



# AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7.E.

Meeting Date: 04/26/2023

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

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

**Action** Motion

**Requested:**

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## ITEM:

Discussion and possible action on any and all matters regarding Subdivision Case No. 2023-0134F application by Najeh Edais, on behalf of Riedel Holdings LLC., for the approval of the final plat of Plaza Colibri Commercial Subdivision, located on the northeast corner of County 24th Street and Avenue E in San Luis, Arizona. **(Jose A. Guzman, Director of Planning and Zoning)**

## SUMMARY:

This is a request by Edais Engineering Inc., on behalf of Riedel Holdings LLC., for the final plat approval for Plaza Colibri Commercial Subdivision. The subject property is located on the northeast corner of County 24th Street and Avenue E.

The commercial subdivision contains approximately 31 acres and will consist of 39 commercial lots. The lot range in size from 16,000 square feet to 130,000 square feet. Assessor's Parcel Number 227-11-012. Currently, a gas and diesel station is being built on proposed lot 1.

## GENERAL PLAN :

This area is designated as Commercial (C) in the City of San Luis 2040 General Plan. The activities proposed will be consistent with those designations (Chapter 2, Page 2-12).

## ANALYSIS:

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

## DEVELOPMENT AGREEMENT:

This property was divided by Lot Split Case No. 2021-0387 which was part of a development agreement that was approved by Resolution No. 2204. The development agreement is attached to the report and includes the following condition:

- Development of Improvements. At such time that any lot created by City Lot Split Case Number 2021-0387 or any lot within the Rezoning Case No. 2021-0693 is developed, public improvements, including but not limited to streets, roads, retention basins, utility extensions, utility mains, including pumping stations, lift stations, force mains, traffic signalization, and other off-site public improvements will be made pursuant to City standards as may be required by the Public Works Director of City in his sole discretion. The location of such improvements

and/or its development is not confined to the lot being developed but rather may be located on any portion of the entire Property that is the subject of this agreement.

**PLANNING AND ZONING COMMISSION:**

This item was presented to the Planning and Zoning Commission meeting during their regular meeting held on April 11, 2023. The Commission recommended approval of the request with the condition that the applicant addresses the review comments letter dated April 7, 2023.

**STAFF RECOMMENDATION:**

Staff recommends approval of Subdivision Case No. 2023-0134F with the condition that the development agreement is amended to address the review comment letter dated April 7, 2023, prior to the recordation of the Plat.

Staff received a response letter on April 11, 2023, and is under review. Based on the response from the applicant they are requesting a deferment of landscape installation along the adjacent right-of-way of the subdivision. Staff does not oppose this request as long as it is a condition that the landscape is done before the warranty period expires and assurances are released.

Applicant is requesting to allow retention basins on the public right-of-way. The staff's concern is that having the retention basin in the right-of-way restricts all other uses of the right-of-way that may be needed in the future. However, this might be allowed contingent that the city has a way of making use of its right-of-way in the future if it is needed.

If Council would like to proceed with the requests mentioned, the staff is recommending that the Development Agreement/Resolution No. 2204 is amended to include language where the applicant can move forward with their project as requested, and at the same time, the city has a mechanism to ensure any future right-of-way needs and landscape installation.

The following motion will allow for the final plat to be approved and staff will work with the applicant to bring the Development Agreement amendments for approval during the next Council meeting. The amendments to the Development Agreement will have to be approved prior to the recordation of the plat.

**RECOMMENDATION / SUGGESTED MOTION:**

**I MOVE TO APPROVE SUBDIVISION CASE NO. 2023-0134F WITH THE CONDITION THAT, BEFORE THE RECORDATION OF THE PLAT, THE DEVELOPMENT AGREEMENT IS AMENDED TO ADDRESS COMMENTS ON THE STAFF COMMENT LETTER DATED APRIL 7, 2023.**

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Fiscal Impact

IS THERE FISCAL  
IMPACT ASSOCIATED N/A  
WITH THIS ITEM:

CITY/STATE/FEDERAL  
FUNDS: N/A

TOTAL: N/A

BUDGETED AMOUNT: N/A

AVAILABLE AMOUNT  
TO TRANSFER: N/A

ACCT NAME &  
GL#/REMAINING N/A

BALANCE BEFORE

PURCHASE:

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

N/A

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Attachments

Location Map

Final Plat

Comment Letter dated April 7, 2023

Response letter received on April 11, 2023

Resolution No. 2204 - Development Agreement

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