



NOTICE OF REGULAR PLANNING AND ZONING COMMISSION MEETING

In accordance with Section 38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission of the City of San Luis, Arizona will hold a Regular Planning & Zoning Commission Meeting at 6:00 p.m., Tuesday, November 12, 2024. 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 E 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 Commission 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 Coordinator

AVISO DE JUNTA REGULAR DE LA COMISIÓN DE PLANEACIÓN Y ZONIFICACIÓN

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 Zonificación y al público en general que la Comisión de Planeación y Zonificación de San Luis, Arizona, tendrán una junta regular a las 6:00 p.m., el día Martes 12 de Noviembre 2024. La junta se llevará a cabo en la Sala del Cabildo de la ciudad, ubicado en el 1090 E 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 E Union Street, 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 de la Comisión 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, Cordinador de Planeación



AGENDA
Planning & Zoning Commission
Regular Meeting
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
Tuesday, November 12, 2024
6:00 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. CONSENT AGENDA

All matters are considered to be routine by the Planning & Zoning Commission and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

3. A. APPROVAL OF MINUTES

-Regular Planning and Zoning Commission meeting held August 13, 2024.

4. PUBLIC HEARINGS – the Planning & Zoning Commission will be considering a vote or action on the following cases. Any vote or action will be considered separately for each case.

4. A. Public Hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2024-0776. A request by Edais Engineering Inc., on behalf of Riedel Holdings LLC., to rezone 11.83 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6), located at the northeast corner of 24th Avenue and Nadine Street in San Luis, Arizona.

- A. Staff presentation
- B. Open Public Hearing
- C. Call to the public on this item
- D. Close Public Hearing
- E. Action on Rezoning Case No. 2024-0776

4. B. Public Hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2024-0835. A request by the City of San Luis to amend Section 18.15.030 of the City of San Luis City Code to address changes to the Arizona Revised Statutes to add required rezoning application review timeframes.

- A. Staff presentation
- B. Open Public Hearing
- C. Call to the public on this item
- D. Close Public Hearing
- E. Action on Text Amendment Case No. 2024-0835

5. ADJOURNMENT



AGENDA ITEM REVIEW FORM

3. A.

Summary

APPROVAL OF MINUTES

-Regular Planning and Zoning Commission meeting held August 13, 2024.

Attachments

Minutes

MINUTES

REGULAR MEETING
PLANNING AND ZONING COMMISSION
SAN LUIS COUNCIL CHAMBERS
1090 E. UNION STREET
AUGUST 13, 2024
6:00 p.m.

1. CALL TO THE ORDER /ROLL CALL: Chairman George Amaya called the meeting to order at 6:00 p.m.

PRESENT:

Chairman George Amaya
Vice Chairman Javier Barraza
Commission Member Marco A. Pinzon (arrived at 6:03 p.m.)
Commission Member Hugo Garcia (arrived at 6:01 p.m.)
Commission Member Veronica Zavala (via Zoom)
Commission Member Angelica Ortiz

ABSENT:

Commission Member Ruben Walshe

OTHERS PRESENT:

Jose A. Guzman, Director of Development Services
Roman Pacheco, Planning Coordinator
Albert Moreno, I.T.
Jose Antonio Maldonado, Video Production Specialist
Juan Tejeda, Associate Planner
Antonio Martinez, MCAS Yuma
Elizabeth Carpenter, Long Realty Co.
Harold Cardona, Long Realty Co.
Vianey Vega, Vega & Vega Engineering, PLC

2. PLEDGE OF ALLEGIANCE

Vice Chairman Barraza led the Pledge of Allegiance.

3. CONSENT AGENDA

3. A. APPROVAL OF MINUTES

- Regular Planning and Zoning Commission meeting held on July 9, 2024.

MOTION: Chairman George Amaya / Commission Member Veronica Zavala approved the consent agenda as presented. The motion passed unanimously.

The vote was as follows:

Chairman George Amaya	Aye
Vice Chairman Javier Barraza	Aye
Commission Member Hugo Garcia	Aye
Commission Member Veronica Zavala	Aye
Commission Member Angelica Ortiz	Aye

4. PUBLIC HEARINGS

4. A. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2024-0570. A request by Dahl, Robins & Associates, Inc. on behalf of Ranch 800, LLC., to rezone 37.14 acres from Rural Area Residential (RA-10) to Community Commercial (C-2). The property is located at the northwest corner of Los Oros Street and Main Street in San Luis, Arizona.

A. Open Public Hearing

Chairman George Amaya opened the public hearing

1. Staff Presentation

Jose A. Guzman, Director of Development Services, summarized the staff report recommending approval of Rezoning Case No. 2024-0570 with the following conditions:

1. Development shall comply with the City of San Luis zoning regulations, building code requirements, public works standards, and any applicable subdivision regulations for commercial development.
2. The applicant/owner shall submit a traffic study during the building permit review, and all improvements required by the traffic study shall be done by the developer, including any applicable contributions for future traffic lights.

2. Call to the Public on this item.

Santos Barajas, 448 San Felipe Street, asked if this would be a hospital. **Chairman Amaya** explained that it is a medical facility providing certain services and outpatient service office building with laboratory work and other services available to the Public.

Alex Laky, an agent for Yuma Regional Medical Center, stated that Yuma Regional has a thriving primary care business. They seek to build on that. They have not finalized the initial program, but we can expect additional primary care clinics, emergency services, labs, pharmaceuticals, and imaging. **Mr. Barajas** further asked if this was not a micro-hospital. **Mr. Lakey** responded that it had not been declared a micro-hospital at this juncture, and I do not have any specifics to say what it will be.

B. Close Public Hearing

Chairman Amaya close the public hearing.

C. Action on Rezoning Case No. 2024-0570

MOTION: Vice Chairman Javier Barraza / Commission Member Hugo Garcia will forward Rezoning Case No. 2024-0570 to the city council with a recommendation of approval subject to the conditions of approval as recommended by staff. The motion passed unanimously.

The vote was as follows:

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

4. B. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2024-0571. A request by Dahl, Robins & Associates, Inc. on behalf of Barkley Farms LP., to rezone 36.15 acres from Light Industrial (L-I) to Community Commercial (C-2). The property is located at the southwest corner of County 22nd Street and Main Street in San Luis, Arizona.

A. Open Public Hearing

Chairman George Amaya opened the public hearing

1. Staff Presentation

Jose A. Guzman, Director of Development Services, summarized the staff report recommending approval of Rezoning Case No. 2024-0571 with the following conditions:

1. Development shall comply with the City of San Luis zoning regulations, building code requirements, public works standards, and any applicable subdivision regulations for commercial development.
2. The applicant/owner shall submit a traffic study during the building permit review, and all improvements required by the traffic study shall be done by the developer, including any applicable contributions for future traffic lights.

2. Call to the Public on this item.

Chairman Amaya asked staff regarding the Citizen Review meeting. Have you received any comments from those who attended the meeting?

Mr. Guzman responded that they had questions about the rezoning and Merrill Avenue project that the city is doing. There was no opposition from the residents. They had only general questions about the traffic and the overall project. We had eight people from the public present at the meeting, and I can see that some of those attended. Perhaps we can invite them to come up and speak in Spanish so they can be more open to asking questions.

B. Close Public Hearing

There were no comments from the Public; therefore, Chairman Amaya closed the public hearing.

C. Action on Rezoning Case No. 2024-0571

MOTION: Commission Member Marco A. Pinzon / Commission Member Veronica Zavala will forward Rezoning Case No. 2024-0571 to the city council with a recommendation of approval subject to the conditions of approval as recommended by staff. The motion passed unanimously.

The vote was as follows:

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

5. ITEMS REQUIRING DISCUSSION AND/OR ACTION

4. A. Discussion and possible action on any and all matters regarding Subdivision Case No. 2024-0461F. A request by Vega & Vega Engineering, on behalf of Comite de Bienestar Inc., for the approval of Bienestar Subdivision Phase 12 Phase 2 Final Plat. The property is located on the southeast corner of 19th Avenue and San Fernando Street in San Luis, Arizona.

A. Staff Presentation

Jose A. Guzman, Director of Development Services, summarized the staff report recommending approval of Subdivision Case No. 2024-0461F with the following conditions:

1. Applicant must address comments from the Comment Letter dated August 6, 2024.

Chairman Amaya asked if the applicant agreed with the requirements of the subdivision and the conditions to meet.

Vianey Vega, Vega & Vega Engineering stated they had the opportunity to review all the comments. We want to bring up one comment that we disagree with, and I would like to discuss it and put it on the record. It is a requirement that it has been worked out by staff. As far as amenities, a requirement for amenities on retention basins, this requirement is not yet established. They are working on that to be part of the subdivision regulation; therefore, we feel that we should not comply with this requirement just yet. On the other hand, regarding the retention basins, an additional sidewalk has been requested to provide connectivity to the retention basin all around. The developer has agreed to provide a nice amenity for the retention basin. Still, we feel that an additional requirement for amenities is to be built on this retention basin, as we disagree with that right now.

Mr. Guzman explained that the staff is looking into requiring additional amenities for parks. We want to provide amenities like playgrounds, ramadas, or barbecue areas to the residents of the subdivisions. We are still looking into how the city will maintain those amenities and the process, but we included that comment to let the developer know that the staff is working on it. We want to make it part of the update of the subdivision regulations. We are not in the final stage yet, but we want to provide residents with as many amenities as possible. Staff can recommend additional requests, but it will be up to the city council to approve or request any extra amenities. Furthermore, Mr. Vega stated that maintenance is something that staff needs to work on because, as it is right now, the landscaping maintenance is very poor.

If you go to the new subdivisions, the developers are required to install all the latest landscaping before completing the project. There is much work to be done on the city's maintenance. Adding an additional cost for the city is maintenance, which will create more trouble. We feel that you guys need first to be able to maintain what is currently required for maintenance and then start looking into additional items to be maintained by the city. This is why we disagree that this should be necessary. The city needs to look into how to maintain the landscaping that is already in place and keep it up rather than start bringing new requirements.

Vice Chairman Barraza stated that in Yuma County, there is a modification mechanism to deviate from requirements from the subdivision regulations. Is there such a mechanism in the city or not? **Mr. Guzman** responded that it was not, and it is on the final plat approval when it is presented to the city council. If there are any deviations, we show them to the council, and they approve the deviations. **Barraza** asked if the council would take the final action if the applicant disagreed with one of the conditions that could be discussed and acted on. **Commission Member Marco A. Pinzon** asked if that was the "Tract B" retention basin as shown in the plat. **Mr. Guzman** responded yes. **Pinzon** also wondered if the staff is working on the amenities in case the developer wants a park, like a playground. **Mr. Guzman** responded yes and that we are still in the early stages, so we might not have it ready on the specifications when this item goes to the council, but we just wanted to make that comment so that they know about the plan. **Mr. Vega** further explained that the retention basin in the subdivision regulations requires 5% open space in addition to the capacity of the retention basin. The developer gives 5% of the total acreage for open space to make this retention basin a little bit more spacious and more space for the homeowners in the area. So, that has already been taken care of in this project. In addition, we have that not only are we providing the capacity for the stormwater retention, but also there is that 5% that is required by the subdivision regulations that we provide in each project, which is an amenity for the homeowners that have a more spacious in the retention basin.

B. Action on Subdivision Case No. 2024-0461F

MOTION: **Commission Member Hugo Garcia / Chairman George Amaya** moved to forward Subdivision Case No. 2024-0461F final plat for Bienestar Estates 12 Phase 2 to the city council with the conditions recommended by staff. The motion passed unanimously.

The vote was as follows:

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

Chairman George Amaya addressed to commission members that for the following two items, which are items 5B and 5C, we will have a discussion simultaneously and take independent action for each subdivision case number.

5. B. Discussion and possible action on any and all matters regarding Subdivision Case No. 2024-0577P. A request by Vega & Vega Engineering PLC, on behalf of Von Verde Partners LLC, for the approval of Orchidea Park Phase 1 preliminary plat. The property is located east of 24th Avenue and south of Orchidea Park Townhomes in San Luis, Arizona.

A. Staff Presentation

Jose A. Guzman, Director of Development Services, summarized the staff report recommending approval of Subdivision Case No. 2024-0577P with the following conditions:

1. Applicant must address comments from the Comment Letter dated August 6, 2024.
2. Development agreement needs to be approved prior to presenting this item to the City Council to establish the phasing of the development,

including but not limited to right-of-way dedication, traffic study, traffic lights contributions, and schedule of improvements.

3. Orchidea Park Subdivision Preliminary Plat Amendment must be approved prior to presenting this item to the City Council.

Vianey Vega, Vega & Vega Engineering, stated that he had the same comment on this project. We want to voice that we disagree with the comments on this subdivision. The same sidewalk connecting one side of the street with the other was required, and the developer agreed to provide that sidewalk. Still, we feel that the additional amenities are just unnecessary. We have also provided 5% open space for this project to create a more extensive area for the residents, and again, our big concern is adding these new amenities. We feel that maintenance of these amenities is going to be put in place; the developer is going to pay for them, and they are just not going to be maintained. They will go to waste, and we feel this is a waste of money.

Elizabeth Carpenter, Von Verde Partners LLC., stated that her concerns are that if you put picnic tables off, nobody cleans them off, and you have problems with E. coli. You put a barbecue there, and nobody cleans out the barbecues. You have issues with E. coli there. You have sanitary problems with this equipment; I want to know how the city will maintain it. I think that the residents of that area are not going to want to see broken down equipment because it will be exposed to the elements and if it is not maintained daily, there will be a problem. I see E. coli problems with picnic tables that are not cleaned and sanitized daily. That is what I think is the problem; if you put a playground equipment in there, you have the same problem. I believe there has to be another way that the city has to address first before they require the developers to put it in, and that is how they will maintain it. Where are they going to get the money to maintain it, are they going to do a special improvement district to keep it maintained, and what kind of maintenance program are they going to put into effect? The cost to put in the equipment is not that great compared to the whole project, where it comes into effect after day one because the retention basins and stuff are not under the two-year warranty period. I think that ought to be stricken as you do not have it in the subdivision regulations yet, and I am going to fight it when it goes into the subdivision regulations just for these same reasons. However, I will have more facts put together, but you guys have to think about this. There are some huge issues

there, and you have to maintain it. It is not fair to the residents that it is not kept up. On day one, they have a nice little park, a little picnic table, or whatever the developer decides to put in, and then later look awful.

Commission Member Hugo Garcia asked if there was any way the applicant could put that in the CC&Rs. I believe, like Comite de Bienestar, they have a couple of condos, and it is gated, and they have the little park and stuff like that. On their CC&R, I believe it is included for somebody to clean the front yard and barbecue areas. Is there anything you guys can do that? **Mrs. Carpenter** responded that somebody still has to pay for it, so either you have a homeowner's association or an improvement district that collects it through taxes. **Garcia** asks if the developer cannot agree or add on the CC&Rs or the homeowner's associations. **Mrs. Carpenter** responded that this was not the problem, but you still have to have a way of collecting the funds to maintain those properties. So, like I said, either you must form a homeowner's association and then not only when you form the homeowner's association, you have to have somebody that is managing it, that is paying for the bills, that is checking on everything to make sure everything is complete, it is not cheap. This is not a gated community; this is a single-family home, and townhomes are a different story. You have a homeowner's association, maintenance, and all that stuff. On this, you almost have to have an improvement district set aside strictly for that, but the only way that you are going to get it is before you make these requirements go in, you have to have a plan and how you will maintain it. This is an everyday maintenance; it is not once a week. This is equipment, tables, barbecues, or what the developer decides to put in, which is their list of things they recommend. I want to know first; I think I have the right to see how the city will follow through on it. Putting equipment in is cheap. It is afterward how many times are you going to replace that barbecue, how many times are you going to replace that table, and that playground equipment. I think it should be stricken along with the last case until the city has a process. Right now, they do not have a process.

Chairman George Amaya asked if the staff or the city had any information on Mrs. Carpenter's comments regarding the maintenance. **Guzman** responded that we required amenities as part of the improvements and any townhomes like apartments for the townhomes. A homeowner's association is created for the

townhomes, and they maintain those amenities. We heard the residents want to have a park near their house and just wanted to provide some amenities. We are looking into maybe making it part of the improvement district, but we have to check with legal to see if we can make that maintenance part of the improvement district. We are in the early stages of this requirement, but we just wanted to inform the developers about what the city is trying to do. We are updating the subdivision regulations and looking into those requirements to provide more amenities to the residents whenever a development occurs. Mrs. Carpenter is right that we need to keep on the maintenance, and many conversations still need to happen between staff and other departments because Parks is the one that takes care of the maintenance. We have to know their needs and what would work for them. We are still in the early stages, but we want to provide that comment to the developers about what the city plans.

Amaya asked when the subdivision regulations are expected to be completed.

Guzman responded that it will probably be in place in the next couple of months by the end of the year. We already have a draft, but we have a meeting at the end of this week to review the final draft. Then, we will provide an opportunity for the developers to review and provide comments, and then we will take them to the commission and council. Probably by the end of the year, it will be adopted.

Commission Member Pinzon stated that I would follow up on their comments on those parks to add to the comments on Mrs. Carpenter. I know that I do not have that issue in my neighborhood. I have a retention basin, and there is a park, which is well maintained, but I do not go and check other parks. I would follow that and see if they are not being kept up to maintenance and find out what the issue is.

Commission Member Angelica Ortiz stated that she also agrees with Mr. Pinzon about looking into that because a few parks are not kept; it is a valid point.

B. Action on Subdivision Case No. 2024-0577P

MOTION: Vice Chairman Javier Barraza / Commission Member Veronica Zavala moved to approve Subdivision Case No. 2024-0577P preliminary plat for Orchidea Park Phase 1 subdivision with conditions as presented by staff, excluding item number 14 in the comment letter dated August 6, 2024. The motion passed with five (5) aye votes and one (1) nay vote by Commission Member Marco A. Pinzon.

The vote was as follows:

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

5. C. Discussion and possible action on any and all matters regarding Subdivision Case No. 2024-0578F. A request by Vega and Vega Engineering, PLLC., on behalf of Von Verde Partners LLC, for the approval of Orchidea Park Phase 1 final plat. The property is located east of 24th Avenue and south of Orchidea Park Townhomes 1 in San Luis, Arizona.

A. Staff Presentation

Jose A. Guzman, Director of Development Services, summarized the staff report recommending approval of Subdivision Case No. 2024-0578F with the following conditions:

1. Applicant must address comments from the Comment Letter dated August 6, 2024.
2. Development agreement needs to be approved prior to presenting this item to the City Council to establish the phasing of the development, including but not limited to right-of-way dedication, traffic study, traffic lights contributions, and schedule of improvements.
3. Orchidea Park Subdivision Preliminary Plat Amendment must be approved prior to presenting this item to the City Council.

Chairman George Amaya asked if the stormwater retention has been addressed with the property to the north.

B. Action on Subdivision Case No. 2024-0578F

MOTION: Vice Chairman Javier Barraza / Commission Member Veronica Zavala move to forward Subdivision Case No. 2024-0578F to City Council with the recommendation of approval with conditions as presented by staff, excluding item number 14 from the comment letter dated August 6, 2024. The motion passed with five (5) aye votes and one (1) nay vote by Commission Member Marco A. Pinzon.

The vote was as follows:

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

6. ADJOURNMENT

Chairman George Amaya adjourned the meeting at 6:36 p.m.

APPROVED:

George Amaya, Chairman

ATTEST:

Roman Pacheco, Planning Coordinator

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF THE MINUTES OF THE REGULAR PLANNING AND ZONING COMMISSION MEETING OF THE PLANNING AND ZONING COMMISSION, SAN LUIS, ARIZONA, HELD ON AUGUST 13, 2024. I FURTHER CERTIFY THE MEETING WAS DULLY CALLED AND HELD, AND A QUORUM WAS PRESENT.

Roman Pacheco, Planning Coordinator



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

4. A.

Meeting Date: 11/12/2024

Submitted By: Juan Tejeda, Associate Planner, Development Services, Planning & Zoning

ITEM:

Public Hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2024-0776. A request by Edais Engineering Inc., on behalf of Riedel Holdings LLC., to rezone 11.83 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6), located at the northeast corner of 24th Avenue and Nadine Street in San Luis, Arizona.

- A. Staff presentation
- B. Open Public Hearing
- C. Call to the public on this item
- D. Close Public Hearing
- E. Action on Rezoning Case No. 2024-0776

SUMMARY:

The applicant is requesting to rezone 11.83 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The property is located at the northeast corner of 24th Avenue and Nadine Street being a portion of Assesors Parcel Number 227-11-004. The developer is proposing to accommodate 51 single family residential units as per the proposed plat for Los Mezquites Unit 5 attached.

Existing Adjacent Zoning Districts:

- To the north R1-6 (Future Los Mezquites Unit 4)
- To the west R1-6 (Los Mezquites Unit 3 Subdivision)
- To the south L-I (Southwest Arizona Industrial Subdivision Phase 2)
- To the east RA-10 (East San Luis Waste Water Treatment Plant)

BACKGROUND:

Back in March 13, 2024, City Council approved the rezoning request from Medium Density Residential (R1-6) to Medium-High Density Residential (R-2) for this same portion of property with the intention of developing Los Mezquites Townhomes 2.

AGENCY REVIEW:

As part of the review process, all land use cases are reviewed by various city and outside agencies, staff have received comments from The City of San Luis Fire Department.

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

As required by State Statute, staff sent notification letters to property owners within 300 feet of the proposed project (47 letters).

The City has not received any other significant concerns or objections from the various review agencies or adjacent property owners.

CITIZEN REVIEW MEETING:

As required by State Statute and City Code, a Citizen Review Meeting was held at City Hall on November 6, 2024, at the City Hall Chambers at 6:00 p.m. The intent of this meeting was to allow the public to learn about the project, ask questions and express any comments. Nobody from the public was present during the meeting.

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

Staff recommends approval of Rezoning Case No. 2024-0776 subject to the following condition:

1. The owner/applicant shall submit a preliminary plat for approval in compliance with the City of San Luis subdivision regulations.
2. Developer must comply with approved development agreement.

RECOMMENDED MOTION:

A. STAFF PRESENTATION

B. CHAIRMAN AMAYA TO OPEN PUBLIC HEARING

C. CHAIRMAN AMAYA TO CALL THE PUBLIC ON THIS ITEM

D. CHAIRMAN AMAYA TO CLOSE PUBLIC HEARING

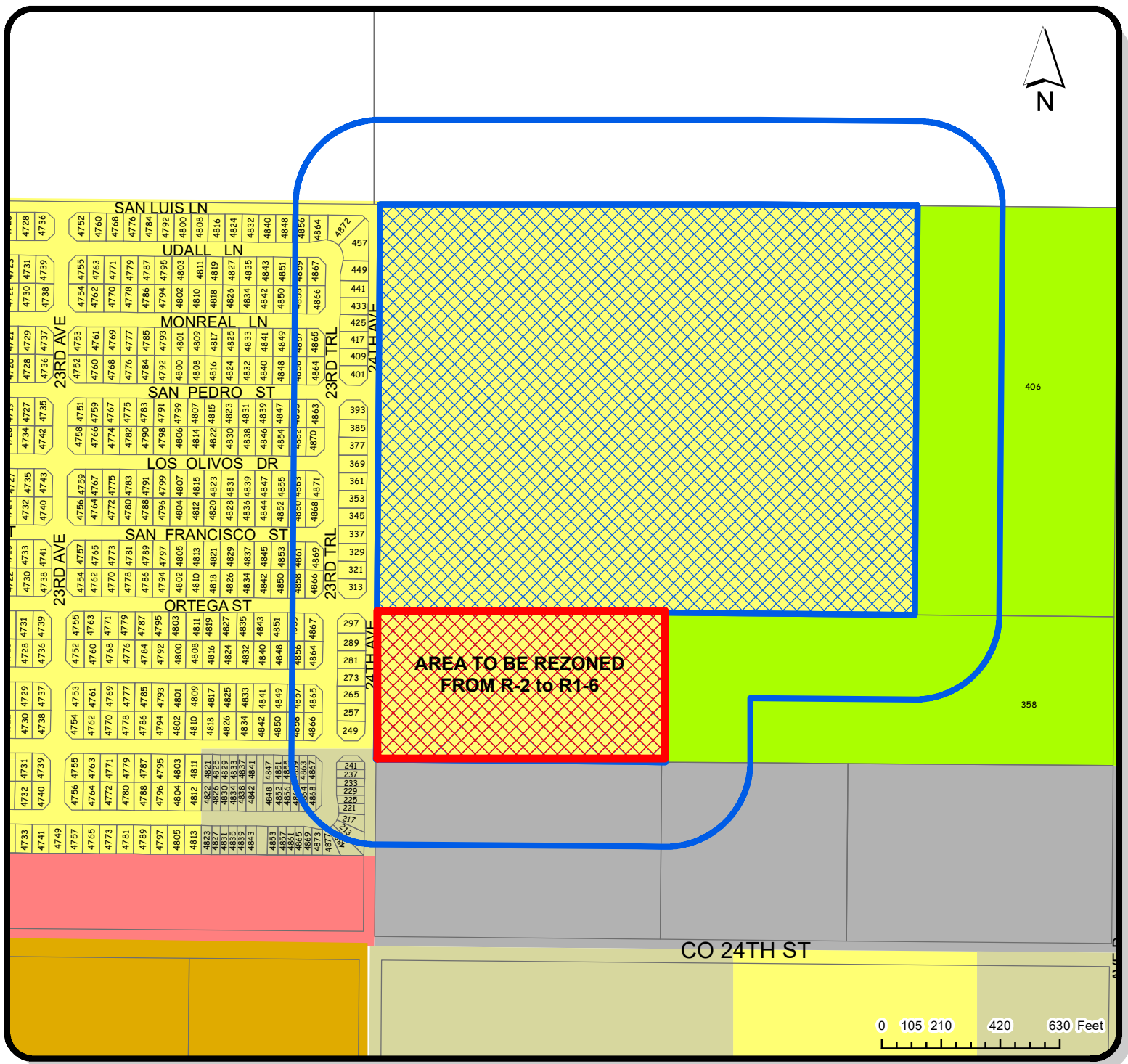
E. I MOVE TO FORWARD REZONING CASE NO. 2024-0776 TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SUBJECT TO THE CONDITIONS OF APPROVAL RECOMMENDED BY STAFF.

Attachments

Location Map

Aerial




Site Plan









LOCATION OF SUBJECT PROPERTY

LOCATION MAP

REZONING

-  PARCEL ID: 227-11-004
-  300ft Notification Area
-  REZONING AREA

CASE #
2024-0776

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

DATE:
10/9/2024

PLANNING & ZONING

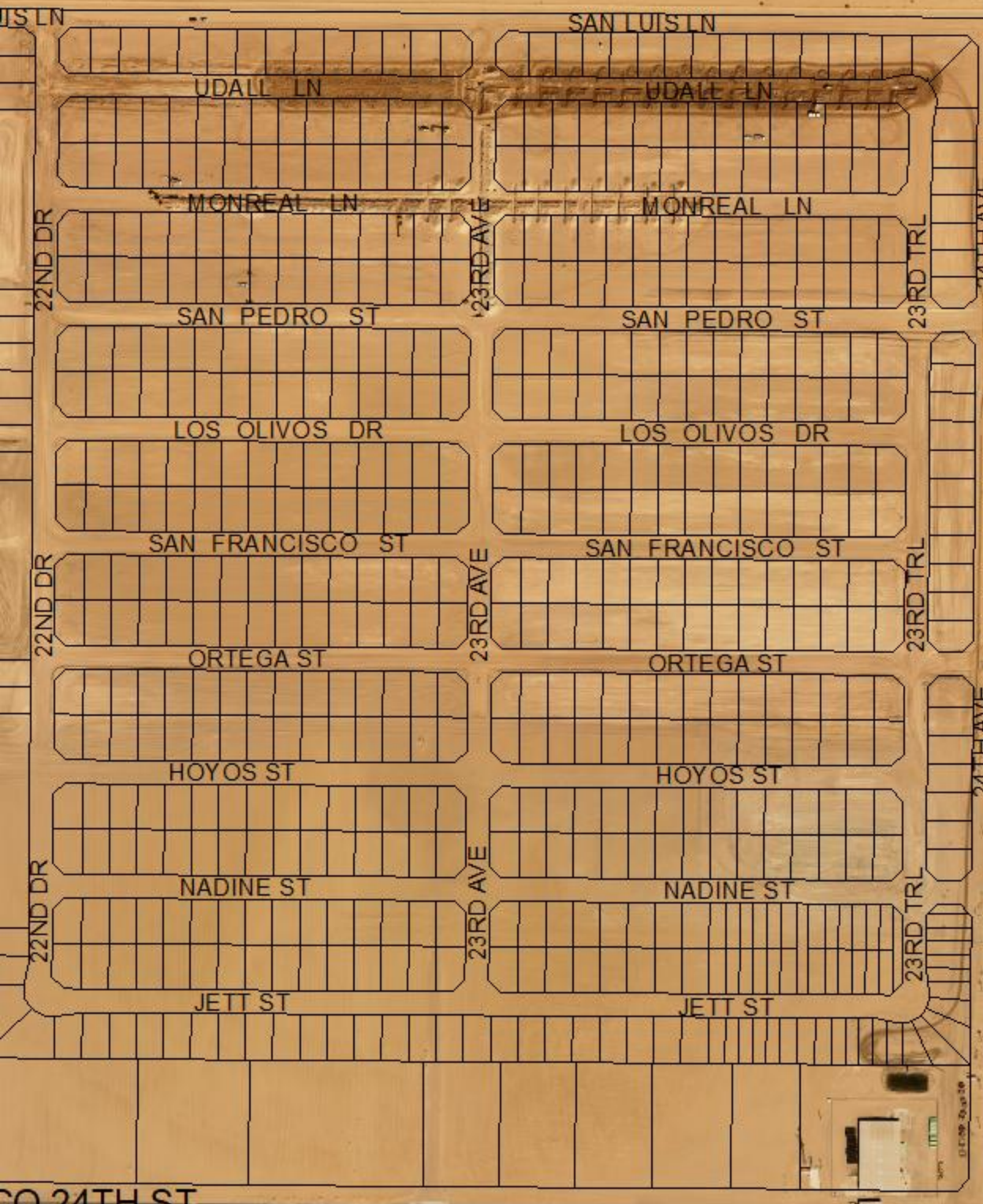


GIS

CREATED BY:
ISAAC GUTIERREZ

CHECKED BY:
JUAN TEJEDA

APPROVED BY:
JOSE A. GUZMAN



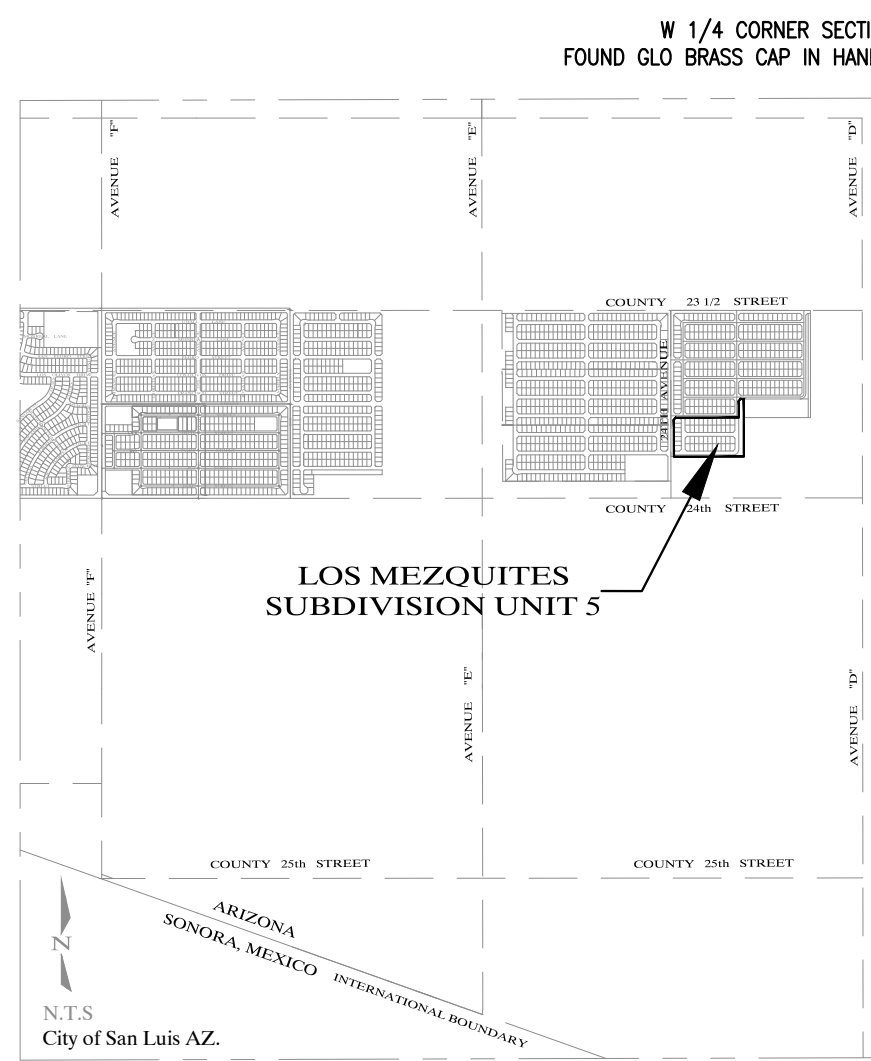
CO 24TH ST

CO 24TH ST

AVE D

FINAL PLAT LOS MEZQUITES SUBDIVISION UNIT 5

A SUBDIVISION OF LOT 877 OF LOS MEZQUITES SUBDIVISION UNIT 4 AS RECORDED IN BOOK ___ OF PLATS, PAGE ___, YCR,
LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 11 SOUTH,
RANGE 24 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA
DATE OF PREPARATION: OCTOBER 2024 NUMBER OF LOTS: 51 ACREAGE: 11.8342 ACRES



VICINITY MAP

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT REDEL HOLDINGS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HAS CAUSED THE FOLLOWING DESCRIBED PROPERTY: THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 24 WEST, GILA & SALT RIVER BASE & MERIDIAN, YUMA COUNTY, ARIZONA AS PLATTED HEREON TO BE SUBDIVIDED INTO LOTS, STREETS AND TRACT UNDER THE NAME OF "LOS MEZQUITES SUBDIVISION UNIT 5" AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, STREETS AND TRACT CONSTITUTING SAID "LOS MEZQUITES SUBDIVISION UNIT 5" AND THAT THE LOTS SHALL BE KNOWN BY THE NUMBER, THE STREETS BY THE NAME AND THE TRACT BY THE LETTER GIVEN EACH RESPECTIVELY ON SAID PLAT; AND THAT REDEL HOLDINGS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HEREBY DEDICATES THE STREETS TO THE PUBLIC FOR ITS USE AND BENEFIT. TRACT A IS DEDICATED TO THE CITY OF SAN LUIS FOR STORM WATER RETENTION PURPOSES. THE EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN HEREON, AND AS SET FORTH IN THE DECLARATION OF RESERVATIONS, COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED CONCURRENTLY HERewith. A THREE FOOT NON-CONSTRUCTION AND NO OBSTRUCTION EASEMENT FROM THE FURTHER PROJECTION ON ANY SIDE OF ALL FIRE HYDRANTS; A TWELVE INCH NON-CONSTRUCTION AND NO OBSTRUCTION EASEMENT AROUND WATER METERS; AND 24 INCH NON-CONSTRUCTION AND NO OBSTRUCTION EASEMENT FOR STREET LIGHTS IS HEREBY GRANTED.

IN WITNESS WHEREOF REDEL HOLDINGS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HAS CAUSED ITS COMPANY NAME TO BE SIGNED AND ITS COMPANY SEAL TO BE AFFIXED AS ATTESTED BY THE SIGNATURE OF NIEVES GARCIA RIEDEL, ITS MEMBER, THEREUNTO DULY AUTHORIZED ON THIS ___ DAY OF _____, 2024

ACKNOWLEDGMENT

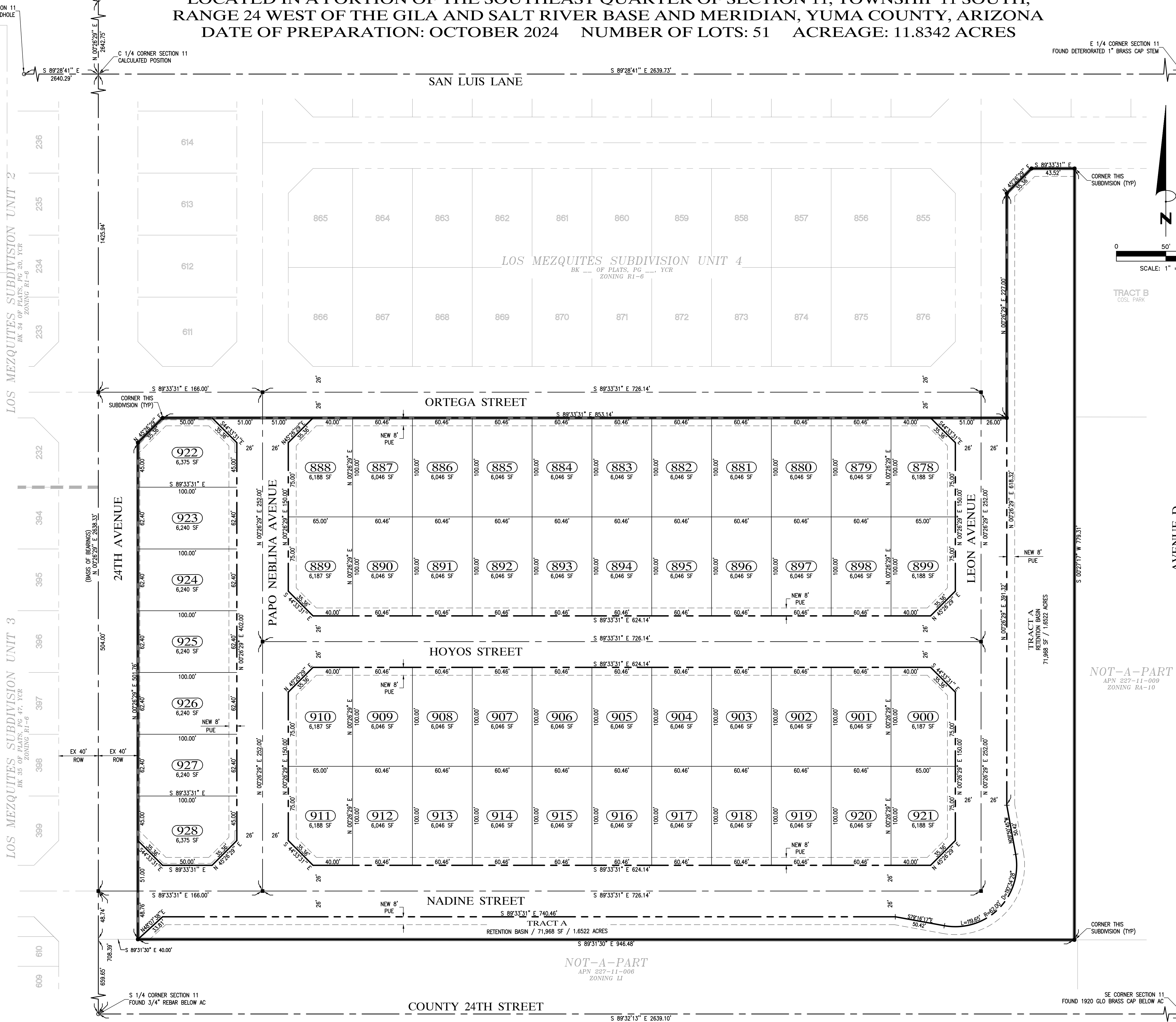
ON THIS ___ DAY OF _____, 2024 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED NIEVES GARCIA RIEDEL, WHO ACKNOWLEDGED HERSELF TO BE MEMBER OF REDEL HOLDINGS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND THAT SHE, AS SUCH OFFICER BEING DULY AUTHORIZED TO DO SO, EXECUTED THE DEDICATION INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED BY SIGNING THE NAME OF SAID COMPANY BY HERSELF AS SUCH OFFICER.

IN WITNESS WHEREOF
I HEREBY SET MY HAND AND OFFICIAL SEAL

APPROVED

THIS SUBDIVISION AS PLATTED HEREON HAS BEEN APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA.

VICE MAYOR	DATE
CITY MANAGER	DATE
DIRECTOR OF DEVELOPMENT SERVICES	DATE
CITY ENGINEER	DATE
CITY PUBLIC WORKS DIRECTOR	DATE



LEGEND

- CENTERLINE / SECTION LINE
- SUBDIVISION BOUNDARY
- RIGHT OF WAY LINE
- SETBACK LINE
- EASEMENT LINE (TYPE AS SHOWN)
- (900) NEW LOT NUMBER
- 3,000 SF NEW LOT AREA IN SQUARE FEET
- NEW STREET MONUMENT PER CITY OF YUMA STD No. 4-030
- NEW BOUNDARY MONUMENT PER CITY OF YUMA STD No. 4-015
- EXISTING MONUMENT (TYPE AS NOTED)
- ROW RIGHT OF WAY
- NAE NON ACCESS EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- APN ASSESSOR'S PARCEL NUMBER
- BK BK
- DKT DOCKET
- PG PAGE
- YCR YUMA COUNTY RECORDS
- AHD ARIZONA HIGHWAY DEPARTMENT
- GLO GENERAL LAND OFFICE

BASIS OF BEARINGS

THE MID-SECTION LINE OF SECTION 11, T11S, R24W, G&SR&M, YUMA COUNTY, ARIZONA, AS SHOWN ON DKT 1848, PG 711, YCR.
BEARING: N 00°26'29" E

ZONING

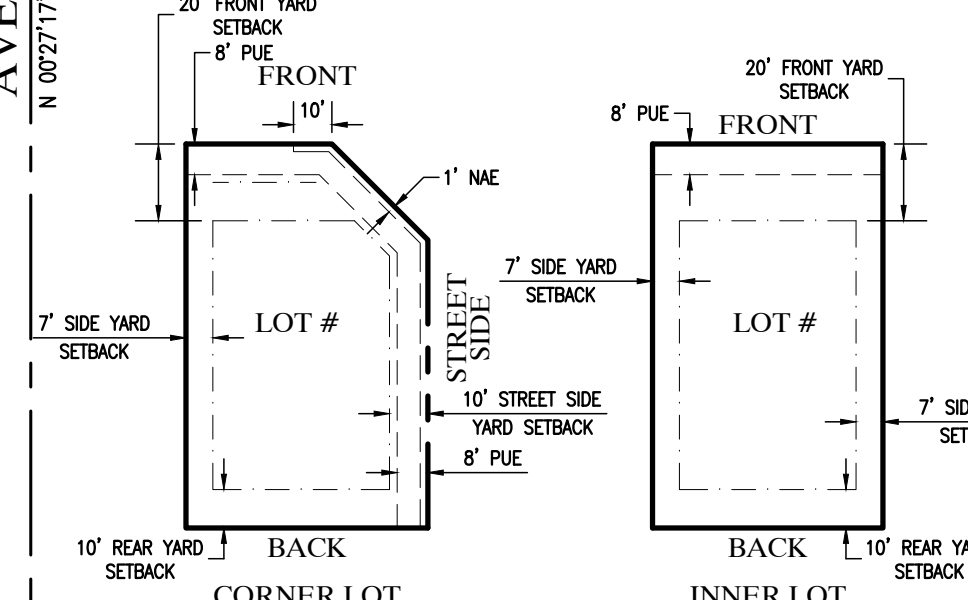
R-2 MEDIUM-HIGH DENSITY RESIDENTIAL

OWNER/DEVELOPER

RIEDEL HOLDINGS, LLC
P.O. BOX 1649
SAN LUIS, AZ 85349
(928) 827-8593

RESTRICTIVE COVENANTS

HAVE BEEN RECORDED CONCURRENTLY AND ARE A PART OF THIS PLAT



SURVEYOR'S CERTIFICATE

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

JUAN N. LOMEJ
RLS No. 22767

PREPARED BY:

EDAIS
Engineering, Inc.
3075 S. Ave. 4E Yuma, Arizona 85365
(928) 344-0508 FAX (928) 341-1075
EMAIL: najeh@Edaisgroup.com



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

4. B.

Meeting Date: 11/12/2024

Submitted By: Jose A. Guzman, Director of Development Services, Development Services

ITEM:

Public Hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2024-0835. A request by the City of San Luis to amend Section 18.15.030 of the City of San Luis City Code to address changes to the Arizona Revised Statutes to add required rezoning application review timeframes.

- A. Staff presentation
- B. Open Public Hearing
- C. Call to the public on this item
- D. Close Public Hearing
- E. Action on Text Amendment Case No. 2024-0835

SUMMARY:

This text amendment is a response to Senate Bill 1162, enacted by the Arizona Legislature in 2024, which amends the Arizona Revised Statutes to require municipalities to establish specific review and decision timeframes for zoning applications. Key provisions of SB 1162 mandate that municipalities determine whether a zoning application is administratively complete within 30 days of receipt and that the City Council approve or deny the rezoning application within 180 days after the application is deemed complete. These requirements aim to streamline the zoning process, reduce delays, and support timely housing and development projects.

To comply with SB 1162, the City of San Luis must adopt these review standards on or before January 1, 2025. This text amendment will bring city zoning regulations in line with state requirements, creating a more structured process that benefits both applicants and staff by supporting accountability and predictability in the zoning process.

PROPOSED AMENDMENT:

The proposed text amendment introduces two key timelines within the city's zoning code:

- **30-Day Administrative Completeness Review:** Development Services will review all zoning applications within 30 days of receipt to determine if they are administratively complete. If an application is incomplete, applicants will be notified in writing, provided with a list of any deficiencies, and given guidance on the resubmission process.
- **180-Day Council Decision Requirement:** Once an application is deemed complete, the City Council is required to approve or deny the rezoning application within 180 days.

This amendment not only aligns city regulations with state law but also facilitates a predictable and efficient zoning process, crucial for managing development effectively.

STAFF RECOMMENDATION:

Implementing this timeline will bring predictability and structure to the zoning process, benefiting both applicants and staff. Staff has reviewed internal procedures to accommodate this new requirement

without significant disruption to the overall workflow. This amendment upholds high standards for customer service by providing applicants with clear expectations and prompt responses, which is essential for building accountability and transparency in the development process.

Therefore, staff recommends approval of Text Amendment Case No. 2024-0835.

RECOMMENDED MOTION:

A. STAFF PRESENTATION

B. CHAIRMAN AMAYA TO OPEN PUBLIC HEARING

C. CHAIRMAN AMAYA TO CALL THE PUBLIC ON THIS ITEM

D. CHAIRMAN AMAYA TO CLOSE PUBLIC HEARING

E. I MOVE TO FORWARD TEXT AMENDMENT CASE NO. 2024-0835 TO THE CITY COUNCIL WITH RECOMMENDATION OF APPROVAL.

Attachments

Proposed Amendments

18.15.030 Zoning text amendment and zoning map changes.

(A) *Purpose.* In accordance with the provisions of Arizona law, the City Council may from time to time adopt text amendments to this title and/or amend the official zoning map(s). Any person, City staff, Commission or City Council may bring about amendments to the text of this title. Only the landowner, City staff, Commission or City Council may bring about amendments to the zoning map.

(B) *Pre-Application.* Before the City accepts any applications, the petitioner may schedule and attend a pre-application meeting. The purpose of the pre-application meeting is to discuss, in general, the procedures and requirements for either a zoning text amendment or a zoning change (rezoning) pursuant to these regulations.

(C) *Application.* All applications shall be filed on a form provided by the Zoning Administrator and shall be accompanied by the required fee and all required materials as outlined in this title and/or on the application. Depending upon the specifics of the amendment or rezoning, additional materials or studies may be required by the City in order to adequately review the application.

(D) *Initiation of Text Amendment.* Any person may request an amendment of the text of this title, after a pre-application meeting is held, by filing a completed application and submitting the required fee with the City. The application must state the exact section of this title proposed for amendment, the proposed substitute wording, and the reasons for requesting the amendment. Graphic material should also be submitted if it would assist in understanding the benefits of the amendment.

(E) *Initiation of a Zoning Map Change (Rezoning).* An owner of real property within the City, or that owner's authorized representative, may, upon proof of ownership, apply for a change in zoning district boundaries (rezoning) for that landowner's property. The Commission or the City Council, on its own motion at a public meeting, may initiate such amendments. In the case where the rezoning application filed by a private property owner includes other property, in addition to that owned by the petitioner, the application shall include the signatures of the real property owners representing at least 75% of the land in the area proposed to be changed.

(F) *Submittal Requirements.* All zoning map changes (rezoning) applications shall comply with the submittal requirements outlined herein and those on the application:

-
- (1) A map showing the particular property or properties for which the rezoning application is being requested and the adjacent properties, buildings and structures, land uses, and public streets and ways within a radius of 300 feet of the exterior boundaries thereof.
 - (2) A detailed land use/development plan at a scale of one inch equals 100 feet (1"=100') which at a minimum shall include the following:
 - (a) A site plan drawn to scale and in such a manner as to indicate clearly and precisely what is planned for the subject property including the location and arrangement of all proposed uses;
 - (b) The location, arrangement and dimensions of all proposed lots;
 - (c) Topography showing existing and proposed grades and drainage systems, and natural and manmade features with indication as to which are being retained and which are to be altered or removed;
 - (d) All buildings and structures existing and proposed;
 - (e) Proposed block layout, street system, street dedications, improvements and utility plans;
 - (f) The traffic and the pedestrian circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, walkways and bicycle paths;
 - (g) Off-street parking facilities including number of spaces and dimensions of parking area, loading bays and service access drives and landscaping for the parking areas;
 - (h) The amount of open space provided, the location and type of open space, the proposed reservation for parks, parkways, playgrounds, recreation areas, pedestrian access and other open space; and
 - (i) Proposed landscaping including; size, type and location; the native vegetation that will be salvaged; walls and fences; outdoor lighting; signs; and outdoor storage and activities.
 - (3) The City reserves the right to waive some of the above submittal material if found to be unnecessary for a particular application. Conversely, the City reserves the right to require
-

additional information and material, and to require the submission of studies in order to adequately review the request. Additional submittal requirements may be required for an overlay zoning district or a planned unit development zoning district and, if applicable, may be found in the specific chapter addressing these types of developments herein.

(G) *Procedures.* All zoning map changes (rezoning) and text amendment applications shall be processed in the manner outlined herein.

(1) A pre-application conference may be scheduled and attended by the applicant with the Zoning Administrator to discuss the proposal.

(2) The petitioner shall submit a completed application, the required fees, and all materials and studies related to the development plan or the proposed text amendment.

(3) The Zoning Administrator shall designate a staff member to review the applications. The designated staff member shall determine whether a zoning application is administratively complete within thirty (30) days after receiving an application.

(a) If staff determines that the application is not administratively complete, staff shall include a comprehensive list of the specific deficiencies and provide notice to the applicant, either in writing or electronically.

(b) Upon issuance of the notice, the administrative completeness review timeframe and overall timeframe are suspended until staff receives the missing information from the applicant.

(c) Staff shall determine whether a resubmitted application is administratively complete within fifteen (15) days after receiving the submitted application. Additional notices of deficiencies may be provided based on the applicant's submission of missing information.

(34) ~~Once the Zoning Administrator has determined that the application package is complete and all necessary information has been submitted~~ After determining that the application is administratively complete, the application will be forwarded to the appropriate reviewing agencies and City departments for comments and a public hearing will be scheduled.

(45) As a prerequisite to the Commission public hearing, the application must first be presented to the public at the citizen review meeting, conducted by the Zoning Administrator, in accordance with the provisions outlined in SLCC [18.15.010\(C\)](#). The citizen review meeting is only required for applications involving a zoning ordinance that changes any property from one zone to another, that imposes any regulation not previously imposed or that removes or modifies any such regulation previously imposed, and/or an application for a specific plan.

(56) The Commission, in accordance with the requirements of A.R.S. § [9-462.04](#), shall conduct a public hearing. Notification of the public hearing shall be provided as set forth in A.R.S. § [9-462.04](#) and SLCC [18.15.020](#).

(67) The Commission shall render a decision in the form of a written recommendation for: (a) approval, (b) approval with conditions, or (c) denial of the petitioned rezoning or zoning text amendment. The recommendation shall then be forwarded to the Mayor and Council unless withdrawn in writing by the applicant.

(78) The City Council shall: (a) approve, (b) approve with conditions, or (c) deny the rezoning or zoning text amendment request [within 180 days of the determination that the application is administratively complete](#). Approval of a petition to rezone land may not be enacted as an emergency measure and the rezoning shall not become effective for at least 30 days after City Council approval. [The City may extend the time frame to approve or deny beyond one hundred and eighty \(180\) days as follows:](#)

(a) [Staff may grant a one-time extension of not more than thirty \(30\) days for extenuating circumstances; or](#)

(b) [Staff may grant extensions in thirty \(30\) days increments at the request of the applicant.](#)

(9) [Subsections 18.15.030\(G\) \(3\) and \(4\) above do not apply to land that is designated as a district of historical significance pursuant to A.R.S. §9-462.01\(a\) and an area that is designated as historic on the national register of historic places.](#)

(810) When an application for rezoning is accompanied by an application for a conditional use permit or subdivision plat approval, both applications may be processed and reviewed concurrently. If the proposed rezoning is not in compliance with the City of San Luis

General Plan – Land Use Plan, an application for an amendment to the Land Use Plan shall be submitted by the applicant in accordance with A.R.S. § 9-461.06, the City of San Luis General Plan, and SLCC 18.15.090.

(H) *Protest*. A supermajority of City Council votes, three-fourths, as prescribed by A.R.S. § 9-462.04, shall be required if a protest petition is filed in accordance with the statute. The protest petition shall be filed in writing with the City Clerk at or before noon on the date of the City Council hearing.

(I) *Subsequent Applications*. In the event that an application for amendment is denied by the City Council or that the application is withdrawn after the Commission hearing, the Commission shall not accept another application for the same amendment within 12 months of the original hearing unless agreed to by a supermajority three-fourths vote of the Commission.

(J) *Reversion of Zoning*. The City may approve a change of zoning conditioned upon a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the City, after notification by certified mail to the owner and applicant who requested the rezoning, may schedule a public hearing before the City Council to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification. (Ord. 312 § 2(3.2), passed 4-11-2012. Code 2012 § 152.042.)

The San Luis City Code is current through Ordinance 449, passed March 13, 2024.

Disclaimer: The City Clerk's Office has the official version of the San Luis City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.sanluisaz.gov](http://www.sanluisaz.gov)

[Hosted by General Code.](#)