURNMENT**

PLANNING & ZONING
AGENDA ITEM REVIEW FORM

Special Planning & Zoning Commission Meeting **3. A.**

Meeting Date: 10/15/2019

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

ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Major General Plan Amendment Case No. 2019-0394. A request by Edais Engineering, Inc. on behalf of San Luis Port, LLC, to change the land use designation from Business and Industrial to Neighborhood for 164.76 acres located at the northeast corner of Avenue E and County 24th Street.

A. Continuation of public hearing
    1. Staff presentation
    2. Call to the Public on this item
B. Action on public hearing
C. Action on Major General Plan Amendment Case No. 2019-0394

BACKGROUND:

This request for a Major General Plan Amendment was submitted to the City of San Luis in June 2019 by Edais Engineering, Inc. The request is to amend the land use designation on 164.76 acres from Business and Industrial to Neighborhood. The subject properties, Assessor's Parcel No. 227-11-004 and 227-11-005, are located on the east mesa of the City of San Luis and the legal descriptions are attached to this report.

LOCATION AND PARCEL INFORMATION:

The general location of the proposed amendment area is bounded by San Luis Lane (County 23 ½ Street) to the north, Avenue E to the west, Avenue D to the east and County 24th Street to the south.

<u>Parcel 1</u>
Assessor's Parcel Number: 227-11-004
Property Owner: San Luis Port LLC AZ LIAB CO
Acreage: 74.80 Acres
Current Land Use Designation: Industrial
Proposed Land Use Designation: Neighborhood
Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6)

<u>Parcel 2</u>
Assessor's Parcel Number: Portion of 227-11-005
Property Owner: San Luis Port LLC AZ LIAB CO
Acreage: 86.96 Acres
Current Land Use Designation: Business
Proposed Land Use Designation: Neighborhood
Current Zoning: Combination of Light Industrial (L-I) Medium Density Residential(R-2), and High Density Residential (R-3).
Proposed Zoning: Medium Density Residential (R1-6)

INTENT OF AMENDMENT:
The reason for the requested General Plan Amendment is to rezone the properties to Medium Density Residential (R1-6) and develop it as single family residential. The current General Plan designation does not allow the proposed zoning districts.

SURROUNDING PROPERTIES:
The area to the north belongs to the Arizona State Land Trust and is under County jurisdiction. The area to the east is occupied by the San Luis Regional Detention and Support Center and is zoned as Rural Area 10-acre minimum (RA-10). To the south, the properties are vacant land and are zoned Community Commercial (C-2) and Light Industrial (L-I).

LAND USE DESIGNATIONS:
The current General Plan land use designation of Assessor's Parcel No. 227-11-004 is Industrial. The intent of this designation is to allow for a variety of industrial uses, including manufacturing facilities assembly plants, warehouses, coolers, distribution centers, freight-based activities, transportation-related activities and other employment generating activities. The permitted zoning districts within this land use designation are Light Industrial (L-I), Heavy Industrial (H-I) and Community Commercial (C-2) zoning district. This property is currently zoned as Light Industrial (L-I).

The current General Plan land use designation of Assessor's Parcel No. 227-11-005 is Business. The designation is planned for areas suitable for higher intensity commercial, office, employment and appropriate industrial uses. The permitted zoning districts within this land use designation are Neighborhood Commercial (C-1), Community Commercial (C-2), Light Industrial (L-I) and Heavy Industrial (H-I). The property in zoned as a combination of Community Commercial(C-2), Light Industrial (L-I), Medium Density Residential (R-2), and High Density Residential (R-3).

The proposed land use designation for both properties is Neighborhood. The intent of this designation is to allow residential, neighborhood type commercial, community services/facilities, parks, open space, schools and master planned communities. The residential uses may include single family detached units, single family attached units, townhouses, condominiums, and apartments. The permitted zoning districts within this designation are Low and Medium Density Residential (R1-12, R1-8, R1-6), Medium-High Density Residential (R-2), High Density Residential (R-3), Neighborhood Commercial (C-1), Mixed Use (MU), Residential Planned Unit Development (R-PUD), Manufacture Home (MH), Recreation Vehicle (RV), and Open Space Conservation (OSC) zoning districts.

RELEVANT HISTORY:
The subject property was annexed to the City of San Luis in 2000 as a portion of a larger area. At that time, a Preannexation Development Agreement was adopted (Resolution No. 421). The larger area included the properties where the San Luis regional Detention and Support Center and East Wastewater Treatment Plant are now located.

The agreement included provisions to allow the development of and the establishment of the use of a private prison under the existing zoning regulations. It was agreed by the property owner and the City that Light Industrial uses were the most appropriate uses for the remaining of the property to be annexed.

After the annexation became effective, the owner applied to rezoned properties within the newly annexed area (Rezoning Case No. 2010-11, -12, -13 and -14). The request was seeking residential zoning in an area primarily designated for industrial uses. In 2011, Resolution No. 933 amended the Preannexation Agreement to include certain provision to allow for limited High Density Residential development, as requested by the owner. The decision to include High Density Residential was based on the potential need for townhouses or condominiums to accommodate short-term employees in the construction or development fields.

APPLICATION PROCESS:

The City of San Luis General Plan provides a shared vision of San Luis's future for City decision-makers, residents and other working with the City. It includes fourteen elements that, taken together, provide a blueprint for growth and development that will enhance the life of San Luis residents and businesses. All parts of the General Plan are related and should be collectively applied. For this reason, proposed amendments to the General Plan will be analyzed in a comprehensive manner.

Pursuant to ARS 9-461.06G, a major amendment is defined as a "substantial alternation of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element."

Major Amendments to the General Plan are considered once each year pursuant to ARS 9-461.06G. Major Amendment applications must be submitted within the same calendar year they are being considered at a single public hearing. A Major Amendment shall be approved by an affirmative vote of at least two-thirds of the members of the City Council.

CUMULATIVE EFFECT:
All amendments must be considered concurrently in order to evaluate their cumulative effect on the General Plan. This application is being reviewed as part of the annual cycle of general plan amendments along with two other applications:

1. Major General Plan Amendment Case No. 2019-0394(this Case)
2. Major General Plan Amendment Case No. 2019-0395
3. Major General Plan Amendment Case No. 2019-0396

The three applications should be reviewed for their cumulative land use impacts because they are in the vicinity. Case No. 2019-0394 and 2019-0396 are located east side of Avenue E corridor.

AGENCY REVIEW AND PUBLIC COMMENT:
As required by State Statute (A.R.S. §9-461.06(D)), notice of this proposal was sent to relevant government agencies for their review. The 60-day review period ended on September 9, 2019.

During this period, comments were received from the following agencies:

- Arizona Department of Transportation Southwest District (ADOT)
- Marine Corps Air Station Yuma

The comment from ADOT received concerned request for additional information (Traffic Impact Analysis), once future development proposal for the subject property is submitted. This application does not include specific improvement proposals and only concerns the land use of the parcel.

Notice of this proposal was also sent to all property owners within the notification area (8 letters). No public comments were received during the public comment period.

CITIZEN REVIEW MEETING:
In accordance with 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 1, 2019 at 6PM.

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 amendment prior to the public hearing. There were no people from the public present.

FIRST PUBLIC HEARING:
Arizona Revised Statutes (A.R.S. §9-461.06(E)) require that cities over twenty-five thousand in population must hold two public hearings for any Major General Plan Amendment. The two or more public hearings must be held in two different locations on two different dates. The first Public Hearing for this request was held on October 8, 2019 at the San Luis Cesar Chavez Cultural Center.

APPROVAL CRITERIA:
As per San Luis City Code §152.047(E), 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.

GENERAL PLAN ANALYSIS:
The City of San Luis General Plan 2020 sets forth the City's Land Use doctrine. The General Plan guides and directs all City land use decision. Furthermore, State Law requires that any project must be consistent with the General Plan.

As per San Luis City Code §152.047(E), 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.

Analysis:
The San Luis General Plan does provide appropriate optional sites for the use proposed in the amendment. The Neighborhood areas within the Planning Area are located both north and south of Cesar Chavez Boulevard, between U.S. Highway 95 and Avenue E, adjacent to the US 95 corridor and to the west of the Business area along Avenue B.

The San Luis Land Use Plan provides a framework to accommodate future growth in a well-managed and sustainable way. The Land Use Element designates the proposed general distribution, location and extent of such land uses as housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space and such other categories of public and private uses of land as may be appropriate to the City of San Luis.

The Growth Area Element, states that proactively directing growth is essential to efficiency using available infrastructure and promoting a sustainable community. This Element identifies areas that are particularly suitable for infrastructure expansion, multimodal transportation and improvements designed to support planned concentration of a variety of land uses such as commerce, industry, and residential neighborhoods.

Various locations described below are identified as Growth Areas due to their location and the existence of all or some of the infrastructure necessary to support new construction.

Residential Growth Areas:
Two areas are specifically identified for residential growth and expansion:

- County 24th Street- Additional single-family neighborhood development is planned for privately-owned lands north of County 24th Street, east of 10th Avenue and west of Avenue E 1/2.
- North San Luis- The area north of Cesar Chavez Boulevard, south of County 22nd Street and between 10th Avenue and Avenue F is identified for neighborhood and supporting retail development.

Commercial Growth Areas:
San Luis II Commercial Port of Entry North-

- This high priority growth area is critically important to commercial and service expansion in support of San Luis II Commercial Port of Entry. This modern port of entry opened in November 2010. Private land ownership and access limitations along Avenue E create opportunities for development along the Avenue E Corridor.

Conclusion:
These two overarching Elements of the General Plan specifically prohibit the conversion of employment lands to residential uses unless the proposed site is in a Residential Growth Area.

There are two Growth Areas identified for residential development. A stable political environment, municipal water service, minimal slope and good soils contribute to the conduciveness of the area for new development. A variety of land disposition techniques, such as land swaps, purchase or lease, may be utilized in order to allow use of Bureau of Land Management (BLM) and Bureau of Reclamation (BOR) lands. Lands owned by the State of Arizona are available for purchase or lease through an application and auction process.

The area along Avenue E and the San Luis II Commercial Port of Entry is the only Growth Area identified for industrial development. This area east of Avenue E has been historically reserved for Industrial uses and is the only Growth Area designated for Industrial development. Moreover, this area is in one of the specific areas that the General Plan identifies for the preservation of employment land. Preservation of these lands will allow a future industrial user to successfully operate a larger employment business on this site. In order to allow the necessary revenue generating businesses to locate in San Luis, there needs to be ample space for these businesses, away from residential uses that can hinder the ability of these sites to operate at their full capacity. With limited locations for potential industrial users to locate to, the need to preserve the industrial space that exists is the key priority to making other General Plan goals and policies come to fruition.

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.

Analysis:
This general plan amendment not only convert employment lands, but it places a burden on the remaining land adjacent to the site and it will place constraints on future operational practices on this area for any industrial user. Permitting residential development will start a chain reaction of land conversions in this overall industrial area, eliminating the much-needed industrial-designated land. This is a large

area, almost 164.76 acres in size, that can be a prime location for future industrial users, and as such, should be maintained as an industrial site.

Conclusion:
The question presented is whether or not the Amendment is solely for the benefit of the Owner at this point in time. Typically, General Plan Amendments benefit the owner either by enhanced development potential or quicker absorption possibilities for its property. In this Amendment, the Owner is benefited by having a land use designation that is more economically advantageous to the owner.

However, the approval of the proposed general plan amendment would create incompatible land uses in industrial zones, and would disadvantage the City of San Luis as a place for industrial activities. Therefore, the amendment does not constitute an overall improvement to the General Plan.

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,

Analysis:
The proposed amendment would allow Residential use surrounded by Industrial designations and existing uses such as the private prison and a wastewater treatment facility.

Conclusion:
Approval of the proposed general plan amendment would create incompatible land uses in an Industrial zone, and would disadvantage the City of San Luis as a place for industrial activities. Industrial land uses are associated with the heavy intensity use of raw materials for the purpose of developing, manufacturing, storing and shipping products, specifically in the Industrial Land Use designation. Neighborhood uses are associated with residential, neighborhood type commercial, community services/facilities, parks, open space, schools and master planned community. The fundamental purpose of the industrial and neighborhood land use demonstrates their incompatibility, and mixing these two disparate uses creates difficulties for each. Industrial businesses would not want to be located adjacent to a residential use because their operations may be restricted to preserve the general welfare of people. This incompatibility would discourage Industrial uses in that area.

Further, approving this request would be contrary to the Land Use Element Section 2.8- "Employment property must be vigorously protected from being changed to residential uses since once residential development begins to occur it is very difficult to bring employment uses to the vicinity." Therefore, the requested general plan amendment would create incompatible uses that would disadvantage the City as a place to conduct industrial activities. In addition, locating residential within industrial areas could subject users to hazards and nuisances, including noises, odors, and materials associated with industrial processes.

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,

Analysis:
It is the desire of the City to encourage development that requires little or no extension of services. Development that occurs within or directly adjacent to existing infrastructure or service areas is the most cost-effective since much of the investment in providing those services has already been made. Building outside of these existing service areas creates sprawl that is very expensive to the community unless the majority of costs are borne by the developer. These costs are not just the basic infrastructure, but also for public safety services that must expand service areas to

accommodate the new development.

Growth Areas play a significant role in obtaining economic development goals for business and service expansion and revenue generation. The area where the proposed property is located is identified in the General Plan as a Growth Area for Commercial and Industrial Activities and not for Residential.

Conclusion:
The predominant growth pattern in the last 10 years is housing. San Luis experienced rapid population growth that triggered new residential development. However, the commercial, retail, and infrastructure growth has not balanced with the residential growth. The continued loss of industrial land to residential uses will impair the use of the remaining industrial land for industrial uses. Staff, as directed by the General Plan, strongly supports the preservation of the industrial land in the city in order to ensure that future job opportunities of this type will occur. The conversion of industrial land in this area will shrink the City's opportunity to provide this type of land use in the City, and most likely will require a greater amount of city services and affect the city's fiscal stability.

c. Adversely impacting existing or previously planned uses through increased traffic generated by the proposal on existing systems, or

Analysis:
The San Luis Circulation Element focuses on a multimodal circulation and transportation system that will support the current and future land uses. This element is intended to ensure that residents and visitors can move safely, efficiently and conveniently throughout the Planning Area and also easily access connections to reach the regional area.

State Route 195 was opened to traffic on September 4, 2009. The Arizona Department of Transportation (ADOT), in conjunction with the Federal Highway Administration (FHWA) and the Yuma Metropolitan Planning Organization (YMPO) identified the need to provide a direct transportation route between the then future commercial international Port of Entry (POE) near San Luis, Arizona and Interstate 8 (I-8).

San Luis POE II, built in 2010, is located approximately five miles east of San Luis POE I at the terminus of Avenue E. It provides commercial vehicle inspection and direct access to State Route 195 (SR-195). San Luis POE II was designed with the potential for expansion to accommodate more commercial vehicles per day. POE II is a significant contributor to promoting regional trade.

State Route 195 – Area Service Highway (ASH) connects with Cesar Chavez Boulevard and begins at approximately Avenue E. This roadway is classified as an expressway and consists of two travel lanes in each direction with a wide center median. It will be the major facility supporting international trade associated with San Luis II Commercial Port of Entry. It will provide uncongested access to Interstate 8 for truck traffic.

In the year 2008, the San Luis Future Land Use Plan was amended to include a revised land use plan for the lands adjacent to San Luis LPOE II. The purpose of the amendment was to address projected economic, land use and transportation changes due to growth and development within the region and increased border activity as a result of the development of the SR-195 and the new LPOE II. The amended areas are generally bounded to the north by County 19th Street, to the south by the international border, to the east by Avenue F, and to the west by Avenue D.

Do to the proximity to the LPOE II and the SR-195, most of the area around Avenue E was designated for Industrial development. Avenue E corridor was built to standards accommodating heavy trucking activity. Avenue E is identified as a hazardous cargo route in the Yuma County Hazardous Materials Emergency Plan.

Conclusion:
The mix of commercial and non-commercial vehicles creates traffic safety problems as trucks and cars are required to cross between each other. Commercial trucks create visibility problems for noncommercial vehicles, and non-commercial vehicles often back up, congest, and cross paths designed for commercial activity. The proposed amendment would also allow schools to be in an area for Industrial uses. An increase in pedestrian traffic contributes to the growing safety problem, including school kids walking or crossing roadways meant for heavy commercial traffic.

The proposed amendment would adversely affect Avenue E corridor do to the potential hazards by creating a mixed of commercial and non-commercial vehicles. The amendment is inconsistent with the purpose and intention for Avenue E Corridor.

d. Affecting the livability of the area or the health and safety of the residents.

Analysis:
The requested general plan amendment results in the encroachment of incompatible land uses and nonindustrial uses in industrial zones, which this policy expressly prohibits. As previously discussed, industrial land uses involve high intensity use raw materials for the manufacturing, storage, and shipment of products. These industrial uses frequently result in noise, long operating hours, and large vehicle deliveries and shipments. Neighborhood uses stand in sharp contrast to Industrial uses. Neighborhood uses involve all residential uses. Residential uses in an industrial zone would expose people to the byproducts of industrial operations which creates an incompatible situation, the essence of incompatible land use uses. The City would potentially need to impose operational restrictions to resolve conflicts and incompatibilities between residential and industrial land uses.

Conclusion:
The proposed General Plan amendment will adversely affect the public health, safety and welfare of the residents of San Luis. The project is inconsistent with San Luis Zoning Regulations by proposing to amend the General Plan to allow residential zones adjacent to industrial. These regulations are designed to conserve and promote the public interest, health, comfort, safety, convenience, and general welfare of the citizens of the City of San Luis. A project that conflicts with these regulations would therefore be detrimental to the health, safety and welfare of the residents of San Luis.

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.

Analysis:
Based on the analysis described above, the requested General Plan Amendment is inconsistent with the City's General Plan. The General Plan, functioning as the City's land use doctrine, designates the site as Industrial. This classification encompasses a variety of light and heavy industrial uses such as manufacturing, packaging, processing, warehousing and distribution, and ancillary support uses. The requested general plan amendment would allow residential development within an area planned for Industrial uses ,that are inconsistent with the intent of the General Plan.

Conclusion:
The General Plan has numerous Goals and Objectives that prohibit and discourage the encroachment of uses that are not compatible with industrial uses. The General Plan designates Growth Areas for residential development within the Planning Area. The proposed amendment area was originally designed and agreed on to be designated as Industrial area. Accordingly, it is important to retain these areas for manufacturing, packaging, processing, warehousing and distribution and, in effect maintaining areas for job creation, by denying the requested General Plan amendment.

Additionally, staff has determined that the application is inconsistent with the following Goals and

Objectives:

Land Use Element
Goal 2. Reserve areas for employment uses including manufacturing and industrial parks.
Goal 2. Objective B. Focus on areas with convenient access to San Luis II Commercial Port of Entry.
Goal 4.Objective C. Provide appropriate land uses in the vicinity of San Luis II Commercial Port of Entry.
Goal 5. Promote land use compatibility.
Goal 5.Objective B. Provide appropriate open space or industrial buffers adjacent to the prisons.

Growth Area Element
Goal 1. Identify areas for commercial, industrial and residential growth within and adjacent to the City.
Goal 3. Assure compatibility between new development and existing neighborhoods.

Circulation Element
Goal 2. Match land use intensities with planned transportation system capacities.

Housing Element
Goal 2. Objective A. Guide residential development within the residentially designated areas on the Future Land Use Plan.

SUMMARY:
Based on the analysis described above, the requested General Plan Amendment is inconsistent with the Goals and Objectives of the City of San Luis General Plan, therefore does not meet the Approval Criteria.

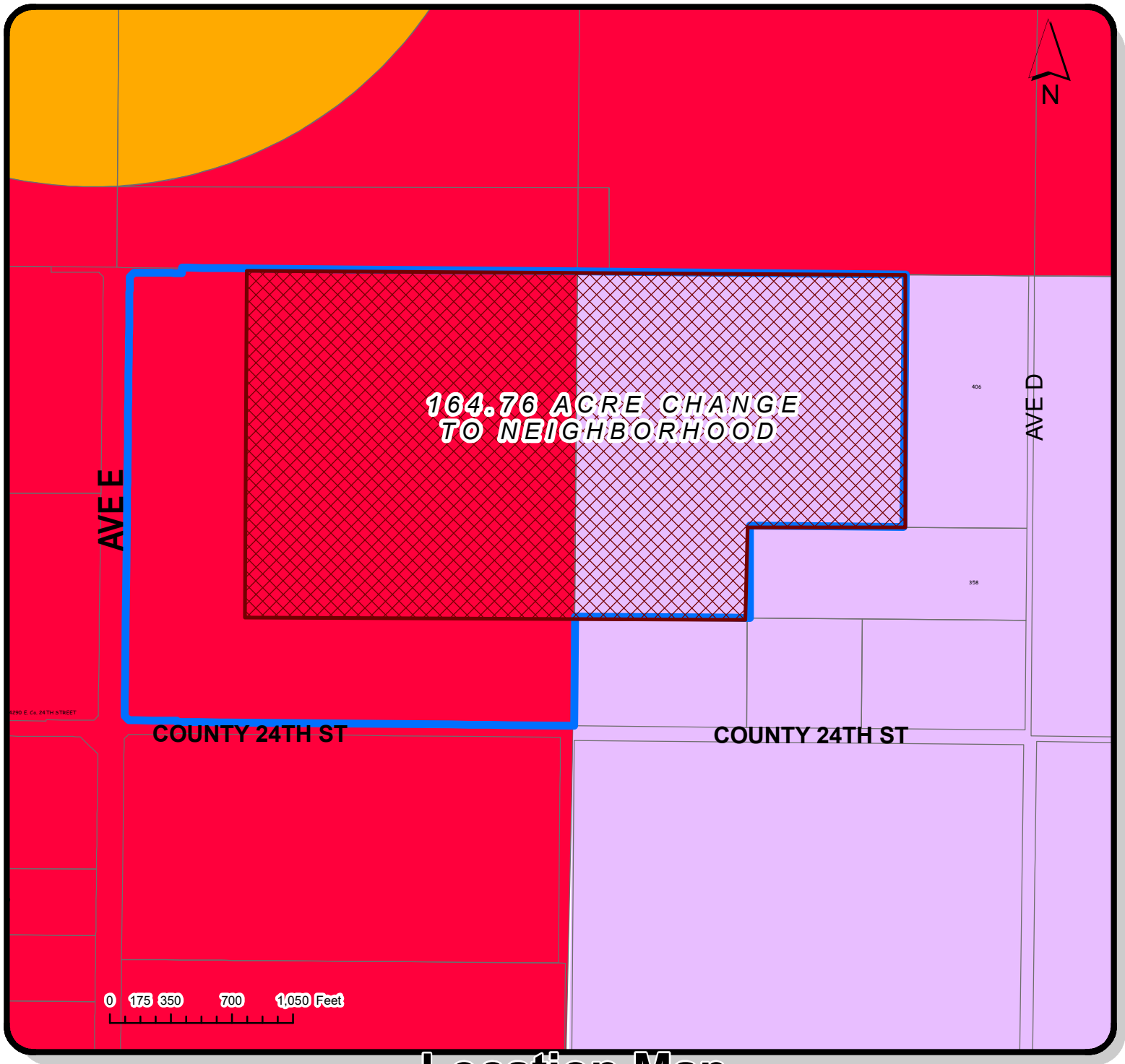
STAFF RECOMMENDATION:
Staff recommends DENIAL of Major General Plan Amendment Case No. 2019-0394, a request by Edais Engineering Inc. for a Major General Plan Amendment from Business and Industrial to Neighborhood on 164.76 acres of land located at the northeast corner of Avenue E and County 24th Street.

RECOMMENDED MOTION:
A. I MOVE TO CLOSE PUBLIC HEARING.

B. I MOVE TO FORWARD MAJOR GENERAL PLAN AMENDMENT CASE NO. 2019-0394 TO THE CITY COUNCIL WITH RECOMMENDATION OF DENIAL.

Attachments

Location Map
Combines Cases Map
Narrative Statement
Legal Descriptions
Arizona Department of Transportation Comments
Marine Corps Air Station Yuma Comments



Location Map

MAJOR AMENDMENT

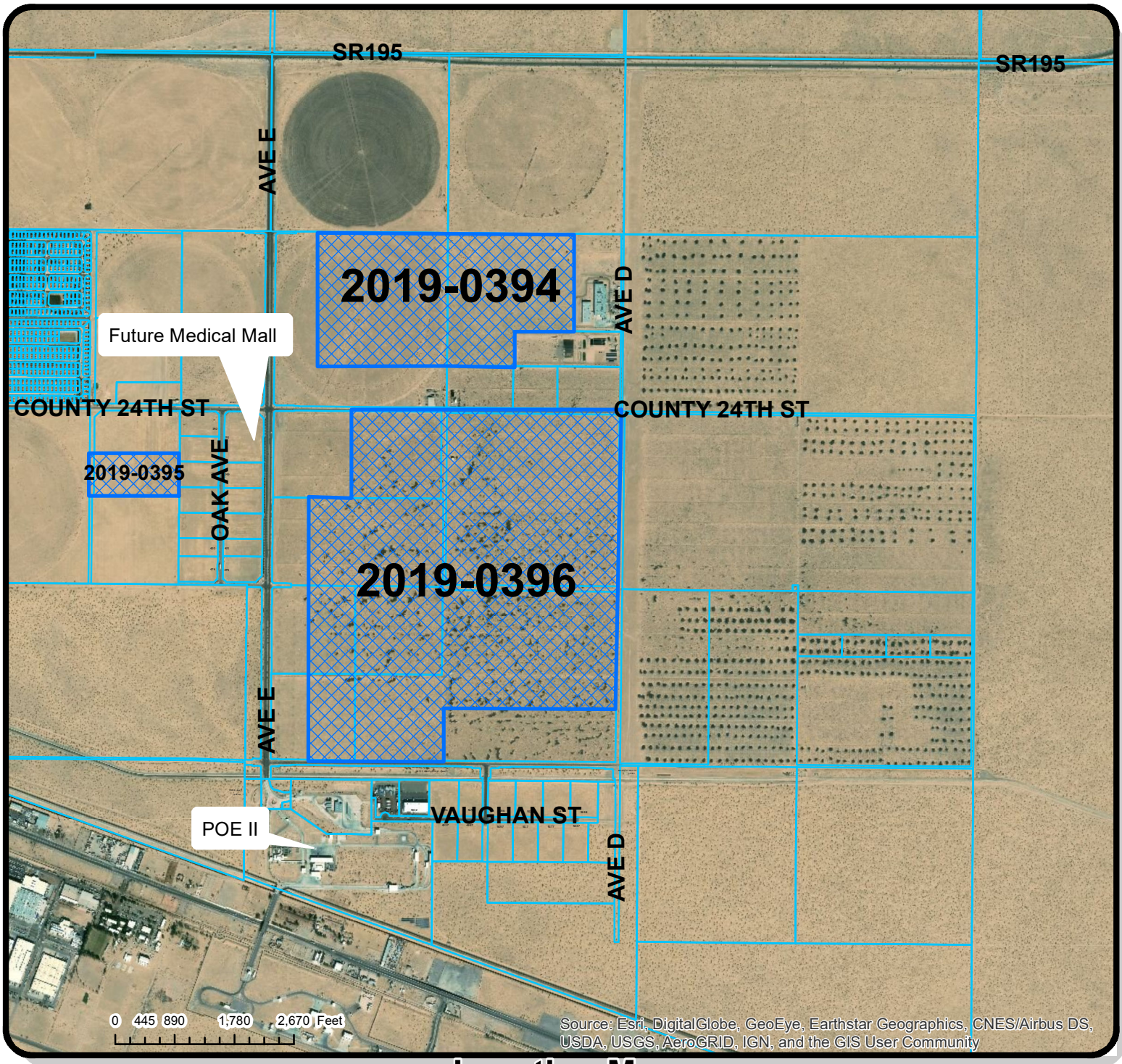
LOCATION OF SUBJECT PROPERTIES

Assessor's Parcel No. 227-11-004 & 227-11-005

LAND USE

- Business
- Activity Center
- Industrial

Date: 7/7/2019	PLANNING & ZONING	**Prepared By:** ISAAC GUTIERREZ	**Case No.** 2019-0394
Checked By: ROMAN PACHECO	GIS	**APPROVED BY:** JOSE A. GUZMAN	



LOCATION OF SUBJECT PROPERTY

Location Map

MAJOR AMENDMENT

MAJOR AMENDMENT CASES

Date: 10/10/2019	PLANNING & ZONING	**Prepared By:** ISAAC GUTIERREZ	**Case No.** 2019-0394, 2019-0395, 2019-0396
Checked By: ROMAN PACHECO	GIS	**APPROVED BY:** JOSE A. GUZMAN	

NARRATIVE STATEMENT:

It is being requested to change the land use in this area from Industrial/business to neighborhood. There is lots of areas designated as industrial but there is no demand for industrial land. The industrial park is basically vacant and there is no need for additional industrial land. If this land left at its current designation, it will not be developed for a long period of time. Residential development is needed in San Luis where it creates a good economic base and provide jobs. The followings are points to support this land use change:

1. This amendment to the general plan is necessary to provide land for residential use in the area. Residential use doesn't have an affect should change for this property be allowed. The property to the north is designated as low density residential. The commercial designation to the west and South is compatible with this request.
2. The existing General Plan limits the use of Low density residential that is needed to develop the land.
3. This amendment has a positive affect on the neighboring properties and is compatible with the use. A portion of the neighboring properties to the north are primarily High density residential.
4. This amendment to the general plan increases the tax collected such as sales tax. The sales of homes will produce a tremendous amount of sales tax. Having homes instead of vacant land is good for jobs and in general the employment will go up as a result of the development in general and building residential homes.
5. This amendment to the general plan doesn't have an affect on the mixture and balance of land uses within the city of San Luis. This type of development is needed in the City where the current use is not needed.
6. This amendment to the general plan impact to infrastructure in the area is very minimal. Both water and wastewater infrastructure are available in the area. Streets are available and this development will improve streets around the property along with fire access.
7. This amendment to the general plan will constitute an overall improvement to the general plan by filling areas that are vacant and will stay vacant for a very long time.

LEGAL DESCRIPTION
(BUSINESS TO NEIGHBORHOOD)

A PORTION OF THE SOUTH HALF OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 24 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 11;

THENCE: S89°28'51"E, ALONG THE EAST-WEST MID SECTION LINE OF SAID SECTION 11, A DISTANCE OF 660.03 FEET **TO THE TRUE POINT OF BEGINNING**;

THENCE: S89°28'51"E, CONTINUING ALONG THE EAST-WEST MID SECTION LINE OF SAID SECTION 11, A DISTANCE OF 1980.10 TO A POINT ON THE NORTH-SOUTH MID SECTION LINE OF SAID SECTION 11;

THENCE: S00°26'29"W, ALONG THE NORTH-SOUTH MID SECTION LINE OF SAID SECTION 11; A DISTANCE OF 1978.49 FEET TO A POINT;

THENSE: N89°31'14"W, A DISTANCE OF 1979.50 FEET TO A POINT;

THENCE: N00°25'06"E, A DISTANCE OF 1979.86 FEET **TO THE TRUE POINT OF BEGINNING**;

CONTAINING 89.96 ACRES MORE OR LESS

LEGAL DESCRIPTION
(INDUSTRIAL TO NEIGHBORHOOD)

A PORTION OF THE SOUTH HALF OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 24 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 11;

THENCE: S89°28'51"E, ALONG THE EAST-WEST MID SECTION LINE OF SAID SECTION 11, A DISTANCE OF 2640.13 FEET **TO THE TRUE POINT OF BEGINNING**;

THENCE: S89°28'51"E, CONTINUING ALONG THE EAST-WEST MID SECTION LINE OF SAID SECTION 11, A DISTANCE OF 1888.44 TO A POINT;

THENCE: S00°27'24"W, A DISTANCE OF 1449.58 FEET TO A POINT;

THENCE: N89°28'51"W, A DISTANCE OF 901.55 FEET TO A POINT;

THENCE: S00°27'17"W, A DISTANCE OF 528.22 FEET TO A POINT;

THENCE: N89°31'14"W, A DISTANCE OF 986.38 FEET TO A POINT ON THE NORTH-SOUTH MID SECTION LINE OF SAID SECTION 11;

THENSE: N00°26'29"E, CONTINUING ALONG THE EAST-WEST MID SECTION LINE OF SAID SECTION 11, A DISTANCE OF 1978.49 FEET **TO THE TRUE POINT OF BEGINNING**;

CONTAINING 74.80 ACRES MORE OR LESS

Jose A. Guzman

From: Roman Pacheco
Sent: Tuesday, September 3, 2019 11:22 AM
To: Jose A. Guzman
Subject: FW: [EXTERNAL] Fwd: Major Amendment Case No. 2019-0394-ADOT Southwest District Comments
Attachments: DOC071119-005.pdf; MA-2019-0394s.pdf; SHADLE GENERAL PLAN.pdf

FYI

From: Isabell Garcia <igarcia@azdot.gov>
Sent: Tuesday, September 3, 2019 11:16 AM
To: Roman Pacheco <RPacheco@sanluisaz.gov>
Subject: [EXTERNAL] Fwd: Major Amendment Case No. 2019-0394-ADOT Southwest District Comments

Hello, below are the ADOT Southwest District's comments on Major Amendment # 2019-0394:
"ADOT Southwest District has no comment on the proposed land change; however, we would like to request a Traffic Impact Analysis (TIA) be completed once there is a specific development. We would like to access the potential impacts a new development would have on the intersection of State Route 195 and Avenue E. Direct access to SR 195 from the development will not be permitted as this an access-controlled highway."

Please send all future planning & zoning request to Bruce Fenske (Bfenske@azdot.gov) and myself. Thank you.

Isabell Garcia
Development TES
Southwest District
P- (928) 317-2159
E-mail- IGarcia@azdot.gov

---------- Forwarded message ---------
From: **Paul Patane** <ppatane@azdot.gov>
Date: Wed, Jul 31, 2019 at 12:03 PM
Subject: Fwd: Major Amendment Case No. 2019-0394
To: Isabel Garcia <igarcia@azdot.gov>

---------- Forwarded message ---------
From: **Roman Pacheco** <RPacheco@sanluisaz.gov>
Date: Thu, Jul 11, 2019 at 5:42 PM
Subject: Major Amendment Case No. 2019-0394
To:

Good evening All-

Please find attached Major Amendment Case No. 2019-0394 letter and 2 maps for your review. Please note that the end of 60-day review period is September 9, 2019. We welcome any comments you may have regarding this proposal. If you have any questions concerning this Major Amendment case, please contact the office of Planning and Zoning at (928)341-8563.

Thanks,

Roman Pacheco

Planning Technician

Planning & Zoning Department

1090 E. Union Street | P.O. Box 3750

San Luis, Arizona 85349

P: 928.341.8563 Ext. 2047 | F: 928.341.8599

www.cityofsanluis.org

Roman Pacheco

From: FINCH CIV Mary Ellen <mary.e.finch@usmc.mil>
Sent: Tuesday, July 16, 2019 7:45 AM
To: Roman Pacheco
Cc: Black CIV Gabriela L
Subject: [EXTERNAL] RE: Major Amendment Case No. 2019-0394

Good morning Roman,
I have reviewed Major Amendment Case 2019-0394 and this parcel is approximately 7.25 miles from the Barry M. Goldwater Range boundary. As such we would have no objection to this redesignation from Business to Neighborhood.

Thank you for the opportunity to review and comment.

Mary Ellen

-----Original Message-----
From: Roman Pacheco [mailto:RPacheco@sanluisaz.gov]
Sent: Thursday, July 11, 2019 5:42 PM
Subject: [Non-DoD Source] Major Amendment Case No. 2019-0394

Good evening All-

Please find attached Major Amendment Case No. 2019-0394 letter and 2 maps for your review. Please note that the end of 60-day review period is September 9, 2019. We welcome any comments you may have regarding this proposal. If you have any questions concerning this Major Amendment case, please contact the office of Planning and Zoning at (928)341-8563.

Thanks,

Roman Pacheco

Planning Technician

Planning & Zoning Department

1090 E. Union Street | P.O. Box 3750

San Luis, Arizona 85349

P: 928.341.8563 Ext. 2047 | F: 928.341.8599

www.cityofsanluis.org <http://www.cityofsanluis.org/>

PLANNING & ZONING
AGENDA ITEM REVIEW FORM

Special Planning & Zoning Commission Meeting **3. B.**

Meeting Date: 10/15/2019

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

ITEM:

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

A. Continuation of public hearing
    1. Staff presentation
    2. Call to the Public on this item
B. Action on public hearing
C. Action on Major General Plan Amendment Case No. 2019-0395

BACKGROUND:

This request for a Major General Plan amendment was submitted to the City of San Luis in June 2019 by Vianey R. Vega, P.E. from Vega & Vega Engineering, PLC. The request is to amend the land use designation on 18.44 acres from Business to Neighborhood. The subject property, south portion of Assessor's Parcel No. 227-15-019, is located on the east mesa of the City of San Luis.

LOCATION:

The general location of the proposed amendment area is bounded by County 24 Street to the north, Avenue E to the east, 20th Avenue (Avenue E 1/2) to the west and County 24 1/2 Street to the south.

SURROUNDING PROPERTIES:

The property to the west is zoned as Medium Density Residential (R1-6) and is where Bienestar 10 Subdivision will be located. 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 industrial vacant lots and one commercial lot where a future 75,000 square feet medical mall is currently under construction.

The 20 acres north of this property was originally designated as Business in the City of San Luis 2020 General Plan and was zoned as Light Industrial (L-I). The owner wanted to change the zoning to Medium-High Density Residential (R1-6) for the construction of a residential subdivision to be called Belleza Del Desierto Subdivision Phase 1. In order to do the zoning change, the land use designation had to be compatible with the proposed zoning district. The amendment and rezoning were approved as well as the subdivision plat.

INTENT OF AMENDMENT:

The reason for the requested General Plan Amendment is to rezone the property to Medium-High Density Residential (R1-6) and develop it as Phase 2 of Belleza Del Desierto Subdivision.

LAND USE DESIGNATIONS:

The current General Plan land use designation of Assessor's Parcel No. 227-15-019 is Business. The

designation is planned for areas suitable for higher intensity commercial, office, employment and appropriate industrial uses. The permitted zoning districts within this land use designation are Neighborhood Commercial (C-1), Community Commercial (C-2), Light Industrial (L-I) and Heavy Industrial (H-I). The property in zoned as Light Industrial (L-I).

The proposed land use designation for this property is Neighborhood. The intent of this designation is to allow residential, neighborhood type commercial, community services/facilities, parks, open space, schools and master planned communities. The residential uses may include single family detached units, single family attached units, townhouses, condominiums, and apartments. The permitted zoning districts within this designation are Low and Medium Density Residential (R1-12, R1-8, R1-6), Medium-High Density Residential (R-2), High Density Residential (R-3), Neighborhood Commercial (C-1), Mixed Use (MU), Residential Planned Unit Development (R-PUD), Manufacture Home (MH), Recreation Vehicle (RV), and Open Space Conservation (OSC) zoning districts.

APPLICATION PROCESS:
The City of San Luis General Plan provides a shared vision of San Luis's future for City decision-makers, residents and other working with the City. It includes fourteen elements that, taken together, provide a blueprint for growth and development that will enhance the life of San Luis residents and businesses. All parts of the General Plan are related and should be collectively applied. For this reason, proposed amendments to the General Plan will be analyzed in a comprehensive manner.

Pursuant to ARS 9-461.06G, a major amendment is defined as a "substantial alternation of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element."

Major Amendments to the General Plan are considered once each year pursuant to ARS 9-461.06G. Major Amendment applications must be submitted within the same calendar year they are being considered at a single public hearing. A Major Amendment shall be approved by an affirmative vote of at least two-thirds of the members of the City Council.

CUMULATIVE EFFECT:
All amendments must be considered concurrently in order to evaluate their cumulative effect on the General Plan. This application is being reviewed as part of the annual cycle of general plan amendments along with two other applications:

1. Major General Plan Amendment Case No. 2019-0394
2. Major General Plan Amendment Case No. 2019-0395(this Case)
3. Major General Plan Amendment Case No. 2019-0396

The three applications should be reviewed for their cumulative land use impacts because they are in the vicinity. Case No. 2019-0394 and 2019-0396 are located east side of Avenue E corridor.

AGENCY REVIEW AND PUBLIC COMMENT:
As required by State Statute (A.R.S. §9-461.06(D)), notice of this proposal was sent to relevant government agencies for their review. The 60-day review period ended on September 9, 2019.

During this period, comments were received from the following agencies:

- Arizona Department of Transportation Southwest District (ADOT)
- Marine Corps Air Station Yuma

The comment from ADOT received concerned request for additional information (Traffic Impact Analysis), once future development proposal for the subject property is submitted. This application does not include specific improvement proposals and only concerns the land use of the parcel.

Notice of this proposal was also sent to all property owners within the notification area (8 letters). No

public comments were received during the public comment period.

CITIZEN REVIEW MEETING:
In accordance with 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 1, 2019 at 6PM.

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 amendment prior to the public hearing. There were no people from the public present.

FIRST PUBLIC HEARING:
Arizona Revised Statutes (A.R.S. §9-461.06(E)) require that cities over twenty-five thousand in population must hold two public hearings for any Major General Plan Amendment. The two or more public hearings must be held in two different locations on two different dates. The first Public Hearing for this request was held on October 8, 2019 at the San Luis Cesar Chavez Cultural Center.

APPROVAL CRITERIA:
As per San Luis City Code §152.047(E), 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.

SUMMARY:
Staff will provide recommendation at the time of the meeting.

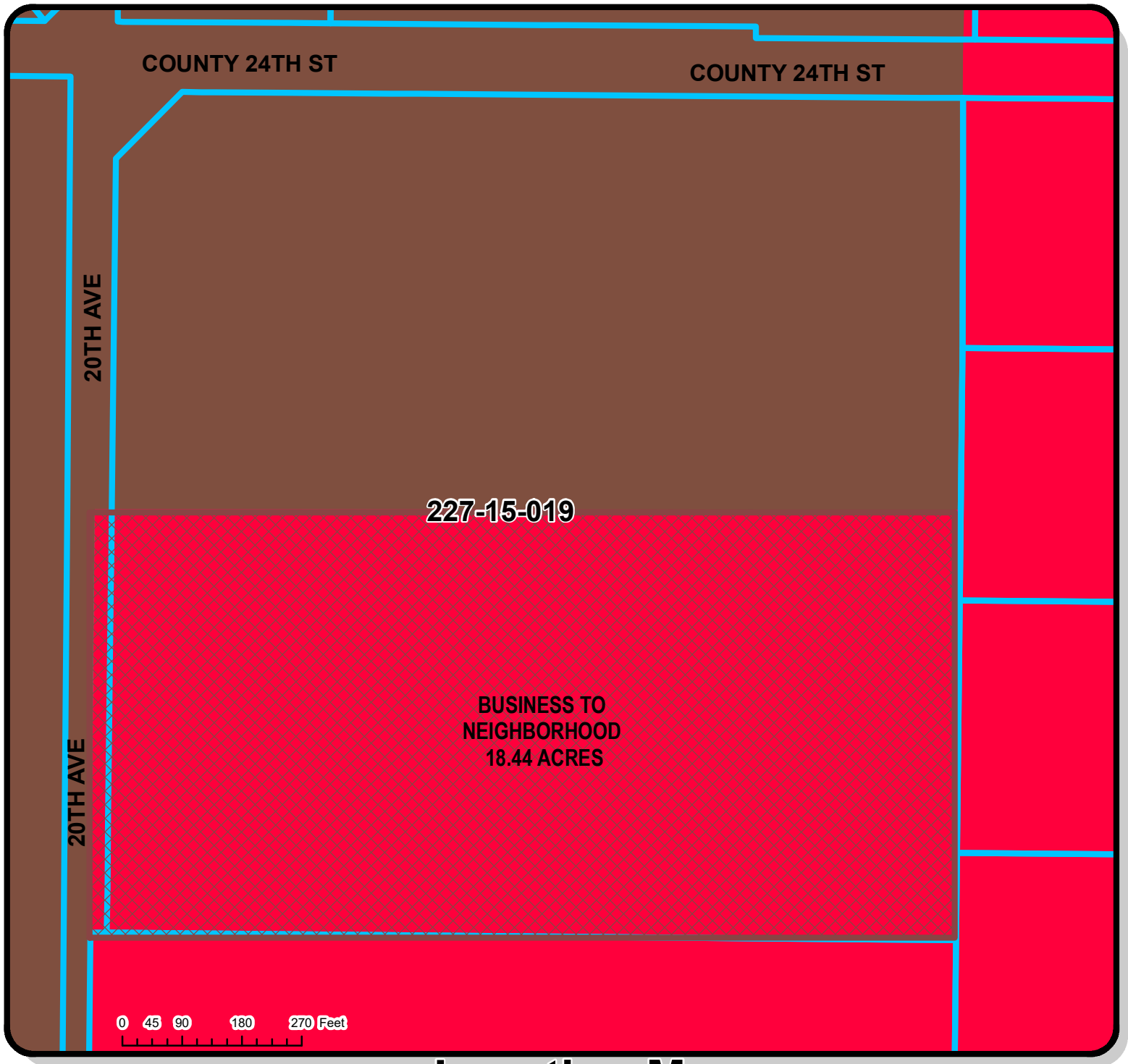
RECOMMENDED MOTION:

A. I MOVE TO CLOSE PUBLIC HEARING.

B. I MOVE TO FORWARD MAJOR GENERAL PLAN AMENDMENT CASE NO. 2019-0395 TO CITY COUNCIL WITH _____ RECOMMENDATION.

Attachments

Location Map
Combines Cases Map
Narrative Statement
Conceptual Plan
Arizona Department of Transportation Comments
Marine Corps Air Station Yuma Comments



Location Map

LOCATION OF SUBJECT PROPERTY

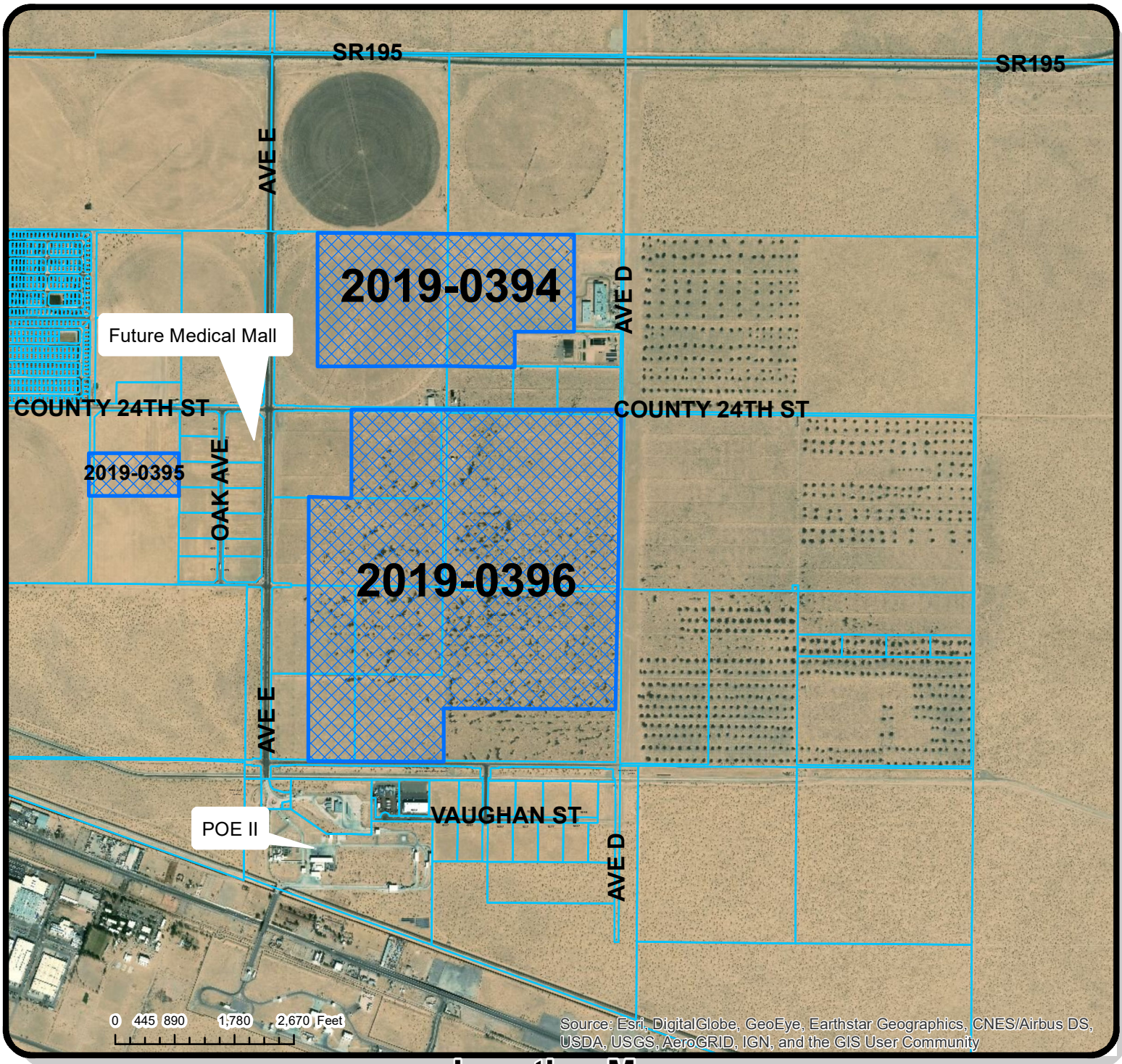
Assessor's Parcel No. 227-15-019

MAJOR AMENDMENT

LAND USE

- NEIGHBORHOOD
- BUSINESS

Date: 10/7/2019	PLANNING & ZONING	**Prepared By:** ISAAC GUTIERREZ	**Case No.** 2019-0395
Checked By: ROMAN PACHECO	GIS	**APPROVED BY:** JOSE A. GUZMAN	



LOCATION OF SUBJECT PROPERTY

Location Map

MAJOR AMENDMENT

MAJOR AMENDMENT CASES

Date: 10/10/2019	PLANNING & ZONING	**Prepared By:** ISAAC GUTIERREZ	**Case No.** 2019-0394, 2019-0395, 2019-0396
Checked By: ROMAN PACHECO	GIS	**APPROVED BY:** JOSE A. GUZMAN	

VEGA & VEGA
ENGINEERING, P.L.C.

1846 S. 8th Avenue
Yuma Az. 85364
928-329-0000 tel
928-247-6232 fax
VnV@vegaNvega.com

June 13, 2019

City of San Luis
Department of Development Services
Community Planning

Re: Major Amendment to the General Plan and Rezoning Request for Belleza del Desierto Phase 2
Narrative Statement.

Dear Sir or Madam:

This is the Narrative statement for the above-mentioned project:

The request for Major Amendment to the General Plan is for the southern portion of APN 227-15-019, being 18.44 acres from Business land use to neighborhood land use. (See attachment "A").

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;
This major amendment will allow property to be developed as phase 2 of the residential subdivision Belleza del Desierto to complete the residential development

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;
This development will provide 90 additional residence creating additional temporary jobs and developments fees for the City.

3) The amendment will not adversely impact the community as a whole or a portion of the community by:
There will be no impact since property will develop as the phase 2 of the subdivision Belleza del Desierto and will be compatible with area.

a) Significantly altering acceptable existing land use patterns;
The proposed use will be compatible with the surrounding area.

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 be impact development in other areas; **All services are existing within the area they just need to be extend when the project develops.**

c) Adversely impacting existing or previously planned uses through increased traffic generated by proposal on existing system; or **The proposed use will be compatible with the surrounding area.**

d) Affecting the livability of the area or the health and safety of the residents. **The proposed use will be compatible with the surrounding area.**

VEGA & VEGA
ENGINEERING, P.L.C.

1846 S. 8th Avenue
Yuma Az. 85364
928-329-0000 tel
928-247-6232 fax
VnV@vegaNvega.com

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. **The amendment is consistent with the General Plan's overall**

If the request for the for Major Amendment to the General Plan is approved, the intent is to develop land as Belleza del Desierto Subdivision Phase 2, with a future zoning designation R-1-6 and to be develop as single residential residences with lots minimum 6,000 sf.

If you have any questions or need any further information don't hesitate in contact us.

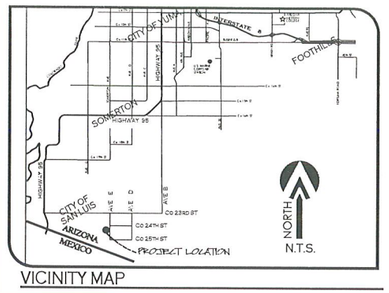
Sincerely

Vega & Vega Engineering, P.L.C.

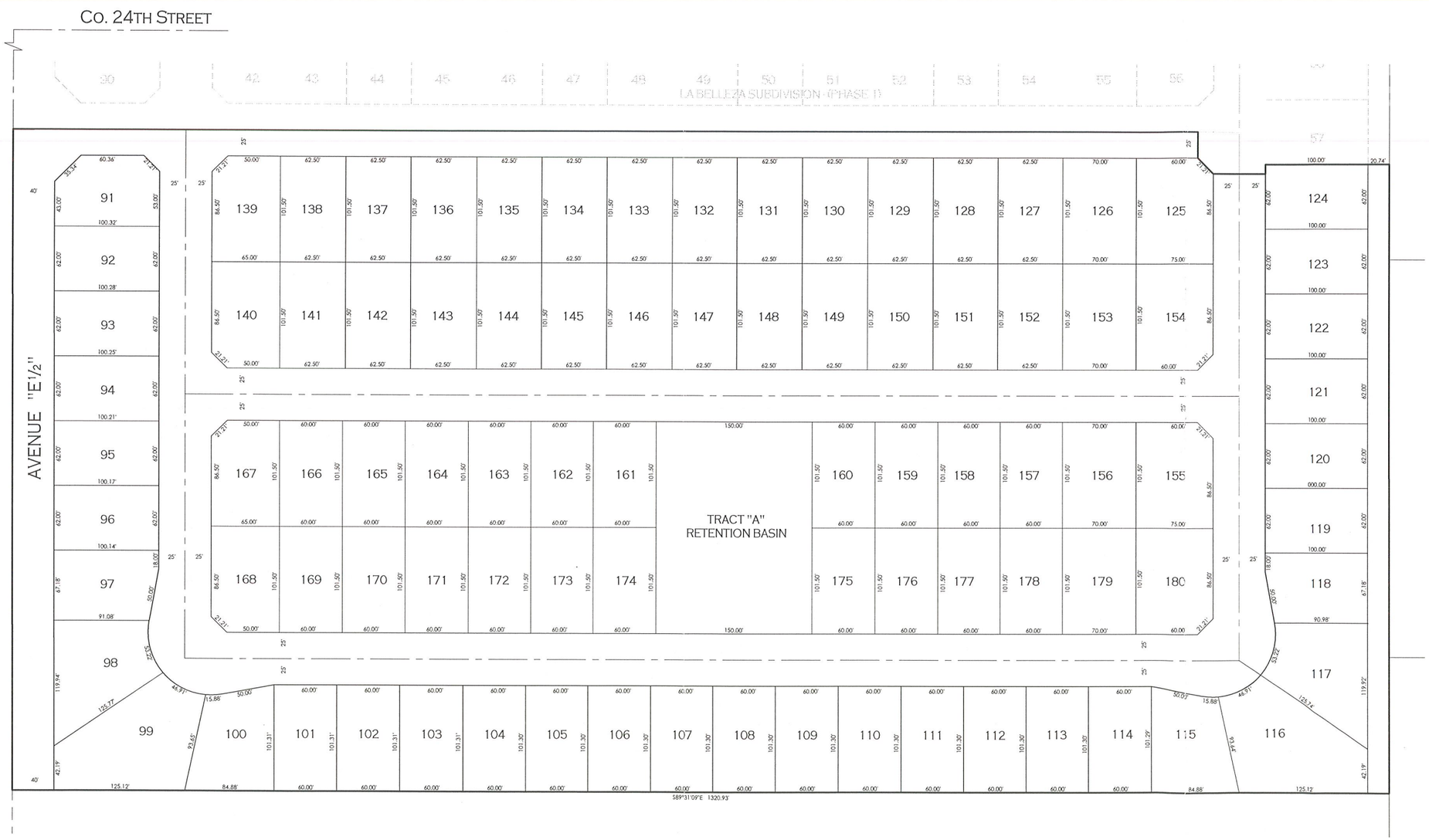
Vianey R. Vega, P.E.

LA BELLEZA SUBDIVISION - (PHASE 2)

CONCEPT DESIGN



VICINITY MAP



NORTH

SCALE: 1"=50'

ELABORATED BY:

VNV12-360

VEGA & VEGA ENGINEERING PLC
1846 S. 8th Avenue 928-329-0000 Tel
Yuma, Az. 85364 928-247-6232 Fax
www.vegaNvega.com

Jose A. Guzman

From: Roman Pacheco
Sent: Tuesday, September 3, 2019 11:25 AM
To: Jose A. Guzman
Subject: FW: [EXTERNAL] Fwd: Major Amendment Case No. 2019-0395-ADOT Southwest District Comments
Attachments: DOC071119-003.pdf; MA-2019-0395.pdf; MAJOR GENERAL PLAN-MAP.pdf

FYI

From: Isabell Garcia <igarcia@azdot.gov>
Sent: Tuesday, September 3, 2019 11:23 AM
To: Roman Pacheco <RPacheco@sanluisaz.gov>
Subject: [EXTERNAL] Fwd: Major Amendment Case No. 2019-0395-ADOT Southwest District Comments

Hello, below are the ADOT Southwest District's comments on Major Amendment # 2019- 0395:
"ADOT Southwest District has no comment on the proposed land change; however, we would like to request a Traffic Impact Analysis (TIA) be completed once there is a specific development. We would like to assess the potential impacts a new development would have on the intersection of State Route 195 and Avenue E. Direct access to SR 195 from the development will not be permitted as this is an access-controlled highway."

Thank you,

Isabell Garcia
Development TES
Southwest District
P- (928) 317-2159
E-mail- IGarcia@azdot.gov

---------- Forwarded message ---------
From: **Roman Pacheco** <RPacheco@sanluisaz.gov>
Date: Thu, Jul 11, 2019 at 5:46 PM
Subject: Major Amendment Case No. 2019-0395
To:

Good evening All-

Please find attached Major Amendment Case No. 2019-0395 letter and 2 maps for your review. Please note that the end of 60-day review period is September 9, 2019. We welcome any comments you may have regarding this proposal. If you have any questions concerning this Major Amendment case, please contact the office of Planning and Zoning at (928)341-8563.

Roman Pacheco

Planning Technician

Planning & Zoning Department

1090 E. Union Street | P.O. Box 3750

San Luis, Arizona 85349

P: 928.341.8563 Ext. 2047 | F: 928.341.8599

www.cityofsanluis.org

Roman Pacheco

From: FINCH CIV Mary Ellen <mary.e.finch@usmc.mil>
Sent: Tuesday, July 16, 2019 7:44 AM
To: Roman Pacheco
Cc: Black CIV Gabriela L
Subject: [EXTERNAL] RE: Major Amendment Case No. 2019-0395

Good morning Roman,
I have reviewed Major Amendment Case 2019-0395 and this parcel is approximately 8.06 miles from the Barry M. Goldwater Range boundary. As such we would have no objection to this redesignation from Business to Neighborhood.

Thank you for the opportunity to review and comment.

Mary Ellen

-----Original Message-----
From: Roman Pacheco [mailto:RPacheco@sanluisaz.gov]
Sent: Thursday, July 11, 2019 5:46 PM
Subject: [Non-DoD Source] Major Amendment Case No. 2019-0395

Good evening All-

Please find attached Major Amendment Case No. 2019-0395 letter and 2 maps for your review. Please note that the end of 60-day review period is September 9, 2019. We welcome any comments you may have regarding this proposal. If you have any questions concerning this Major Amendment case, please contact the office of Planning and Zoning at (928)341-8563.

Roman Pacheco

Planning Technician

Planning & Zoning Department

1090 E. Union Street | P.O. Box 3750

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www.cityofsanluis.org <http://www.cityofsanluis.org/>

PLANNING & ZONING
AGENDA ITEM REVIEW FORM

Special Planning & Zoning Commission Meeting **3. C.**

Meeting Date: 10/15/2019

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

ITEM:

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

A. Continuation of public hearing
   1. Staff presentation
   2. Call to the Public on this item
B. Action on public hearing
C. Action on Major General Plan Amendment Case No. 2019-0396

BACKGROUND:

This request for a Major General Plan amendment was submitted to the City of San Luis in June 2019 by Vianey R. Vega, P.E. from Vega & Vega Engineering, PLC, on behalf of David Loo, Eddie Loo and Elizabeth Carpenter, property owners/agents. The request is to amend the land use designation on 493 acres total by changing 447.8 acres from Business and Industrial to Neighborhood, 35.2 acres from Business to Industrial and 10 acres from Industrial to Business. The subject properties, Assessor's Parcel No. 227-14-001, 227-14-002, 227-14-004, 227-14-005, 227-14-006, 227-14-007 and 227-14-008, are located on the east mesa of the City of San Luis.

LOCATION AND PARCEL INFORMATION:

The general location of the proposed amendment area is bounded by County 24 Street to the north, County 25th to the south, Avenue E to the west and Avenue D to the east.

Parcel 1

Assessor's Parcel Number: Portion of 227-14-001
Property Owner: David Loo
Acreage: 40 Acres
Current Land Use Designation: Business
Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6)

Proposed Land Use Designation: Business to Neighborhood
Legal Description: Northeast (NE1/4) of the Northwest Quarter (NW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

Parcel 2

Assessor's Parcel Number: 227-14-002
Property Owner: Von Verde Development AZ LLC
Acreage: 160 Acres

Current Land Use Designation: Industrial
Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6), High Density Residential (R-3) and Community Commercial (C-2)

Proposed Land Use Amendment: 10 acres from Industrial to Business
Legal Description: The Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 14, Township 11 South, Range 14 West of the Gila and Salt River Base and meridian, Yuma, Arizona.

Proposed Land Use Amendment: 150 acres from Industrial to Neighborhood
Legal Description: The Northeast Quarter (NE1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona. Except the Northeast Quarter (NE1/4) of the northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) thereof.

Parcel 3
Assessor's Parcel Number: Portion of 227-14-007
Property Owner: Elizabeth Carpenter
Acreage: 20 Acres
Current Land Use Designation: Business
Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6)

Proposed Land Use Amendment: 20 acres from Business to Neighborhood
Legal Description: The East half (E1/2) of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona.

Parcel 4
Assessor's Parcel Number: Portion of 227-14-004
Property Owner: Moy Farming Company LLC
Acreage: 153 Acres
Current Land Use Designation: Industrial and Business
Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6), High Density Residential (R-3) and Light Industrial (L-I)
Proposed Land Use Amendment: 16.5 acres from Business to Neighborhood
Legal Description: The North 545' of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona.

Proposed Land Use Amendment: 23.5 acres from Business to Industrial
Legal Description: The South 775' of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona.

Proposed Land Use Amendment: 113 acres from Industrial to Neighborhood
Legal Description: The Southeast Quarter (SE1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona. Except the South 775' Thereof.

Parcel 5
Assessor's Parcel Number: Portion of 227-14-005
Property Owner: DSA Investment Co. AZ LLC
Acreage: 20 Acres
Current Land Use Designation: Business

Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6) and Light Industrial (L-1)

Proposed Land Use Amendment: 8.3 acres from Business to Neighborhood
Legal Description: The North 545' of the East Half (E1/2) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona.

Proposed Land Use Amendment: 11.7 acres from Business to Industrial
Legal Description: The South 775' of the East Half (E1/2) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona.

Parcel 6
Assessor's Parcel Number: Portion of 227-14-008
Property Owner: Von Verde Development AZ LLC
Acreage: 60 Acres
Current Land Use Designation: Business
Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6)

Proposed Land Use Amendment: 60 acres from Business to Neighborhood
Legal Description: The East Half (E1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) and Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona.

Parcel 7
Assessor's Parcel Number: 227-14-006
Property Owner: Moy Farming Company, LLC
Acreage: 40 Acres
Current Land Use Designation: Business
Proposed Land Use Designation: Neighborhood
Current Zoning: Light Industrial (L-I)
Proposed Zoning: Medium Density Residential (R1-6)

Proposed Land Use Amendment: 40 acres from Business to Neighborhood
Legal Description: Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma, Arizona.

INTENT OF AMENDMENT:
The reason for the requested General Plan Amendment is to rezone the property to a combination of Medium Density Residential (R1-6), High Density Residential (R-3), Community Commercial (C-2) and Light Industrial (L-I). The current General Plan designation do not allow for the proposed zoning districts.

SURROUNDING PROPERTIES:
The property to the north is vacant and zoned as Community Commercial (C-2) and Light Industrial (L-I), property to the east is vacant and is zoned as Heavy Industrial (H-I), property to the west across Avenue E is Southwest Arizona Industrial Subdivision and property to the south is the Magrino Industrial Park and the Commercial Port and zoned as Light Industrial (L-I).

LAND USE DESIGNATIONS:
The current General Plan land use designation for the 493 acres is a combination of Business and Industrial; 273 acres have a land use designation of Industrial and the other 220 acres have a designation of Business. The proposed amendment is to have 447.8 acres designated as Neighborhood, 35.2 acres designated as Industrial and 10 acres designated as Business.

The Business designation is planned for areas suitable for higher intensity commercial, office, employment and appropriate industrial uses. The permitted zoning districts within this land use designation are Neighborhood Commercial (C-1), Community Commercial (C-2), Light Industrial (L-I) and Heavy Industrial (H-I).

The intent of the Industrial designation is to allow for a variety of industrial uses, including manufacturing facilities assembly plants, warehouses, coolers, distribution centers, freight-based activities, transportation-related activities and other employment generating activities. The permitted zoning districts within this land use designation are Light Industrial (L-I), Heavy Industrial (H-I) and Community Commercial (C-2) zoning district. This property is currently zoned as Light Industrial (L-I).

The intent of the Neighborhood designation is to allow residential, neighborhood type commercial, community services/facilities, parks, open space, schools and master planned communities. The residential uses may include single family detached units, single family attached units, townhouses, condominiums, and apartments. The permitted zoning districts within this designation are Low and Medium Density Residential (R1-12, R1-8, R1-6), Medium-High Density Residential (R-2), High Density Residential (R-3), Neighborhood Commercial (C-1), Mixed Use (MU), Residential Planned Unit Development (R-PUD), Manufacture Home (MH), Recreation Vehicle (RV), and Open Space Conservation (OSC) zoning districts.

APPLICATION PROCESS:
The City of San Luis General Plan provides a shared vision of San Luis's future for City decision-makers, residents and other working with the City. It includes fourteen elements that, taken together, provide a blueprint for growth and development that will enhance the life of San Luis residents and businesses. All parts of the General Plan are related and should be collectively applied. For this reason, proposed amendments to the General Plan will be analyzed in a comprehensive manner.

Pursuant to ARS 9-461.06G, a major amendment is defined as a "substantial alternation of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element."

Major Amendments to the General Plan are considered once each year pursuant to ARS 9-461.06G. Major Amendment applications must be submitted within the same calendar year they are being considered at a single public hearing. A Major Amendment shall be approved by an affirmative vote of at least two-thirds of the members of the City Council.

CUMULATIVE EFFECT:
All amendments must be considered concurrently in order to evaluate their cumulative effect on the General Plan. This application is being reviewed as part of the annual cycle of general plan amendments along with two other applications:

1. Major General Plan Amendment Case No. 2019-0394
2. Major General Plan Amendment Case No. 2019-0395
3. Major General Plan Amendment Case No. 2019-0396(this Case)

The three applications should be reviewed for their cumulative land use impacts because they are in the vicinity. Case No. 2019-0394 and 2019-0396 are located east side of Avenue E corridor.

AGENCY REVIEW AND PUBLIC COMMENT:
As required by State Statute (A.R.S. §9-461.06(D)), notice of this proposal was sent to relevant government agencies for their review. The 60-day review period ended on September 9, 2019.

During this period, comments were received from the following agencies:

- Arizona Department of Transportation Southwest District (ADOT)

- Marine Corps Air Station Yuma
- Somerton School District

The comment from ADOT received concerned request for additional information (Traffic Impact Analysis), once future development proposal for the subject property is submitted. This application does not include specific improvement proposals and only concerns the land use of the parcel.

Notice of this proposal was also sent to all property owners within the notification area (17 letters). No public comments were received during the public comment period.

CITIZEN REVIEW MEETING:
In accordance with 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 1, 2019 at 6PM.

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 amendment prior to the public hearing. There were no people from the public present.

FIRST PUBLIC HEARING:
Arizona Revised Statutes (A.R.S. §9-461.06(E)) require that cities over twenty-five thousand in population must hold two public hearings for any Major General Plan Amendment. The two or more public hearings must be held in two different locations on two different dates. The first Public Hearing for this request was held on October 8, 2019 at the San Luis Cesar Chavez Cultural Center.

APPROVAL CRITERIA:
As per San Luis City Code §152.047(E), 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.

GENERAL PLAN ANALYSIS:
The City of San Luis General Plan 2020 sets forth the City's Land Use doctrine. The General Plan guides

and directs all City land use decision. Furthermore, State Law requires that any project must be consistent with the General Plan.

As per San Luis City Code §152.047(E), 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.

Analysis:
The San Luis General Plan does provide appropriate optional sites for the use proposed in the amendment. The Neighborhood areas within the Planning Area are located both north and south of Cesar Chavez Boulevard, between U.S. Highway 95 and Avenue E, adjacent to the US 95 corridor and to the west of the Business area along Avenue B.

The San Luis Land Use Plan provides a framework to accommodate future growth in a well-managed and sustainable way. The Land Use Element designates the proposed general distribution, location and extent of such land uses as housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space and such other categories of public and private uses of land as may be appropriate to the City of San Luis.

The Growth Area Element, states that proactively directing growth is essential to efficiency using available infrastructure and promoting a sustainable community. This Element identifies areas that are particularly suitable for infrastructure expansion, multimodal transportation and improvements designed to support planned concentration of a variety of land uses such as commerce, industry, and residential neighborhoods.

Various locations described below are identified as Growth Areas due to their location and the existence of all or some of the infrastructure necessary to support new construction.

Residential Growth Areas:
Two areas are specifically identified for residential growth and expansion:

- County 24th Street- Additional single-family neighborhood development is planned for privately-owned lands north of County 24th Street, east of 10th Avenue and west of Avenue E 1/2.
- North San Luis- The area north of Cesar Chavez Boulevard, south of County 22nd Street and between 10th Avenue and Avenue F is identified for neighborhood and supporting retail development.

Commercial Growth Areas:
San Luis II Commercial Port of Entry North-

- This high priority growth area is critically important to commercial and service expansion in support of San Luis II Commercial Port of Entry. This modern port of entry opened in November 2010. Private land ownership and access limitations along Avenue E create opportunities for development along the Avenue E Corridor.

Conclusion:
These two overarching Elements of the General Plan specifically prohibit the conversion of employment lands to residential uses unless the proposed site is in a Residential Growth Area.

There are two Growth Areas identified for residential development. A stable political environment, municipal water service, minimal slope and good soils contribute to the conduciveness of the area for new development. A variety of land disposition techniques, such as land swaps, purchase or lease, may

be utilized in order to allow use of Bureau of Land Management (BLM) and Bureau of Reclamation (BOR) lands. Lands owned by the State of Arizona are available for purchase or lease through an application and auction process.

The area along Avenue E and the San Luis II Commercial Port of Entry is the only Growth Area identified for industrial development. This area east of Avenue E has been historically reserved for Industrial uses and is the only Growth Area designated for Industrial development. Moreover, this area is in one of the specific areas that the General Plan identifies for the preservation of employment land. Preservation of these lands will allow a future industrial user to successfully operate a larger employment business on this site. In order to allow the necessary revenue generating businesses to locate in San Luis, there needs to be ample space for these businesses, away from residential uses that can hinder the ability of these sites to operate at their full capacity. With limited locations for potential industrial users to locate to, the need to preserve the industrial space that exists is the key priority to making other General Plan goals and policies come to fruition.

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.

Analysis:
This general plan amendment not only convert Industrial lands, but it places a burden on the remaining land adjacent to the site and it will place constraints on future operational practices on this area for any industrial user. Permitting residential development will start a chain reaction of land conversions in this overall industrial area, eliminating the much-needed industrial-designated land. This is a large area, 447.5 acres in size, that can be a prime location for future industrial users, and as such, should be maintained as an industrial site.

Conclusion:
The question presented is whether or not the Amendment is solely for the benefit of the Owner at this point in time. Typically, General Plan Amendments benefit the owner either by enhanced development potential or quicker absorption possibilities for its property. In this Amendment, the Owner is benefited by having a land use designation that is more economically advantageous to the owner.

However, the approval of the proposed general plan amendment would create incompatible land uses in industrial zones, and would disadvantage the City of San Luis as a place for industrial activities. Therefore, the amendment does not constitute an overall improvement to the General Plan.

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,

Analysis:
The proposed amendment would allow Residential use surrounded by land designated as Industrial.

Conclusion:
Approval of the proposed general plan amendment would create incompatible land uses in an Industrial zone, and would disadvantage the City of San Luis as a place for industrial activities. Industrial land uses are associated with the heavy intensity use of raw materials for the purpose of developing, manufacturing, storing and shipping products, specifically in the Industrial Land Use designation. Neighborhood uses are associated with residential, neighborhood type commercial, community services/facilities, parks, open space, schools and master planned community. The fundamental purpose of the industrial and neighborhood land use demonstrates their incompatibility, and mixing these two disparate uses creates difficulties for each. Industrial businesses would not want to be located adjacent to a residential use because their operations

may be restricted to preserve the general welfare of people. This incompatibility would discourage Industrial uses in that area.

Further, approving this request would be contrary to the Land Use Element Section 2.8- "Employment property must be vigorously protected from being changed to residential uses since once residential development begins to occur it is very difficult to bring employment uses to the vicinity." Therefore, the requested general plan amendment would create incompatible uses that would disadvantage the City as a place to conduct industrial activities. In addition, locating residential within industrial areas could subject users to hazards and nuisances, including noises, odors, and materials associated with industrial processes.

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,

Analysis:
It is the desire of the City to encourage development that requires little or no extension of services. Development that occurs within or directly adjacent to existing infrastructure or service areas is the most cost-effective since much of the investment in providing those services has already been made. Building outside of these existing service areas creates sprawl that is very expensive to the community unless the majority of costs are borne by the developer. These costs are not just the basic infrastructure, but also for public safety services that must expand service areas to accommodate the new development.

Growth Areas play a significant role in obtaining economic development goals for business and service expansion and revenue generation. The area where the proposed property is located is identified in the General Plan as a Growth Area for Commercial and Industrial Activities and not for Residential.

Conclusion:
The predominant growth pattern in the last 10 years is housing. San Luis experienced rapid population growth that triggered new residential development. However, the commercial, retail, and infrastructure growth has not balanced with the residential growth. The continued loss of industrial land to residential uses will impair the use of the remaining industrial land for industrial uses. Staff, as directed by the General Plan, strongly supports the preservation of the industrial land in the city in order to ensure that future job opportunities of this type will occur. The conversion of industrial land in this area will shrink the City's opportunity to provide this type of land use in the City, and most likely will require a greater amount of city services and affect the city's fiscal stability.

c. Adversely impacting existing or previously planned uses through increased traffic generated by the proposal on existing systems, or

Analysis:
The San Luis Circulation Element focuses on a multimodal circulation and transportation system that will support the current and future land uses. This element is intended to ensure that residents and visitors can move safely, efficiently and conveniently throughout the Planning Area and also easily access connections to reach the regional area.

State Route 195 was opened to traffic on September 4, 2009. The Arizona Department of Transportation (ADOT), in conjunction with the Federal Highway Administration (FHWA) and the Yuma Metropolitan Planning Organization (YMPO) identified the need to provide a direct transportation route between the then future commercial international Port of Entry (POE) near San Luis, Arizona and Interstate 8 (I-8).

San Luis POE II, built in 2010, is located approximately five miles east of San Luis POE I at the

terminus of Avenue E. It provides commercial vehicle inspection and direct access to State Route 195 (SR-195). San Luis POE II was designed with the potential for expansion to accommodate more commercial vehicles per day. POE II is a significant contributor to promoting regional trade.

State Route 195 – Area Service Highway (ASH) connects with Cesar Chavez Boulevard and begins at approximately Avenue E. This roadway is classified as an expressway and consists of two travel lanes in each direction with a wide center median. It will be the major facility supporting international trade associated with San Luis II Commercial Port of Entry. It will provide uncongested access to Interstate 8 for truck traffic.

In the year 2008, the San Luis Future Land Use Plan was amended to include a revised land use plan for the lands adjacent to San Luis LPOE II. The purpose of the amendment was to address projected economic, land use and transportation changes due to growth and development within the region and increased border activity as a result of the development of the SR-195 and the new LPOE II. The amended areas are generally bounded to the north by County 19th Street, to the south by the international border, to the east by Avenue F, and to the west by Avenue D.

Do to the proximity to the LPOE II and the SR-195, most of the area around Avenue E was designated for Industrial development. Avenue E corridor was built to standards accommodating heavy trucking activity. Avenue E is identified as a hazardous cargo route in the Yuma County Hazardous Materials Emergency Plan.

Conclusion:
The mix of commercial and non-commercial vehicles creates traffic safety problems as trucks and cars are required to cross between each other. Commercial trucks create visibility problems for noncommercial vehicles, and non-commercial vehicles often back up, congest, and cross paths designed for commercial activity. The proposed amendment would also allow schools to be in an area for Industrial uses. An increase in pedestrian traffic contributes to the safety problem, including school kids walking or crossing roadways meant for heavy commercial traffic.

The proposed amendment would adversely affect Avenue E corridor do to the potential hazards by creating a mixed of commercial and non-commercial vehicles. The amendment is inconsistent with the purpose and intention for Avenue E Corridor.

d. Affecting the livability of the area or the health and safety of the residents.

Analysis:
The requested general plan amendment results in the encroachment of incompatible land uses and nonindustrial uses in industrial zones, which this policy expressly prohibits. As previously discussed, industrial land uses involve high intensity use raw materials for the manufacturing, storage, and shipment of products. These industrial uses frequently result in noise, long operating hours, and large vehicle deliveries and shipments. Neighborhood uses stand in sharp contrast to Industrial uses. Neighborhood uses involve all residential uses. Residential uses in an industrial zone would expose people to the byproducts of industrial operations which creates an incompatible situation, the essence of incompatible land use uses. The City would potentially need to impose operational restrictions to resolve conflicts and incompatibilities between residential and industrial land uses.

Conclusion:
The proposed General Plan amendment will adversely affect the public health, safety and welfare of the residents of San Luis. The project is inconsistent with San Luis Zoning Regulations by proposing to amend the General Plan to allow residential zones adjacent to industrial. These regulations are designed to conserve and promote the public interest, health, comfort, safety, convenience, and general welfare of the citizens of the City of San Luis. A project that conflicts with these regulations would therefore be detrimental to the health, safety and welfare of the residents of

San Luis.

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.

Analysis:
Based on the analysis described above, the requested General Plan Amendment is inconsistent with the City's General Plan. The General Plan, functioning as the City's land use doctrine, designates the site as Industrial. This classification encompasses a variety of light and heavy industrial uses such as manufacturing, packaging, processing, warehousing and distribution, and ancillary support uses. The requested general plan amendment would allow residential development within an area planned for Industrial uses ,that are inconsistent with the intent of the General Plan.

Conclusion:
The General Plan has numerous Goals and Objectives that prohibit and discourage the encroachment of uses that are not compatible with industrial uses. The General Plan designates Growth Areas for residential development within the Planning Area. The proposed amendment area was originally designed and agreed on to be designated as Industrial area. Accordingly, it is important to retain these areas for manufacturing, packaging, processing, warehousing and distribution and, in effect maintaining areas for job creation, by denying the requested General Plan amendment.

Additionally, staff has determined that the application is inconsistent with the following Goals and Objectives:

Land Use Element
Goal 2. Reserve areas for employment uses including manufacturing and industrial parks.
Goal 2. Objective B. Focus on areas with convenient access to San Luis II Commercial Port of Entry.
Goal 4.Objective C. Provide appropriate land uses in the vicinity of San Luis II Commercial Port of Entry.
Goal 5. Promote land use compatibility.

Growth Area Element
Goal 1. Identify areas for commercial, industrial and residential growth within and adjacent to the City.
Goal 3. Assure compatibility between new development and existing neighborhoods.

Circulation Element
Goal 2. Match land use intensities with planned transportation system capacities.

Housing Element
Goal 2. Objective A. Guide residential development within the residentially designated areas on the Future Land Use Plan.

SUMMARY:
Based on the analysis described above, the requested General Plan Amendment is inconsistent with the Goals and Objectives of the City of San Luis General Plan, therefore does not meet the Approval Criteria.

STAFF RECOMMENDATION:
Staff recommends DENIAL of Major General Plan Amendment Case No. 2019-0396, a request by Vega & Vega Engineering, PLC, for a Major General Plan Amendment on 493 acres of land located at the southwest corner of County 24th Street and Avenue D.

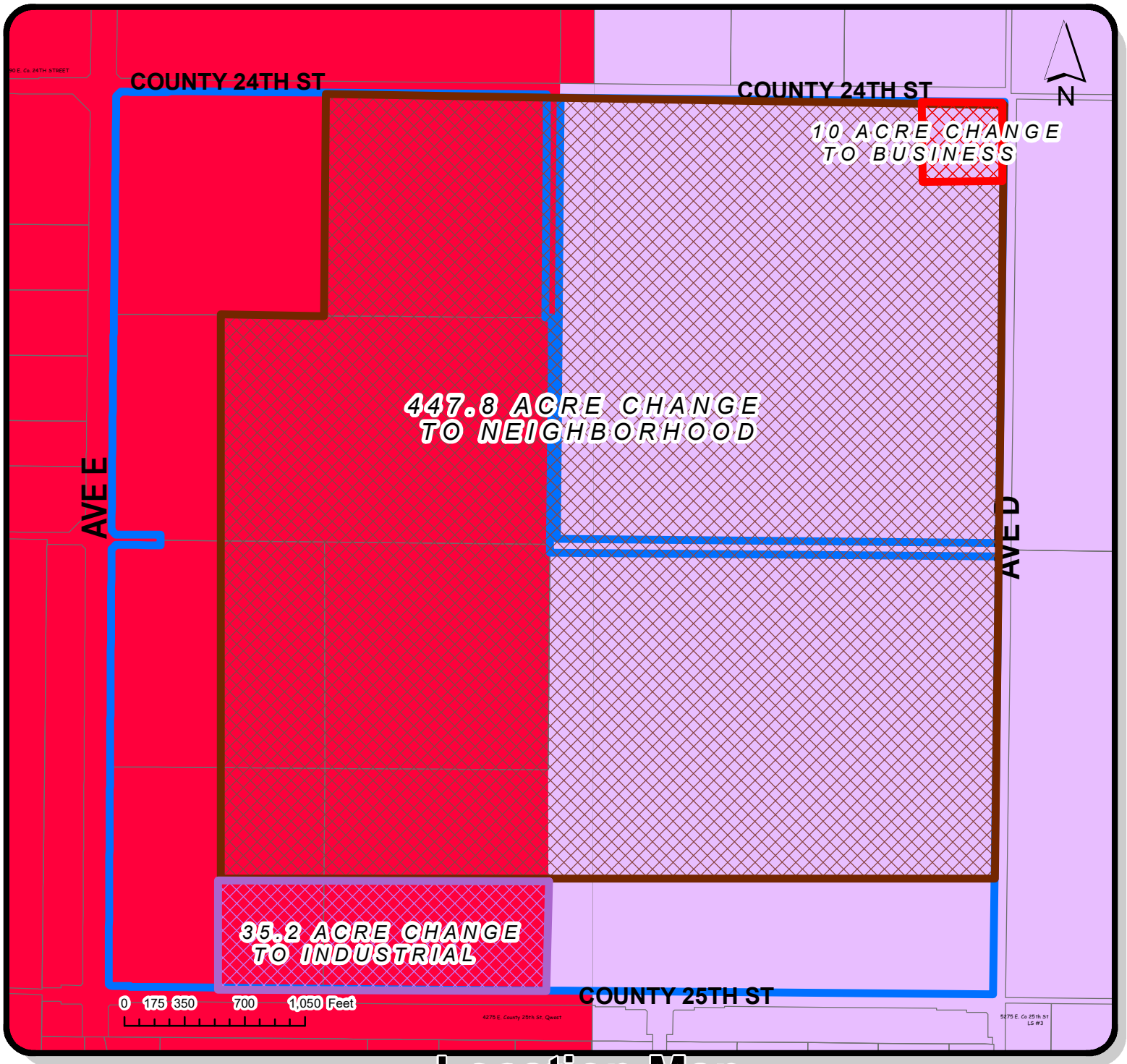
RECOMMENDED MOTION:

A. I MOVE TO CLOSE PUBLIC HEARING.

B. I MOVE TO FORWARD MAJOR GENERAL PLAN AMENDMENT CASE NO. 2019-0396 TO THE CITY COUNCIL WITH RECOMMENDATION OF DENIAL.

Attachments

Location Maps
Combines Cases Map
Narrative Statement
Designation Requested
Arizona Department of Transportation Comments
Marine Corps Air Station Yuma Comments
Somerton School District Comments



Location Map MAJOR AMENDMENT

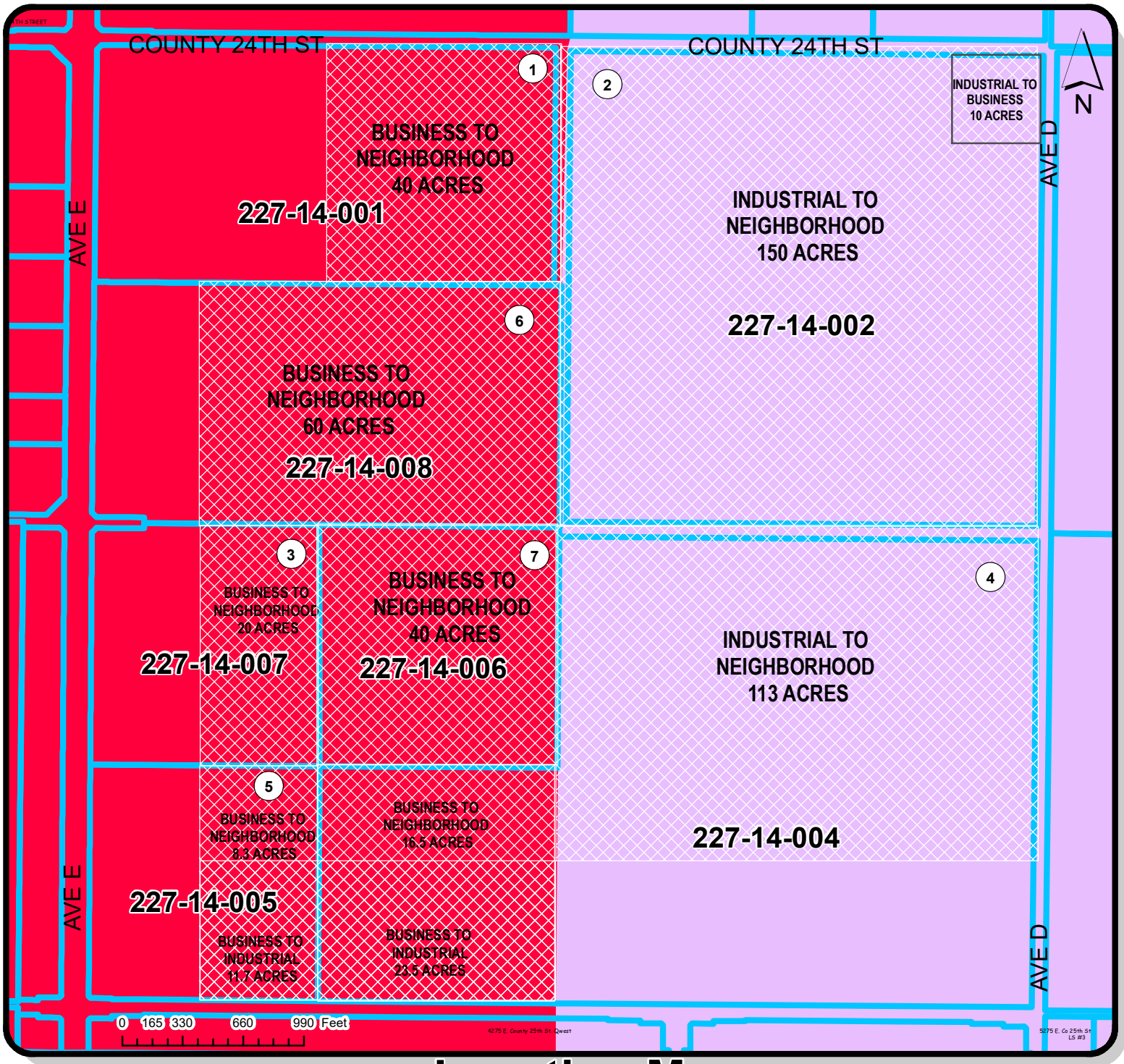
LOCATION OF SUBJECT PROPERTIES

Assessor's Parcel No. 227-14-001,227-14-002, 227-14-004,227-14-005,227-14-005,227-14-006, 227-14-007,227-14-008.

LAND USE

- Business
- Industrial

Date: 7/7/2019	PLANNING & ZONING GIS	**Prepared By:** ISAAC GUTIERREZ	**Case No.** 2019-0396
Checked By: ROMAN PACHECO		**APPROVED BY:** JOSE A. GUZMAN	



Location Map

LOCATION OF SUBJECT PROPERTIES

Assessor's Parcel No. 227-14-001,227-14-002
227-14-004,227-14-005,227-14-006,
227-14-007,227-14-008.
PARCEL

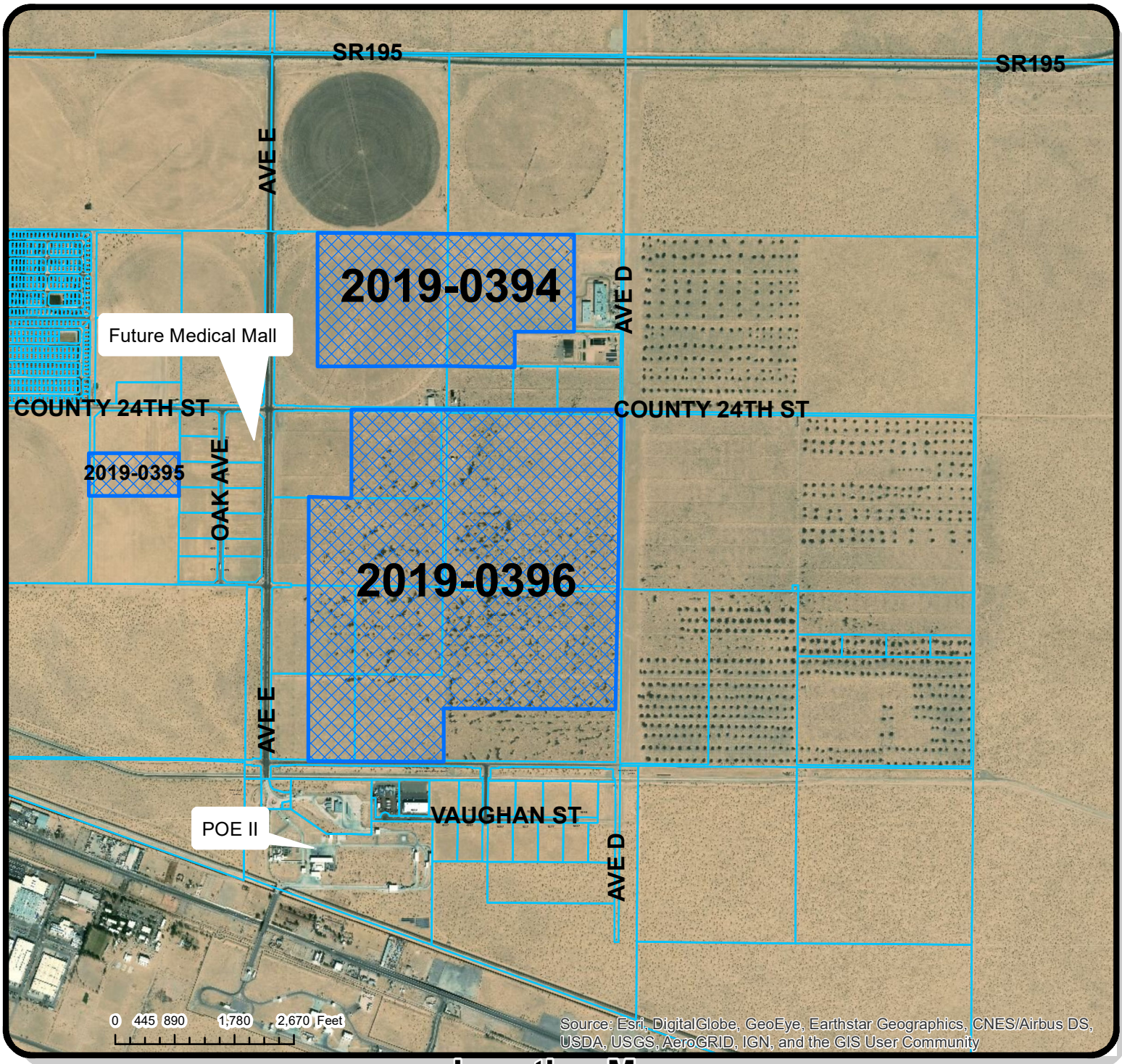
MAJOR AMENDMENT

LAND USE

INDUSTRIAL

BUSINESS

Date: 10/7/2019	PLANNING & ZONING GIS	**Prepared By:** ISAAC GUTIERREZ	**Case No.** 2019-0396
Checked By: ROMAN PACHECO		**APPROVED BY:** JOSE A. GUZMAN	



LOCATION OF SUBJECT PROPERTY

Location Map

MAJOR AMENDMENT

MAJOR AMENDMENT CASES

Date: 10/10/2019	PLANNING & ZONING	**Prepared By:** ISAAC GUTIERREZ	**Case No.** 2019-0394, 2019-0395, 2019-0396
Checked By: ROMAN PACHECO	GIS	**APPROVED BY:** JOSE A. GUZMAN	

The attached application for a major amendment to the existing San Luis General Plan is designed to provide a mix of Residential, Commercial and Industrial Zoning for 640 acres east of Avenue E between County 24th and County 25th in the eastern portion of the City of San Luis.

The current zoning for this area is Industrial, which is a result of the construction and opening of the commercial Port of Entry ("San Luis II") in 2010. For the past ten years, significant private resources have been invested in the area's infrastructure to entice industrial development in east San Luis. Unfortunately, these efforts have been slow to materialize and have had minimal impact on the local area.

Coincidentally, over this same period, this same east San Luis sub-market has experienced substantial residential growth. The City of San Luis has become one of Arizona's fasted growing municipalities and significant residential infrastructure (utilities, water and sewer) was put into place in the immediate area to accommodate this growth. Additionally, the path of neighborhood development for the City of San Luis is constrained by the border with Mexico and the prevalence of agricultural land directly north, leaving east San Luis as the logical path for the City's expansion. As evidence of this, east San Luis experienced over 300 single family units sold in 2017 and over 400 units sold in 2018.

As a result, we are making this application for a major amendment to the general plan to continue this robust growth in eastern portion of the City of San Luis, provide an appropriate mix of uses within the area and allow for any future development that arises out of increased traffic from San Luis II.

Our overall revised plan will amend the use of this 640 acre tract from almost entirely industrial into three separate uses: Residential, Commercial and Industrial.

1. **Residential – (378 acres residential/80 acres school)** As this portion of east San Luis is a primarily desert, residential development will not eliminate any agricultural ground nor impact agricultural employment in the area. The residential development for this acreage will focus on affordable for sale and rental housing stock. We will provide work force housing for the immediate vicinity and the greater Yuma County area.

   The residential component of our proposed amendment includes increased infrastructure to accommodate the anticipated population growth, including a donation of ten acres of land to the Somerton School District to build the first elementary school in the immediate area. Our amended use plan for this parcel also contemplates the future construction of a junior high school and a high school.

2. **Commercial - (100 acres)**– The commercial component of our amendment contemplates adding infrastructure to accommodate the current anticipated residential and industrial uses in the area, as well as

any potential demand/uses that arise as a result of San Luis II being modified to accommodate access by private vehicles.

Currently, the immediate area will benefit from the development of retail services including but not limited to gas stations, restaurants and retail uses. Additionally, our commercial amendment contemplates including necessary services for the area like a US Post office and city services like a police and fire station.

Additionally, the amended use plan for our commercial acreage anticipates potential office and retail uses that may arise as a result of increased traffic through San Luis II. Currently, there is a slow but increasing number of commercial trucks crossing to and from San Luis, AZ and San Luis, Sonora Mexico. However, we anticipate that San Luis II will ultimately allow for private vehicle traffic and "To be determined" commercial demand and development will arise as a result.

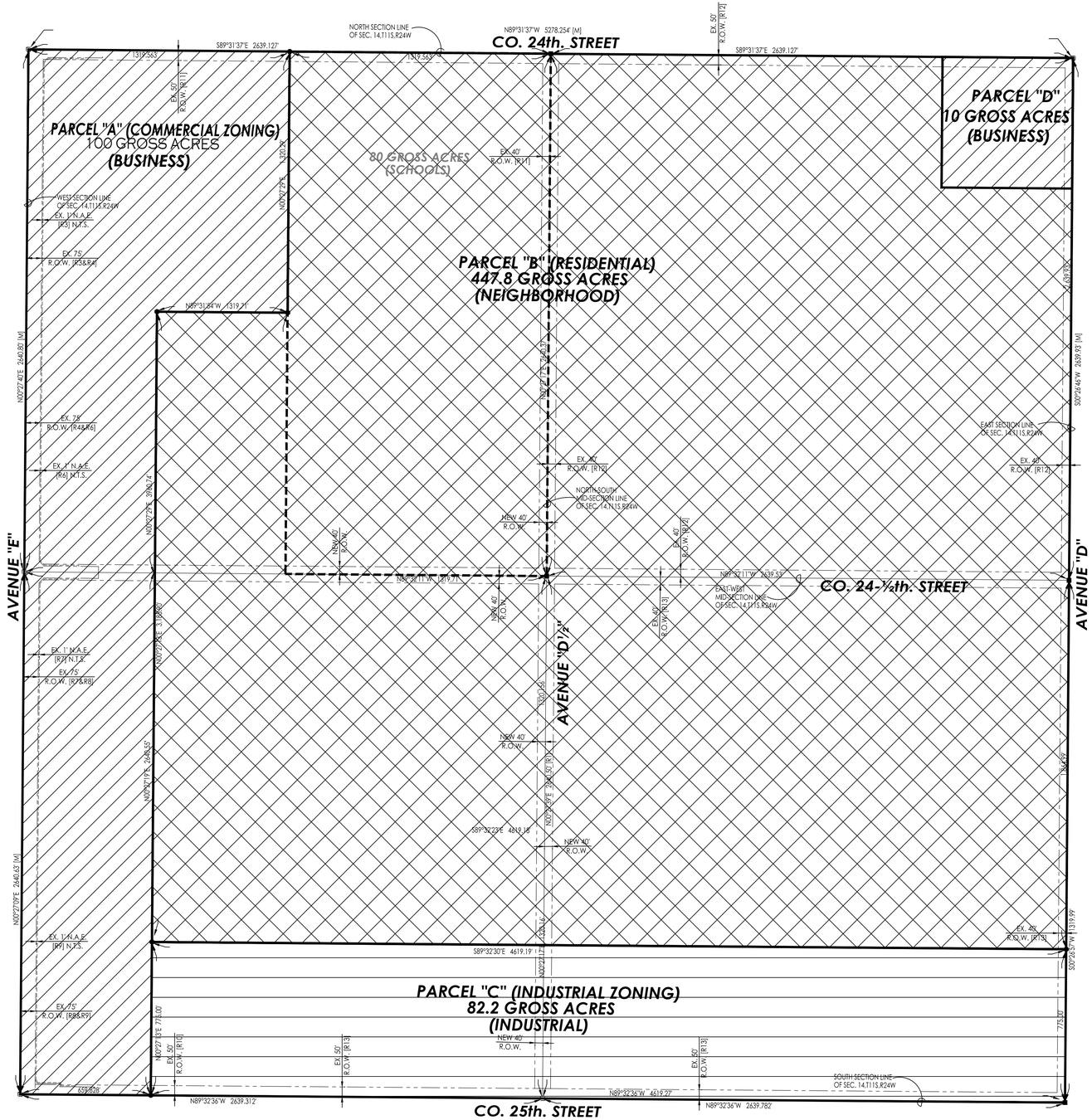
3. **Industrial – (82 acres)** While the Industrial development in the area has been slow to materialize, there is still a need for this type of use and development. Our plan amendment allows for small manufacturing, distribution centers, coolers and other industries that will benefit from cross border trade and proximity to San Luis II.

This request for a major amendment to the existing general plan reflects the current path of development for the City of San Luis, enhances growth in an orderly manner and does not adversely impact the community in any way. This amendment would be consistent with the General Plan's overall intent, vision, goals and objectives as well as being compliant with other adopted plans, codes, and ordinances. In its current form, our amendment request requires no additional changes to the infrastructure in the area, does not alter any access point to feeder roadways and maintains the flow of traffic as intended in the current general plan.

Further, the requested changes in our plan amendment will immediately augment the livability for the residents of San Luis by bringing needed improvements such as schools, medical, retail and governmental services to the eastern portion of the city. Perhaps more importantly, our plan amendment will also enhance the long-term economic viability of San Luis by creating a sustainable path of development for the city away from the vital agricultural lands to the north, as well as by allowing for future commercial and industrial development that arises out of the increased commercial and private vehicle traffic emanating from San Luis II.

EAST CITY OF SAN LUIS SAN LUIS PORT II

GENERAL PLAN MAJOR AMENDMENT PLAN



NORTH

SCALE: 1"=300'

PREPARED BY:

VEGA & VEGA ENGINEERING PLC

PROPOSED GENERAL PLAN AMENDMENT PLAN

WWTP

YUMA

Avenue E

Avenue D

CHANGE FROM BUSINESS TO NEIGHBORHOOD 8.3 AC. +/-

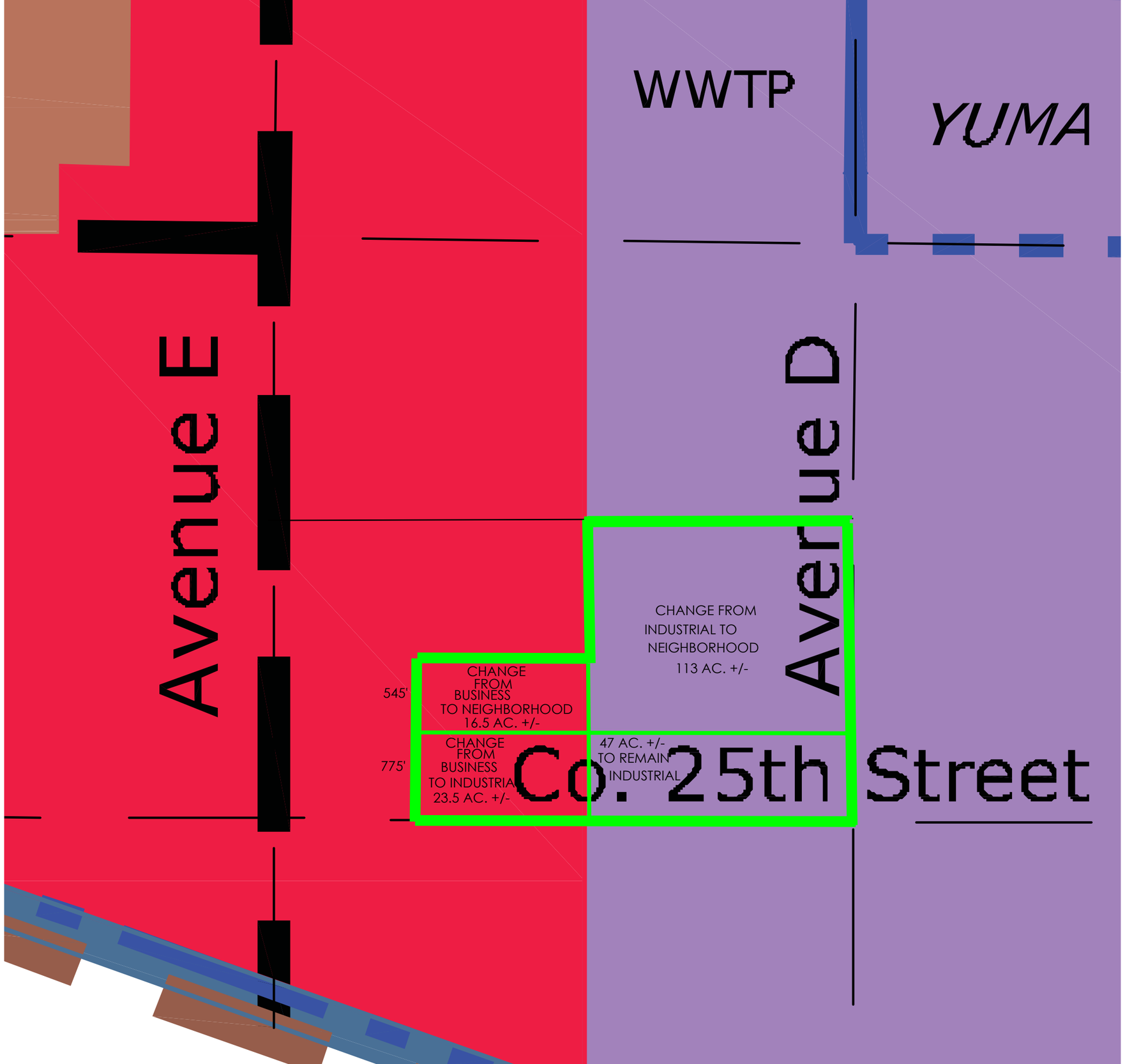
545'

CHANGE FROM BUSINESS TO INDUSTRIAL 11.7 AC. +/-

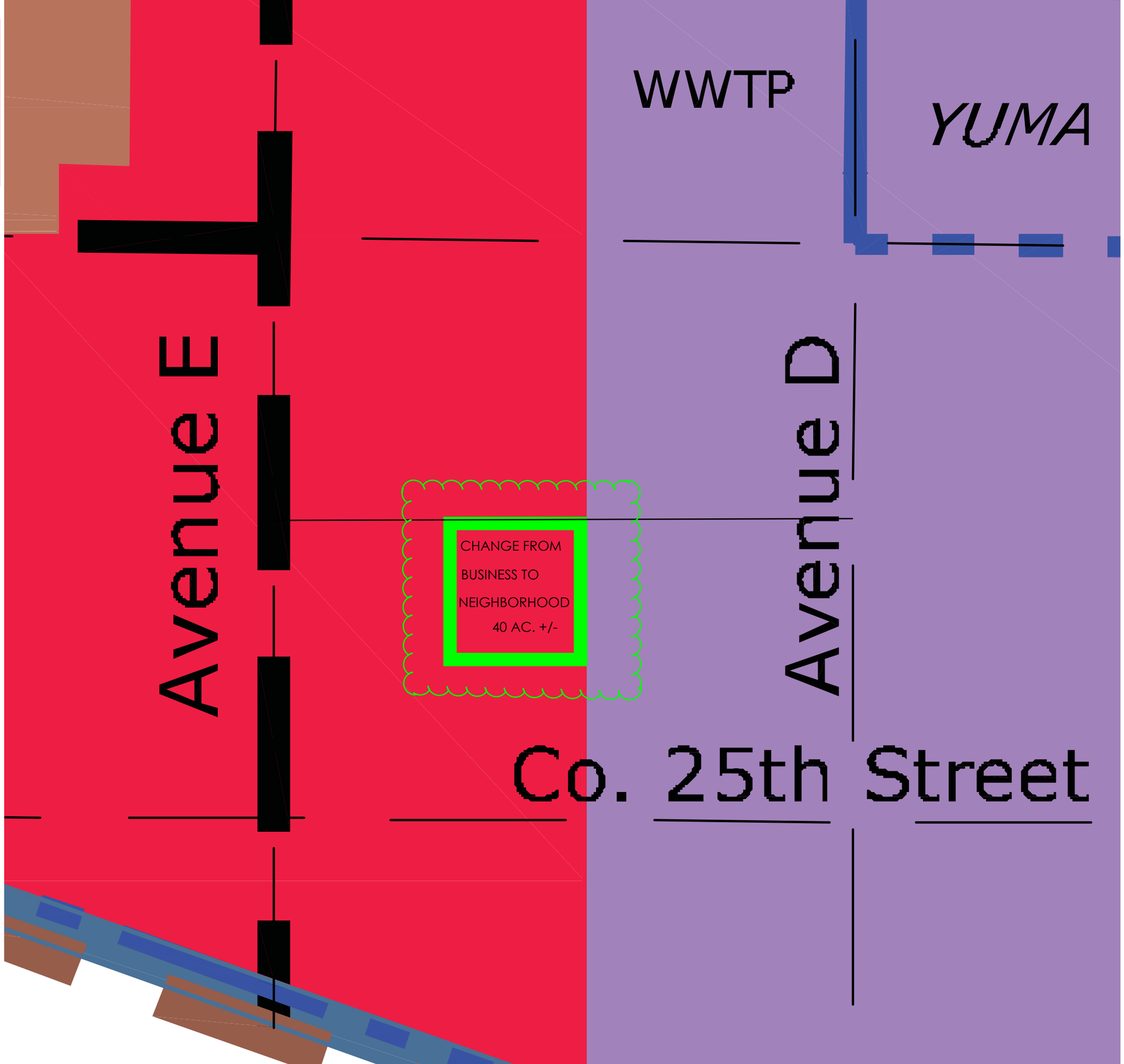
775'

Co. 25th Street

PROPOSED GENERAL PLAN AMENDMENT PLAN



PROPOSED
GENERAL PLAN
AMENDMENT
PLAN



PROPOSED GENERAL PLAN AMENDMENT PLAN

WWTP

YUMA

CO. 24TH STREET

Avenue E

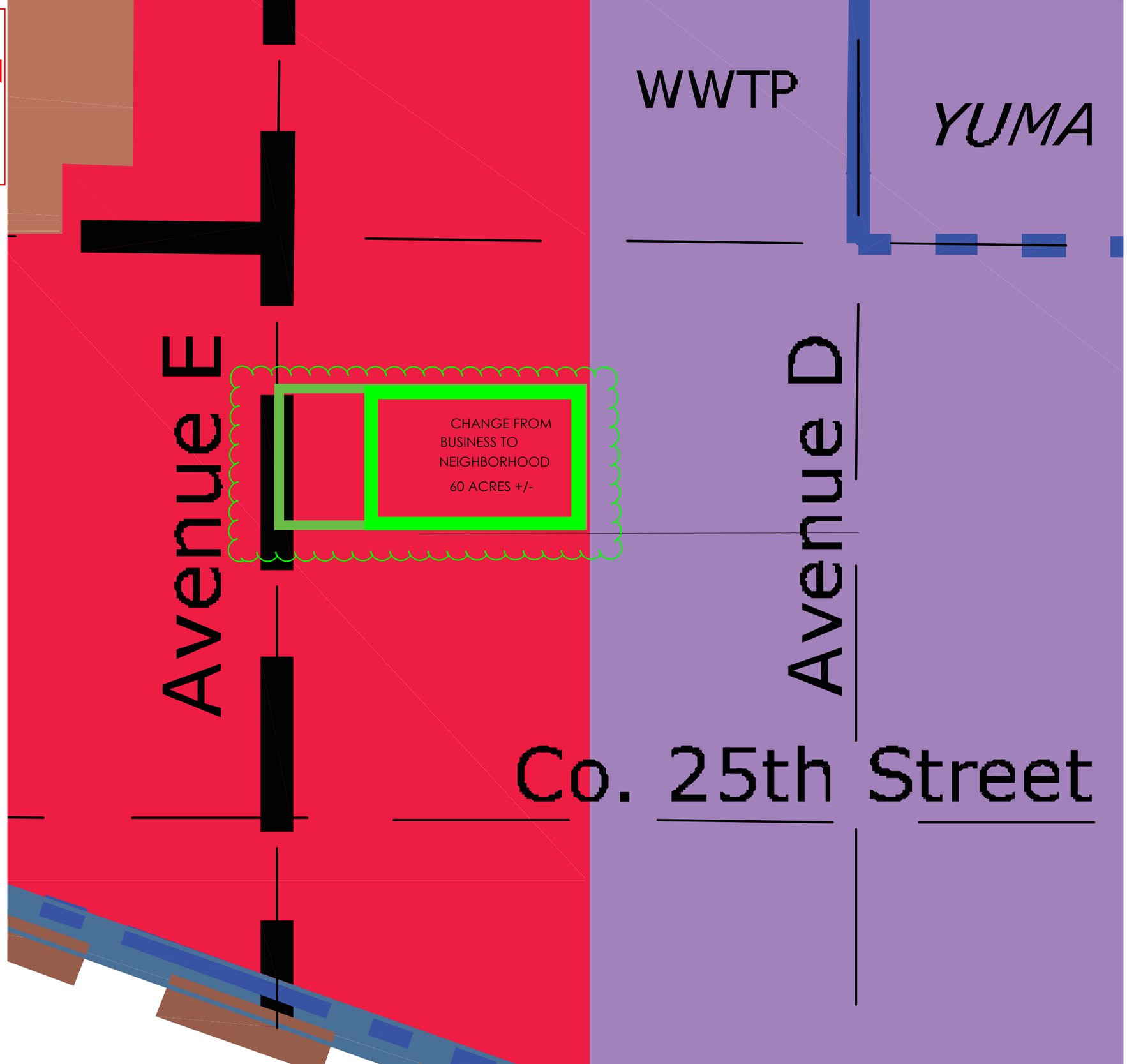
Avenue D

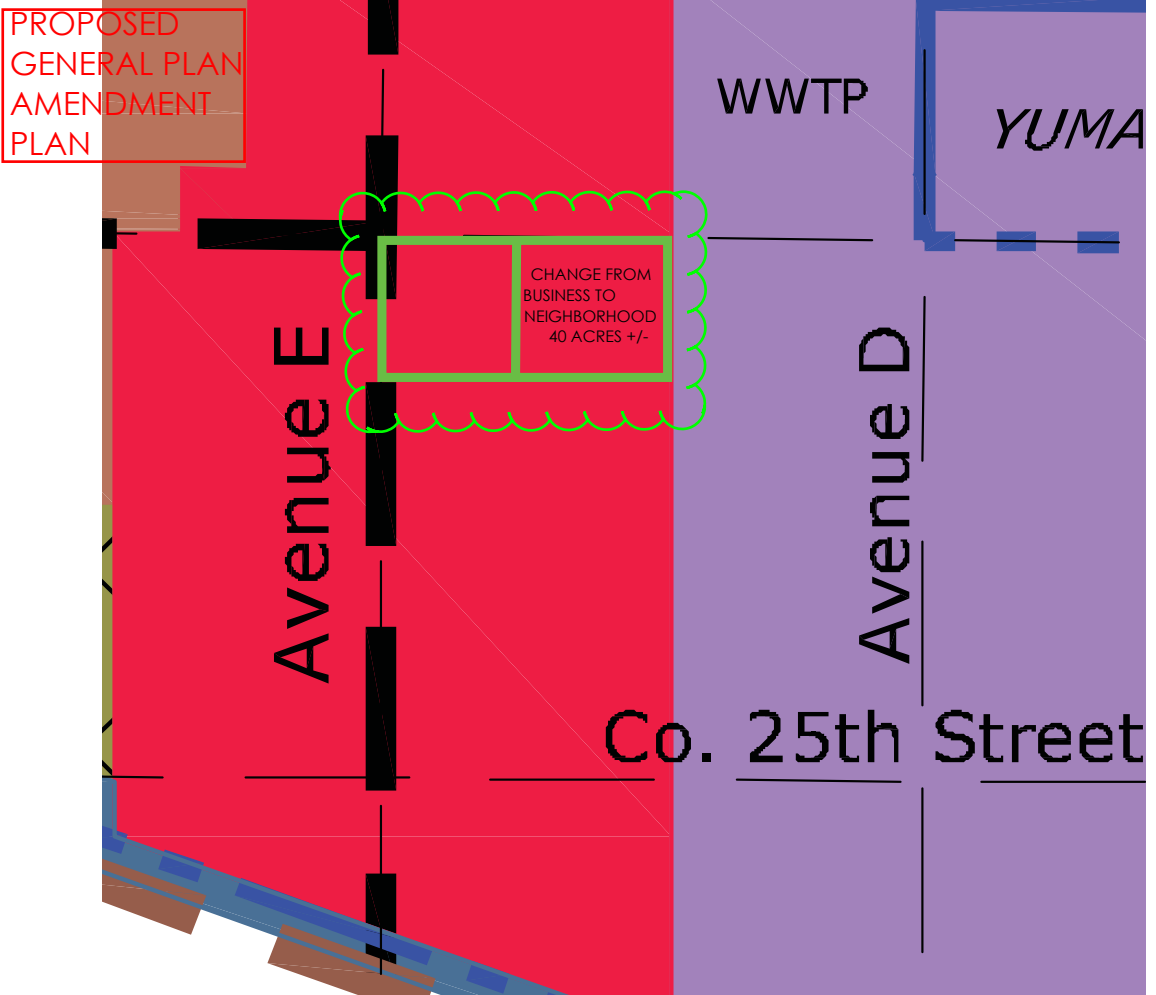
CO. 24-1.2 TH STREET

CHANGE FROM BUSINESS TO NEIGHBORHOOD

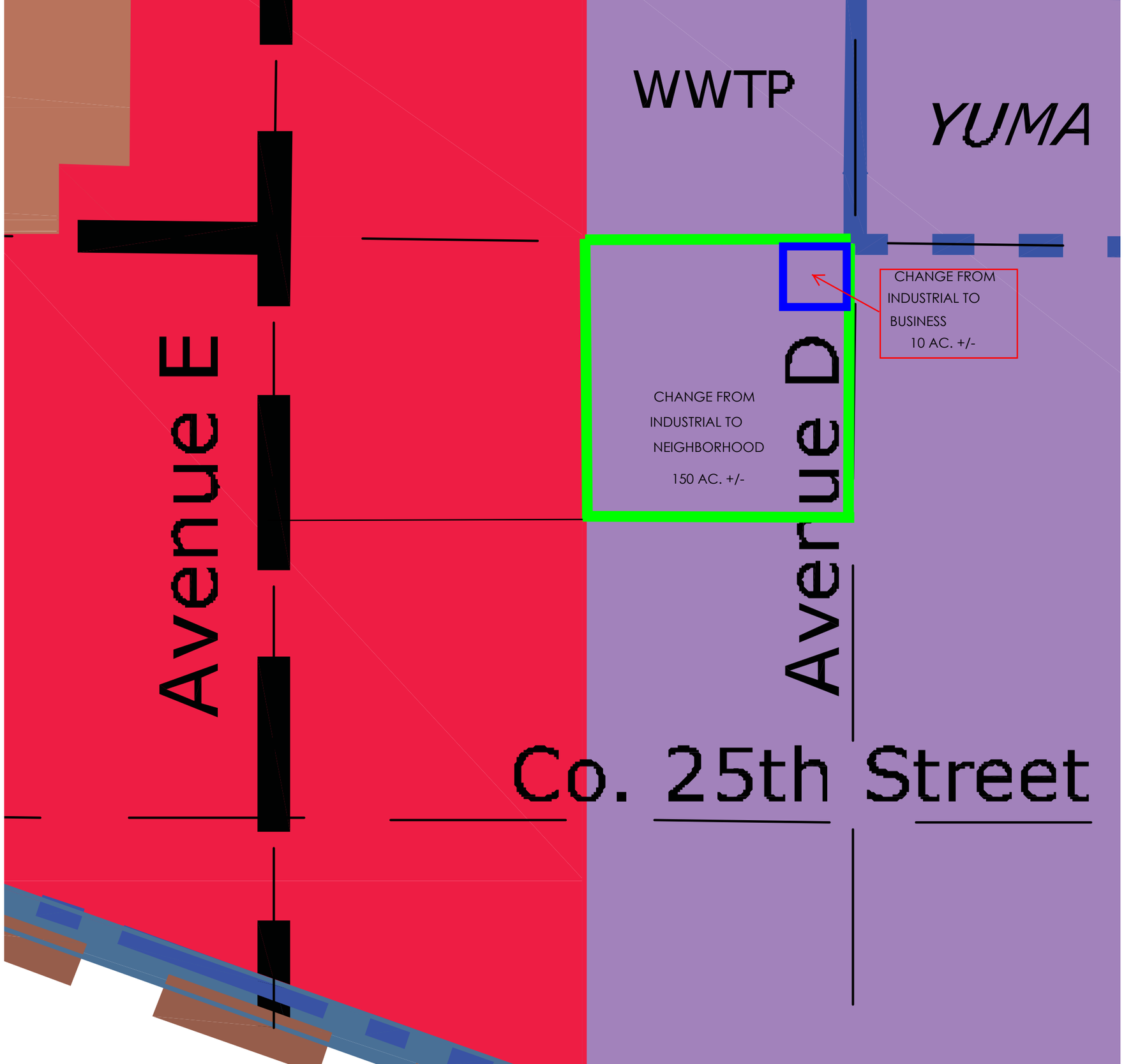
Co. 25th Street

PROPOSED GENERAL PLAN AMENDMENT PLAN




PROPOSED
GENERAL PLAN
AMENDMENT
PLAN
WWTP
YUMA
CHANGE FROM
BUSINESS TO
NEIGHBORHOOD
40 ACRES +/-
Avenue E
Avenue D
Co. 25th Street

PROPOSED GENERAL PLAN AMENDMENT PLAN



Jose A. Guzman

From: Roman Pacheco
Sent: Thursday, September 5, 2019 4:29 PM
To: Jose A. Guzman
Subject: FW: [EXTERNAL] Major Amendment Case No. 2019-0396- ADOT Southwest District Comments
Attachments: DOC071119-004.pdf; MA-2019-0396.pdf; MAJOR AMENDMENT PLAN--640 AC.pdf

FYI

From: Isabell Garcia <igarcia@azdot.gov>
Sent: Thursday, September 5, 2019 3:16 PM
To: Roman Pacheco <RPacheco@sanluisaz.gov>
Subject: [EXTERNAL] Major Amendment Case No. 2019-0396- ADOT Southwest District Comments

Good afternoon, below are the ADOT Southwest District's comments on Case # 2019-0396:
"ADOT Southwest District has no comment on the proposed land changes; however, we would like to request a Traffic Impact Analysis (TIA) be completed once there is a specific development(s). We would like to assess the potential impacts these new developments would have on the intersection of State Route 195 and Avenue E. The proposed developer(s) could prepare a combined TIA for the entire area and identify when various improvement(s) are needed. Direct access to SR 195 from the development will not be permitted as this is an access-controlled highway."

Isabell Garcia
Development TES
Southwest District
P- (928) 317-2159
E-mail- IGarcia@azdot.gov

---------- Forwarded message ---------
From: **Roman Pacheco** <RPacheco@sanluisaz.gov>
Date: Tue, Sep 3, 2019 at 11:44 AM
Subject: FW: Major Amendment Case No. 2019-0396
To: igarcia@azdot.gov <igarcia@azdot.gov>
Cc: Bfenske@azdot.gov <Bfenske@azdot.gov>

Isabell-

Attached find Major Amendment Case No. 2019-0396 for your review. this case was also sent out same day as the other others back on July 12th.

Thanks,

Roman Pacheco

City of San Luis

From: Roman Pacheco
Sent: Friday, July 12, 2019 8:15 AM
Subject: Major Amendment Case No. 2019-0396

Good morning-

Please find attached Major Amendment Case No. 2019-0396 letter and 2 maps for your review. Please note that the end of 60-day review period is September 9, 2019. We welcome any comments you may have regarding this proposal. If you have any questions concerning this Major Amendment case, please contact the office of Planning and Zoning at (928)341-8563.

Thanks,

Roman Pacheco

Planning Technician

Planning & Zoning Department

1090 E. Union Street | P.O. Box 3750

San Luis, Arizona 85349

P: 928.341.8563 Ext. 2047 | F: 928.341.8599

www.cityofsanluis.org

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Roman Pacheco

From: FINCH CIV Mary Ellen <mary.e.finch@usmc.mil>
Sent: Tuesday, July 16, 2019 7:42 AM
To: Roman Pacheco
Cc: Black CIV Gabriela L
Subject: [EXTERNAL] RE: Major Amendment Case No. 2019-0396

Good morning Roman,
I have reviewed Major Amendment Case 2019-0396 and it is approximately 7.5 miles from the Barry M. Goldwater Range boundary. As such we would have no objection to this redesignation from Business to Neighborhood.

Thank you for the opportunity to review and comment.

Mary Ellen

-----Original Message-----
From: Roman Pacheco [mailto:RPacheco@sanluisaz.gov]
Sent: Thursday, July 11, 2019 5:56 PM
Subject: [Non-DoD Source] Major Amendment Case No. 2019-0396

Good evening All-

Please find attached Major Amendment Case No. 2019-0396 letter and 2 maps for your review. Please note that the end of 60-day review period is September 9, 2019. We welcome any comments you may have regarding this proposal. If you have any questions concerning this Major Amendment case, please contact the office of Planning and Zoning at (928)341-8563.

Roman Pacheco

Planning Technician

Planning & Zoning Department

1090 E. Union Street | P.O. Box 3750

San Luis, Arizona 85349

P: 928.341.8563 Ext. 2047 | F: 928.341.8599

www.cityofsanluis.org <http://www.cityofsanluis.org/>

Jose A. Guzman

From: Roman Pacheco
Sent: Wednesday, August 14, 2019 9:56 AM
To: Jose A. Guzman
Subject: FW: [EXTERNAL] Re: Major Amendment Case No. 2019-0396

FYI

From: Laura Noel <lnoel@ssd11.org>
Sent: Wednesday, August 14, 2019 9:29 AM
To: Roman Pacheco <RPacheco@sanluisaz.gov>
Subject: [EXTERNAL] Re: Major Amendment Case No. 2019-0396

Good Morning Mr. Pacheco,

Thank you for allowing our School District to have comment regarding the "Major Amendment Case No. 2019-0396". Our School District would benefit from the zoning changes proposed.

It is our intention to build a school on the NE1/4 of the NE1/4 of the NW 1/4 of Section 14, Township 11 South, Range 24 West of the Gila and Salt River Base and meridian.

We have secured the funding from the Arizona School Facilities Board and are currently getting appraisals and environmental studies done.

The changes in zoning under consideration in that area are favorable toward neighborhoods, children and school community. Thank you for considering these changes. Please let me know if you need a representative of our District to speak or give you any other form of communication that would be helpful in supporting the changes.

Thank you again for allowing our comments in support of the zoning changes.

Laura Noel, Ed.D.
Superintendent

Somerton School District #11
343 N. Carlisle Ave.
Somerton, AZ 85350
http://www.ssd11.org
928.341.6000

"I didn't fail 1,000 times. The light bulb was an invention with 1,000 steps."
Thomas Edison

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On Jul 11, 2019, at 5:55 PM, Roman Pacheco <RPacheco@sanluisaz.gov> wrote:

Good evening All-

Please find attached Major Amendment Case No. 2019-0396 letter and 2 maps for your review. Please note that the end of 60-day review period is September 9, 2019. We welcome any comments you may have regarding this proposal. If you have any questions concerning this Major Amendment case, please contact the office of Planning and Zoning at (928)341-8563.

Roman Pacheco
Planning Technician
Planning & Zoning Department
1090 E. Union Street | P.O. Box 3750
San Luis, Arizona 85349
P: 928.341.8563 Ext. 2047 | F: 928.341.8599
www.cityofsanluis.org
<image001.png>

<DOC071119-004.pdf><MA-2019-0396.pdf><MAJOR AMENDMENT PLAN--640 AC.pdf>