

**APPROVED by P&Z Commission**

Date: September 21, 2021

P&Z Office: 

**MINUTES**

REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
SAN LUIS COUNCIL CHAMBERS  
1090 E. UNION STREET  
SEPTEMBER 14, 2021  
7:00 PM

**1. CALL TO THE ORDER /ROLL CALL:** The meeting was called to order at 7:00 PM, by Vice Chairman Marco A. Pinzon.

**PRESENT:**

Chairman Marco A. Pinzon  
Vice Chairman Veronica Zavala  
Commission Member Javier Barraza  
Commission Member Hugo Garcia (arrived @ 7:09 p.m.)  
Commission Member George Amaya

**ABSENT:**

Commission Member Guillermina Fuentes  
Commission Member Case Van Veen

**OTHERS PRESENT:**

Jose A. Guzman, Director of Planning and Zoning  
Roman Pacheco, Planning Technician  
Fernando Villegas, Principal Planner  
Kay Macuil, City Attorney  
Alexis A. Gomez, Code Enforcement Officer  
Derek Duenas, I.T. Manager  
Francia Alonso, Acting Assistant to Mayor & City Council  
Jenny Torres, Economic Development Manager  
Jonathan Dumadag, I.T. Department  
Luis E. Cabrera, Council Member  
Marco Santana, Police Lieutenant  
Matias Rosales, Council Member  
Agustin Tumbaga, Jr., DHG Management & Construction  
Alba Gomez, Los Alamos Builders  
Daniel Bazua, R.L. Jones Customhouse Brokers  
Elizabeth Carpenter, Long Realty  
Francisco Heredia, Los Alamos Builders  
Frank Rascon, Frank's Service Trucking  
Gary Magrino, Business Director - Cocopah Indian Tribe  
John Klein, Core Engineering Group, PLLC.  
Laura Noel, Somerton School District No. 11

Najeh K. Edais, Edais Engineering, Inc.  
Nieves Riedel, Riedel Holdings, LLC.  
Olivia Jenkins, Riedel Holdings, LLC.  
Russ Jones, R.L. Jones Customhouse Brokers  
Thomas Ryan, Housing America Corporation

**2. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Commission Member George Amaya.

**3. CONSENT AGENDA**

**3. A. APPROVAL OF MINUTES**

-Special Planning and Zoning Commission meeting held August 3, 2021.

**MOTION: Commission Member Javier Barraza / Vice Chairman Veronica Zavala** to approve the consent agenda as presented. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice Chairman Veronica Zavala	Aye
Commission Member Javier Barraza	Aye
Commission Member George Amaya	Aye

**4. PUBLIC HEARINGS**

**4. A. Public hearing followed by discussion and possible action on any and all matters regarding Major Amendment Case No. 2021-0335. A request by DuBose Design Group, Inc. to change the land use designation of Assessor's parcels 227-14-006, 007, 008 and a portion of parcel 227-14-009 totaling 197.97 acres from Commercial (C) to Medium Density Residential (MDR), parcels 227-14-002 and a portion of parcel 227-14-004 totaling 231.56 acres from Employment (EMP) to Medium Density Residential (MDR), and parcels 227-11-006, 007 and 008 totaling 37.48 acres from Employment (EMP) to Commercial (C).**

**A. Open public hearing**

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

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice Chairman Veronica Zavala	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member George Amaya	Aye

**Jose Guzman, Director of Planning and Zoning** stated that Mr. Villegas, Principal Planner was going to present this cases and mentioned that tonight meeting is to gather public comments, the commission will be making a recommendation on next week Planning and Zoning Commission meeting.

### 1. Staff Presentation

**Fernando Villegas, Principal Planner**, presented and summarized staff report recommending continuance of the public hearing for the Major General Plan Amendment Case No. 2021-0335.

**Tom Dubose, Dubose Design Group, Inc.**, representing David Loo and Elizabeth Carpenter, stated that he had a lot to share and presented a power point presentation to the Planning and Zoning Commission. The presentation had the following topics:

- What is the General Plan? From time to time some will propose changes to the General Plan.
- City of San Luis 2040 General Plan (Land Ownership Map) **Mr. Dubose** explained that the white boxes as shown in this map are the privately own properties in east San Luis.
- City of San Luis 2040 General Plan (Future Land Use) **Mr. Dubose** explained that as you can see on the map it has a lot of yellow areas that represent were residential can be develop. you can also notice that a lot of the yellow is on government property. **Mr. Dubose** stated that they are proposing a general plan amendment, a major amendment that will facilitate employment opportunities creating through business expansion. The 2040 General Plan adopted last year in our opinion overstates the potential industrial development base on the history of border crossing. Also the 2040 General Plan Land Ownership map leaves out future residential growth due to state and federal ownership.
- Introduction
- Major Amendment Plan
- What's is our Plan?
- Border Community History
- Case Study – Nogales, Arizona
- Case Study -Otay Mesa, California
- Case Study – Calexico East Port, California
- How can this project come to life? (proposed plan)
- General Plan Amendment
- Importance of Project Work, Live, Shop and Prosper in San Luis, AZ
- Traffic Impact
- Truck Crossing Statistics
- City of San Luis Long Term traffic plan provides access for commercial trucks along County 25<sup>th</sup> to Avenue B. (map)
- Other Traffic Impacts
- New Housing Permits (Chart)
- Water & Waste Water (location map)
- Sam Group is "Curating" other developments in East San Luis
  - Food Truck Court
  - Suites type hotel
  - Satellite grocery store

- Additional school sites
- Summary

**Mr. Dubose** thanked the members of the commission for allowing getting through this presentation and that he was available for any questions.

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

**Russ Jones, R.L. Jones Customhouse Broker**, stated that he is not against residential growth, I am against growth that is not thoroughly well planned with the funding, the necessary things to accommodate traffic so that all the residents and children are safe in this area. What I see here, many of my people have moved to the Bienestar and the newer subdivisions were they work near the Port of Entry at our facility, we do need that but it needs to be well planned. I looked at other cities, I grew up in Calexico I know how they work and for the most part, yes there are some traffic lights but all of those were well planned. This was done ahead of the development. Furthermore, Jones stated that this look like a great plan they are proposing but I do not see any money or anything on their plan that said how this is going to be built. We do not have property tax here, development is done through special districts, the people who buy the houses over the year pays their fees and taxes to the district to pay for the infrastructure that should have been put in place and for that reason you cannot get a property tax to San Luis. All I see here another development with no plan or revenue stream nothing upfront, how they are going to pay for traffic mitigation. I am not oppose to growth, I think it needs to be more planning and discussion about this. I want to preserve all the jobs we have in the Industrial Park. We have to projects that are in the planning stage, which will bring more jobs down there, and more traffic for those jobs.

**Frank Rascon, 435 N. Cesar Chavez, San Luis Resident**, stated that he has been in business in San Luis, Arizona since 1984 and he is the president of Southwest Arizona Port Use Association and city representative at the Port Authority. The concern here is how do we planned moving forward. The port, the numbers are not where we would like them to be. When we build when Avenue E was done, we did not envision that we were going to have houses all around so soon. I am concerned that we are going to end up with a stop sign like we have on Urtuzuastegui or like the one we have on Cesar Chavez were the trucks are moving a half a mile at a time, I think there is a way to work around this, I am certainly not oppose to find a solution but it has to be a real solution that is going to happen as supposed to promises that of a potential alternate route that may be or may not.

**Gary Magrino, representing Yuma Port Authority and Cocopah Indian Tribe**, stated the objections are not the growth; the objection is Avenue E and the traffic study. Both entities are concerned if you disapprove and the major amendment is given, the houses will be built, the people will be move if the demand is there and what about the infrastructure? Would Avenue E be built be correctly? Would Avenue E be spread out? Then we got the concern from Mexico and San Luis I. What I am hearing through across the border that the San Luis I Mexican side is not going to be developed. They are going to put all of their efforts out here in San Luis II were we will have more cars, pedestrian, buses in addition to additional crow, which again go to the major corridor on Avenue E. We think that probably we should wait how this develops, we are asking you to take time maybe a year or two.

**Thomas Ryan, Executive Director of Housing America**, stated that he wanted to give the commission an idea of the demand of housing that we are seeing. Even before, we decided to return to San Luis a couple of years and we did officially last month with our affordable housing programs we were inundated with applications from young people that want to build their home here. In the last three months, we collected over 110 applicants. I just wanted to tell you the demand is here now and it is here today.

**Alba Gomez, Los Alamos Builders**, stated that her reason for her presence today is to support this Major Amendment and to share some information on how the approval of the proposed development affects argument. Furthermore, Gomez stated that they have 21 houses under construction, presented a power point presentation, and encourage pleasing joining in a vote in favor of the proposed residential zoning amendment.

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

**MOTION: Commission Member Javier Barraza / Commission Member Hugo Garcia** to continue public hearing regarding Major General Plan Amendment Case No. 2021-0335 to the Planning and Zoning Commission meeting of September 21, 2021. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice Chairman Veronica Zavala	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member George Amaya	Aye

**4. B. Public Hearing followed by discussion and possible action on any and all matters regarding Major Amendment Case No. 2021-0337. A request by Core Engineering Group PLLC on behalf of Boarder Ranches II AZ LLC to change the land use designation of a 20 acre parcel from Commercial (C) to Medium Density Residential (MDR). Assessor's parcel number 227-15-030, located on the northeast corner of 20th Avenue and County 24 1/2 Street in San Luis Arizona.**

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

**MOTION: Commission Member Javier Barraza / Chairman Marco A. Pinzon** to open public hearing. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice Chairman Veronica Zavala	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member George Amaya	Aye

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

**Fernando Villegas, Principal Planner**, presented and summarized staff report recommending continuance of public hearing for Major General Plan Amendment Case No. 2021-0337.

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

**Jonathan Klein, Core Engineering Group, LLC**, stated that he submitted this major amendment application. Our intention is to develop 40 acres south of Belleza Del Desierto Phase I and II to residentially zone housing. Today we are just trying to the amendment in order to move forward to the near future based on conditions the council can pose during the subdivision process. I think this area is perfectly suited for growth that is more residential.

**B. Close public hearing**

**MOTION: Commission Member George Amaya / Commission Member Hugo Garcia** to close continue public hearing regarding Major General Plan Amendment Case No. 2021-0337 to the Planning and Zoning Commission Meeting September 21, 2021. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice Chairman Veronica Zavala	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member George Amaya	Aye

**4. C. Public hearing followed by discussion only on any and all matters regarding Major Amendment Case No. 2021-0340. A request by Edais Engineering Inc. on behalf of Riedel Holdings LLC to change the land use designation of two parcels 180.9 acres in size from Commercial (C) and Employment (EMP) to Medium Density Residential (MDR). Assessor's Parcel Numbers 227-11-004 and 005, located on the southeast corner of County 23 1/2 Street and Avenue E in San Luis Arizona.**

**A. Open public hearing**

**MOTION: Commission Member Javier Barraza / Chairman Marco A. Pinzon** to open public hearing. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice Chairman Veronica Zavala	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member George Amaya	Aye

**1. Staff presentation**

**Fernando Villegas, Principal Planner**, presented and summarized staff report recommending continuance of the public hearing for the Major General Plan Amendment Case No. 2021-0340.

**Chairman Marco A. Pinzon**, asked is there an agreement there if something wants to develop that close. **Villegas** responded no, a development agreement exist for the entire property but no buffer is included as part of the development.

**Commission Member George Amaya**, asked if staff can share the comments received from the reviewing agencies. **Villegas** responded yes, as this comments are part of the staff report. The City Engineer was concerned about residential development adjacent to the Detention Center. The Fire Department they do not have any comments until they submit subdivision for review. The Yuma County Development Services they are in opposition for this type of development in the area and ADOT they want to see a traffic study before they build something.

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

**Russ Jones, Jones Customhouse Broker**, stated that he has the same problems with develop, I am not against development some of the good things I see on this one, on the other hand a large commercial buffer at least on Avenue E. The issue with the prison is something that I am not going to take up that is something that really is more for the citizens of San Luis to determine if there should be a similar buffer between a prison and residential for a prison and a school for that matter. However, the concerns I have in are the Port infrastructure the traffic studies that we feel is necessary. I read a traffic study that was presented by the Somerton School District and their traffic study said the new school is only going to create like 43 trips a day, I do not think so. I go by any school in San Luis when kids are getting out, you are going to see all kinds of cars all over the place and creating traffic issues and so I do not think that will be any different there. And without a major light that is suitable for semi's truck on 24<sup>th</sup> and Avenue E with comedy across traffic there is no really other way for all those homes to get in and out. **Mr. Jones** furthermore stated that particularly the way now housing is financed in the infrastructure for that in San Luis is like a Ponzi scheme to me and yes there are jobs for construction during, once the construction is over then there are no more jobs there. On the contrary you need more police and fire. You will need other city services to support that. And again, the taxes that they pay are not necessarily going to support that, especially if they are not working here, they are working elsewhere in the community in Yuma. There is even less of their money here to spend, again the major size agriculture economic driver in San Luis is international Port of Entry both of them which need to be preserved protected and make sure that they operate and function properly. And I think, it is premature, but I think there is ways that we can plan around this so some of these folks can use their land productively but unless I see another plan, an overlay on how we are going to deal with the traffic I have to oppose. Something we have suggested from the part of the Industrial Park, perhaps there should be a special district form for transportation. So that all of the property commercial and industrial can be taxed or assessed so that we can build infrastructure and provide services that are needed for that many homes, 250 homes and the other 480 homes. We are talking about 800 homes and so the traffic is going to be enormous out there unless we plan for it up front.

**Najeh Edais, Edais Engineering, Inc.**, stated that he appreciates the comments from Mr. Jones he's a good friend of mine we did of lots of fishing together. Mrs. Riedel purchased this subject property that

we are asking for the Major Amendment. This is located at the northeast corner of 24<sup>th</sup> and Avenue E, what we did immediately actually before we even purchased it, we went ahead and we master planned. I really agree with everybody that talks about master planning and putting your thoughts in a road before we start developing, so went ahead and master-planned it. We took everything to the consideration and as a matter of fact. Just today I went ahead and I signed the contract with the traffic engineer to go ahead and to do a traffic impact study. The traffic impact study will be completed in the next two to three weeks. So, hopefully in the next hearing we will be talking a little bit about traffic and the impact of traffic and the mitigation of some of the issues that some people are talking about, but the master plan that we did there, also it includes buffer zones. We are extremely sensitive towards the prison, the wastewater treatment plant. I was the one who designed and built the wastewater treatment plant and I know a little bit about it. The commercial area, we have 40 some acres of land that we are reserving for commercial. In that area you are talking about a gas station, we actually have it already planned and designed and a soon as the lot split is recorded we are going to proceed with submitting it to the city. We have already met with staff, along the gas station we have a grocery store that we will be putting over there and all of the necessary business that East San Luis actually need and whether it is the residential area in San Luis that needs it or the employment in the area such as all of these industrial buildings that they hold lots of employees. As you all know when Mrs. Riedel is involved in a project it happens, so my commitment to you that everything that I tell you tonight it will happen, this master plan that you are looking at. We actually already have phase one design 100 percent designed and its in the hands of the city. The minute that this is approved and I know it will be approved we will proceed to building the phase one which is on the north side. The water and sewer system are available, we actually extending a sewer line from this development to the wastewater plant. We are going to build a lift station at the wastewater treatment plant, we have already discussed this with city staff and Public Works Director and we said no problem we will do that and we will provide access to that sewer system for other people that wanting to connect to it. Traffic, I do not think is a problem, every place you go every street that you drive on there is trucks, buses, cars, and SUVs. The roads are made to drive on, when you start talking about we do not want to mix truck traffic with bus traffic, we do not want to mix bus traffic with regular traffic you are only fooling yourself because the highways that we drive on it has all of them. The streets that we are driving on has all of them.

**Frank Rascon, 435 N. Cesar Chavez, San Luis Resident**, mentioned that they are not opposed; I am not opposed to the development out there at all. I really appreciate the buffer zones, and the planning. However, the traffic study, and put it in, I guess a lay person's deal that is what we need to be looking at. That is my primary concern, looking at a traffic study for the net effect of having not just this development, but also the other developments for the area and how they are going to affect that growth. I am not saying the trucks, buses, and cars cannot go on the same road. But you would notice most major roads that have speed limits at 35 miles an hour do not have school crossings. This is a big fear, right? So how do we plan this out to avoid full intersection crosses? Traffic studies, I think there were a big deal now, maybe they are not required up to this point, maybe they were not thought but if this one's is 800 plus the other one has to be substantially more and if it's medium dense I imagine there is more people for square foot than this but that being said all of a sudden we are looking at thousands of cars out there. How is that going to affect? That is the concern I have, that is my problem with this. It isn't that we do not want to see development. We are well aware this seems to be the only logical solution at the moment to grow. The other solutions that are, probably going to take longer to do or they are going to take more money. My opposition is strictly because we do not know the traffic study. Now, we have smart people doing this not just a guy and what you see here is why don't we know the traffic studies

right now, why aren't we looking at it, with a simple question what are we going to do with the cars and the trucks. We do not bother to do this until down the road or why is that, because it costs a lot of money and that is the fear. If we push this and kick the end down the road a year, two, or three for future development, may not happen.

**Gary Magrino, representing Yuma Port Authority and Cocopah Indian Tribe,** stated that traffic studies and the lack of long range planning we are concern if the developers get in here and this gets approved the houses will go like crazy. The gas station will go up, everything will be booming and we will have to go back and try to recreate proper traffic flow.

**Agustin Tumbaga, Jr.,** stated that the reason that he was there at the meeting was to support that this major amendment goes forward. When I first bought the Plaza Riedel my biggest fear was because other rentals that I have is that they were not going to survive during the summer. The other rentals that I have I normally have to break in the summer because it cost electricity and it reduces unemployment there isn't a lot people spending. Five years I have been in that plaza that has not happened. When we first bought the plaza there were some vacancies, right now we are down to three to four vacancies and the reason behind that it is because of growth. The growth has happened in San Luis by stopping some of these amendments for some of these different groups that are being presented. You will send the wrong message out there to tell people San Luis is not thinking of growth. We are looking at stopping it and there is still to come more commercial buildings here. If you send messages, stating that this is what is going too happened with San Luis with the growth. It will trickle down to investors, I won't say the other communities you know that have done that and look what happened to them, they have not grown and the business are not going there.

**Olivia Jenkins, San Luis, AZ, resident,** stated she was there on behalf of Riedel Construction and the people I have been working for the last two years. While we are lacking definitely we cannot deny we are lacking in commercial and jobs in San Luis. I been here 30 years and for the 35 years I worked for the City of San Luis commercial water accounts never really grew. There are people out there that can offer a help to San Luis like Mr. Jones and other people who have the ability to bring business in here. I challenge them to bring them in here. We have the buying power to do so. If they would do that and get up to par with our construction, they would also bring jobs. Other than the 300 or so people that are employed through Riedel Construction there is also other people that get employed or get jobs or revenues through that because it is not just the construction workers it is the people that work at the title company, the people that work with the home insurance. So, there's jobs being created beyond just bringing home to San Luis. The company brings about a million to, in revenues the City of San Luis. Not only in construction permits, but there is also the revenues that are brought in by other entities. We pay impact fees through all those permits and it is not a few hundred dollars it is expensive to get a building permit, which is fine because that helps support the infrastructure that is being use within the city. Furthermore, Mrs. Jenkins stated that San Luis has always had traffic issues, which we can learn from the mistakes that we have done in the past. However, we cannot say no more growth or no more residential because we have this problem over here, let's work up around it, let's do what we need to do and let's move on. One year or two years that we hold back or you say no to this amendment what is going to change in one year or two, if you hold us back. What is going to change? People are coming just as Ms. Alba mentioned they have a waiting list, we have a waiting list, people want to come and live to San Luis.

**Laura Noel, Somerton School District No. 11**, stated that she is the Superintendent at Somerton School District and she would like very much to answer any questions you have. I am in support of the change through the zoning in this area. It seems very smart to me the way that different builders have created the industrial commercial edges around the outside of the residential within the center. Because that just seems so smart that people who work in that area are going to live near that and I do not really understand the traffic conflict because it seems to me that if you have an industry that is attracting 400 workers to that industry you are going to have traffic coming to and from that industry. If you have housing, you are going to have traffic to and from that housing it seems to me traffic is just one of those things that we need to resolve. We need to find solutions for and I have heard Mr. Jones and others recommend some kinds of solutions, let's go for it, let's plan for whatever needs to happened that is practical and we would solve the problem. The issue of the traffic study is a little of bit of a sore spot for me because we have done several now. The traffic study does not say what people want it to say that there is a traffic problem. The traffic studies we have done say there is no problem and that there is no reason to think that there is a problem. We will comply with any kind of regulation or set up that we need to do to make it work. Furthermore, Noel stated that they have the funding to build a school in east San Luis and have adjacent ways, and all the other funding sources that need to happened to build that school.

**Commission Member Javier Barraza**, asked what type of zoning does the parcel of the proposed school has? **Jose A. Guzman, Director of Planning and Zoning**, stated that just for clarification the school is not part of the applications we are reviewing today and that the zoning is Industrial and zoning does not apply to schools.

**Chairman Marco A. Pinzon**, mentioned that he hopes that staff would have the necessary information in regards to city services, police, fire, sewer and water. Do we have enough, are we ready? If there are plans ahead to better infrastructure to improve our roads or exit? Furthermore, Chairman Pinzon stated that last time they talked about this project, he remembers both groups were going to sit down and talk about it, and does not know if it happened, if it did not, he encourage them to follow through because if both entities does not come into an agreement, then we will make it for you, whether one or the other does not like it, but we do have to make a decision. **Pinzon** recommended to members of the commission to go through it and study the cases, and drive by the subject properties because this is our first step and then of course council will do the second.

## **B. Close public hearing**

**MOTION: Commission Member George Amaya / Commission Member Hugo Garcia** to continue public hearing regarding Major General Plan Amendment Case No. 2021-0340 to the Planning and Zoning Commission Meeting September 21, 2021. The Motion passed unanimously.

The vote was as follows:

Chairman Marco A. Pinzon	Aye
Vice Chairman Veronica Zavala	Aye
Commission Member Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member George Amaya	Aye

**6. ADJOURNMENT**

**MOTION: Chairman Marco A. Pinzon** adjourn the Regular Planning and Zoning Commission meeting at approximately 9:09 p.m.

APPROVED:



Marco A. Pinzon, Chairman

ATTEST:



Roman Pacheco, Planning Technician

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF THE MINUTES OF THE PLANNING AND ZONING COMMISSION, SAN LUIS, ARIZONA HELD ON SEPTEMBER 14, 2021. I FURTHER CERTIFY THAT THE MEETING WAS DULLY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.