



Cochise County Planning Commission

Cochise County Complex
Board of Supervisors' Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

Regular Meeting
February 10, 2016
4:00 p.m.

AGENDA

1. 4:00 P.M. - CALL TO ORDER
2. ROLL CALL (Introduce Commission members and explain quorum and requirements for taking legal action).
3. APPROVAL OF PREVIOUS MONTH'S MINUTES
4. CALL TO THE PUBLIC – CALL TO THE PUBLIC – Pursuant to A.R.S . § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on *any issue within the Commission's jurisdiction*. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.
5. NEW BUSINESS

Item 1—Election of Chairman and Vice-Chairman for 2016.

Item 2 - (Page 1) –PUBLIC HEARING – Z-15-18 (Newell) a request to rezone a section of a 40 acre parcel from MR-1 MR-1(Multiple Dwelling Residential; one dwelling per 3,600 ft) to GB (General Business) in order to extend the portion of the parcel with GB zoning 320 ft. to the north. The site, located on East Old Stewart Road approximately a quarter

mile to the east of the intersection of N. Old Stewart Ramp / N. Huntington Road, Willcox, Arizona is currently zoned SR-12, GB and MR-1. The applicant is Sharon Newell.



Planning Commission

The Planning Commission meets the second Wednesday of the month at 4:00 p.m. in the Board of Supervisors' Hearing Room. All meetings are open to the public. Those who wish to speak are asked to complete a "Speaker Information" form (available at the meeting) and submit it to County staff before the Call to Order.

The order and/or deletion of any item on the agenda is subject to modification at the meeting. Actions of the Planning Commission may be appealed to the Board of Supervisors by any interested party by submitting an application for appeal within 15 days. An application for appeal is available this afternoon with the Clerk, at the Community Development Department's office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the "Permits and Packets" link.

Packets and staff reports are available for review at the Community Development Department. Questions or concerns may be directed to Planning Department, at 520-432-9300. Agendas and minutes are posted on Cochise County's home page in the "Public Meeting Info" link.

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

**COMMUNITY DEVELOPMENT DEPT.
HOURS OF OPERATION
Monday through Friday
7:30 a.m. to 5:00 p.m.
Phone: 520.432.9240
Fax: 520.432.9278**

Item 3 - (Page 22) –PUBLIC HEARING – Docket SU-15-26 (Richardson) A request for a wellness and spa services center with incidental retail sales in a Residential (R) zoning district at 3499 E. Astro Lane, Sierra Vista, Arizona. The applicants are Dennis and Darci Richardson.

6. PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.

Next P&Z Commission meeting

March 9, 2016

- a. SU-06-14C (CQ Palominas) sign modification, Palominas
- b. La Marquesa Tentative Plat extension request, Hereford
- c. SU-16-02 (Doman) firearms repair, Huachuca City

Upcoming:

- a. Special Use request for dog boarding, Willcox
- b. Appeal to Board of Supervisors of SU-15-21 (Canna) medical marijuana in Elfrida
- c. Master Development Plan for 2800 unit conservation subdivision east of St. David

7. CALL TO COMMISSIONERS ON RECENT MATTERS.

8. ADJOURNMENT

COCHISE COUNTY PLANNING & ZONING COMMISSION
DRAFT MINUTES
January 13, 2016
REGULAR MEETING at 4:00 p.m.

The regular meeting of the Cochise County Planning and Zoning Commission was called to order at 4:00 p.m. by Chairman Greene at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room. Mr. Greene admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. He then explained the composition of the Commission, and indicated that there was one Special Use Authorization Docket on the agenda. Mr. Greene explained the consequences of a potential tie vote and the process for approval and appeal.

ROLL CALL

Mr. Greene noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; six Commissioners (Jim Martzke, Wayne Gregan, Patrick Greene, Gary Brauchla, Liza Weissler, and Tom Borer indicated their presence. Staff members present included; Paul Esparza, Planning Director; Jesse Drake, Planning Manager; Elda Orduno, Deputy County Attorney; Jim Henry, Planner I; Karen Lamberton, Transportation Planner; Janet Williams, Planning & Zoning Technician.

APPROVAL OF THE MINUTES

Motion: December 9, 2015. **Action:** Approve

Moved by: Mr. Brauchla **Seconded by:** Mr. Gregan

Vote: Motion passed (**Summary:** Yes =4, No = 0, Abstain = 2)

Yes: Mr. Martzke, Mr. Gregan, Mr. Greene, and Mr. Brauchla

No: 0

Abstain: Ms. Weissler and Mr. Borer

CALL TO THE PUBLIC:

Mr. Jack Cook of Bisbee spoke on matters of personal concern.

NEW BUSINESS

Item 1 PUBLIC HEARING Docket SU-15-22 (Chaffin)

A request for a Special Use authorization for a small engine repair shop on an RU-4, Rural zoned property located on North No Name Road approximately two miles north of Highway 90, east of Sierra Vista, AZ. The applicant is Stan Chaffin.

Chairman Greene called for the Planning Director's report. Planner I Jim Henry presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Henry also explained Staff's analysis of the request. He noted the support and opposition received, and closed by listing factors in favor of and against approval and invited questions from the Commission.

Chairman Greene then opened the Public Hearing. Mr. Stan Chaffin, the Applicant, explained that he has a mobile service and takes his truck to customers in Hereford, Sierra Vista and

Bisbee. Mr. Chaffin noted that he has an agreement to contribute to the Road Improvement District.

Chairman Greene then opened the public hearing.

Mr. George Brown of Sierra Vista spoke in opposition. Mr. Brown stated that the operation would pollute the well, and create fire, noise, and odor impacts on his property. He cited the covenants to oppose the request. Mr. Brown claimed that property values were decreasing because of Mr. Chaffin's building. He closed by stating that his views were compromised.

Mr. Johnny Lawson of Sierra Vista spoke in support. Mr. Lawson stated that Mr. Chaffin had answered all of his concerns regarding spillage and fire to his satisfaction. He also noted that any structure built spoils someone's view. He also noted that the service would be beneficial to the local High Knolls area. Mr. Lawson compared the request to existing business uses in the area.

Ms. Jennifer Warren of Sierra Vista spoke in support. Ms. Warren noted that she lives directly to the south of Mr. Chaffin's property, and stated that she approved of Mr. Chaffin's request, and noted that one of the letters of opposition came from an individual who had not lived on site for eight years. She noted that the shop was not located on top of the well. Ms. Warren also contested Mr. Brown's assertions of dropping values and impassable roads. She noted that there was not an HOA in the area, and that multiple violations of the covenants already existed.

Ms. Lorie Billeci of Sierra Vista spoke in support. Ms. Billeci stated that she had lived in the area for twenty years, and many individuals have had businesses in the area in that time. She connected the property value decreases to the deterioration of the roads.

There being no further speakers, Mr. Greene invited Mr. Chaffin to rebut. Mr. Chaffin stated that the well was away from his property, beyond Mr. Brown's property. He stated that he was taking a more active role in the Road Improvement District to improve the area, and explained his efforts. Mr. Chaffin reiterated that he did not want customers on his property.

Mr. Greene then closed the Public Hearing and invited discussion. Mr. Gregan asked Mr. Chaffin to verify that he had a service to pick up waste oil, which Mr. Chaffin did. Mr. Gregan further asked Mr. Chaffin if the building was constructed via the Opt-Out program. Mr. Chaffin stated that he did under the advice of the individual who sold him the building. Mr. Chaffin explained the work he was doing to prove compliance for permitting. There being no further discussion, Mr. Greene asked for Staff's recommendation. Mr. Henry recommended Conditional Approval with the requested Modifications. Mr. Greene called for a motion. Mr. Martzke made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Ms. Weissler seconded the motion. Mr. Gregan asked Mr. Henry why Staff was recommending a waiver for the road, and if the County could push the Road Improvement District to improve road access for waste oil pickup. Ms. Orduno explained the basis and powers of the Road Improvement District, and how they could ask the County Attorney's Office for assistance. Mr. Borer asked for clarification as to what was being waived. Mr. Henry stated that the waivers would decrease the required driveway size, and to waive the private road maintenance agreement. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed 5-1, with Mr. Gregan opposed.

Motion: Motioned to Approve the Docket with the Conditions and Modifications recommended by Staff

Moved by: Mr. Martzke **Seconded by:** Mr. Ms. Weissler

Vote: Motion passed (**Summary:** Yes = 5, No =1, Abstain = 0)

Yes: Mr. Martzke, Mr. Greene, Mr. Brauchla, Ms. Weissler, and Mr. Borer

No: Mr. Gregan

Abstain: 0

Item 2 PUBLIC HEARING Docket SU-15-23 (Barney)

A request for a Special Use authorization to approve a large and small engine repair shop on an RU-4, Rural zoned property located near the intersection of N. Pomerene Road and E. Barney Lane near Benson AZ. The applicant is Ryan Barney.

Chairman Greene called for the Planning Director's report. Planner I Jim Henry presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Henry also explained Staff's analysis of the request. He noted the support and opposition received, and closed by listing factors in favor of and against approval and invited questions from the Commission.

Chairman Greene then opened the Public Hearing. Mr. Leland Barney the Applicant's representative, asked if there were any questions.

There being no speakers in support or opposition, Mr. Greene closed the Public Hearing and invited discussion. There being no discussion, Mr. Greene asked for Staff's recommendation. Mr. Henry recommended Conditional Approval with the requested Modifications. Mr. Greene called for a motion. Mr. Martzke made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Mr. Gregan seconded the motion. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed 6-0.

Motion: Motioned to Approve the Docket with the Conditions and Modifications recommended by Staff

Moved by: Mr. Martzke **Seconded by:** Mr. Gregan

Vote: Motion passed (**Summary:** Yes = 6, No =0, Abstain = 0)

Yes: Mr. Martzke, Mr. Gregan, Mr. Greene, Mr. Brauchla, Ms. Weissler, and Mr. Borer

No: 0

Abstain: 0

Item 3 PUBLIC HEARING Docket SU-15-21 (Canna)

A request for a Special Use authorization to approve the cultivation and infusion of medical marijuana on an RU-4, Rural zoned property located at 10049 Katies Lane south of Whitewater School Road, Elfrida AZ. The applicant is Canna Consultants Inc.

Chairman Greene called for the Planning Director's report. Planning Manager Jesse Drake presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Ms. Drake also explained Staff's analysis of the request. She explained the existing agricultural nature of the area and the road conditions. Ms. Drake noted the support

and opposition received, and closed by listing factors in favor of and against approval and invited questions from the Commission. Mr. Greene asked how far the site was from the Valley Union School. Ms. Drake stated that it was approximately two and a half miles. Mr. Greene asked for verification that this met the separation requirements. Ms. Drake stated that the requirement was 500 feet. Mr. Gregan asked if that was a State regulation. Ms. Drake confirmed that it was.

Mr. Greene then opened the Public Hearing. The Applicant, Mr. Luke Debatty of Canna Consulting, spoke, explaining the background of the request, and their choice of this location. Mr. Debatty explained the qualifications of his firm's staff and management. He explained the security program, emphasizing that the public would not be permitted on site. He also explained the planned organic and renewable strategies. Mr. Debatty noted the existence of a well onsite that would more than meet their needs, and explained the security fencing that would surround the site. He detailed State regulations regarding tracking of all product. He addressed community concerns, stating that they looked to hire local, keep traffic to a minimum, and increase the local tax base.

Mr. Greene noted that he would limit redundancy, and then asked for Speakers.

Mr. Glenn Ozalan of Phoenix spoke, noting that he was with Canna, and reiterated that there would be no distribution of materials on site. He stated that he was Medical Director for several dispensaries, and explained that his job involved training employees. Mr. Ozalan explained several of the conditions that were treated by medical marijuana.

Mr. Scott Wolfe of McNeal spoke, stating that he was against the proposal. He stated that there was a lot of abuse of medical marijuana, and that he felt there was not enough legitimate demand for the proposed supply. Mr. Wolfe expressed concern about young people, marijuana being a gateway drug, and a driving hazard. He stated that he felt that individuals would not wait until they get home to imbibe the product, comparing it to alcohol.

Mr. JK Powell of Elfrida spoke, stating that the medical marijuana movement was actually a backdoor attempt to legalize marijuana for recreational use. He cited a number of areas he felt were inadequately regulated compared to other medicines. Mr. Powell expressed concern for children and public safety. Mr. Greene asked Mr. Powell if he had new information beyond that brought up by Mr. Wolfe. Mr. Powell stated that he could see the site from his home, and stated that he did not want it in his community.

Mr. Terry Maddux of Elfrida spoke, reminding the Commission that the Federal Government did not recognize medical marijuana, nor did the American Cancer Society or the American Medical Association. He stated that most of the recommendations for medical marijuana came from naturopathic doctors and were for chronic pain. Mr. Maddux stated that local County employees were against the proposal, and expressed concern for safety and property values. He reminded the Commission that public opposition was a legitimate reason to deny a request.

Mr. John Hildebrandt of Elfrida spoke, stating the request was an insult to the neighbors, by requesting the neighbors to lower their standards. He asked the applicant to infuse money into the community prior to opening, and then the neighbors would consider the application. Mr.

Hildebrandt expressed skepticism to the applicant's claims that product would be provided for free. He stated that drugs get into prison, and would get out of the applicant's facility.

Mr. Guy Cloutier stated his points had already been made.

Mr. Ray Zuck of McNeal spoke, stating that the Border Patrol stated that all product would be seized at their checkpoints. Mr. Zuck expressed skepticism regarding why applicants choose Cochise County, stating that he felt applicants felt that there would be no opposition in rural areas. He closed by stating that the community was overwhelmingly opposed.

Ms. Cheryl Piotrowski of Elfrida spoke, expressing concern about Bell Road, and the traffic that would be generated by the request. She expressed concern about the wildlife in the area and her view. Ms. Piotrowski expressed concern for odors generated by marijuana ready for harvest.

Mr. William Cattell of Elfrida spoke, stating he could see the site from his front window, and stated this is not why he moved to Elfrida. He stated that the product should be grown in the area where the patients are. Mr. Cattell asked the Commission to side with the community against the applicant.

Mr. David Pratt stated that his concerns had been addressed.

Ms. Theresa Pratt stated that she concurred with prior speakers.

There being no further speakers, Mr. Greene invited the Applicant to rebut. Mr. Debatty stated that they had not yet purchased the property. He explained how the greenhouses would be filtered to prevent odors. He explained their proposed efforts to protect the viewsheds and the money pledged to the County and the School Board. Mr. Debatty closed by reiterating the medical benefits of marijuana and explained their business model.

There being no further speakers, Mr. Greene closed the Public Hearing, and thanked the speakers for their input. Ms. Weissler asked Mr. Debatty to clarify a slide. Mr. Debatty explained how the legalization in Colorado had impacted crime and the economy. Mr. Borer asked about the population density in the area. Ms. Drake stated that she did not have exact numbers, but the immediate area was low density residential and agricultural. Mr. Brauchla noted that the Commission was only approving a land use, without endorsing medical marijuana. Ms. Drake stated this was correct, and that the State had final approval. Mr. Brauchla compared the use to another crop, and that if that was appropriate, then this application should be considered on those merits. Ms. Orduno interjected that the decision should be based on land use issues, and whether the request meets those criteria. She continued that questions of morality and impact on schools should be left to the state. Mr. Gregan noted that one of the land use considerations is the input of the nearby residents. Ms. Orduno answered that it was a factor, but not the only factor. Mr. Greene asked if the County took a position on razor wire. Ms. Drake stated that the materials would be governed by the Building Official. Mr. Greene asked the applicant about the presentation to the Valley Union School Board and if any action was taken. Mr. Debatty stated that there had been communication, but no action from the school board. Mr. Gregan asked about transportation and the Border Patrol. Mr. Debatty stated that they were in discussion with the Border Patrol.

Mr. Greene asked about timeframe for permitting. Mr. Debatty stated that the plan was to be operational six months after permitting. Mr. Greene then asked for Staff's recommendation. Ms. Drake recommended Conditional Approval. Mr. Greene called for a motion. Mr. Gregan made a motion of Conditional Approval, with the Conditions recommended by Staff. Mr. Martzke seconded the motion. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed 5-1, with Mr. Borer in opposition.

Motion: Motioned to Approve the Docket with the Conditions recommended by Staff

Moved by: Mr. Gregan **Seconded by:** Mr. Martzke

Vote: Motion passed (**Summary:** Yes = 5, No =1, Abstain = 0)

Yes: Mr. Martzke, Mr. Gregan, Mr. Greene, Mr. Brauchla, and Ms. Weissler

No: Mr. Borer

Abstain: 0

Item 4 PUBLIC HEARING Docket SU-15-25 (Lock)

A request for a Special Use authorization to approve the cultivation and infusion of medical marijuana at on an RU-4, Rural zoned property located at 8521 N. Ingram Road, Willcox, AZ. The applicant is Amy Lock.

Chairman Greene called for the Planning Director's report. Planning Manager Jesse Drake presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Ms. Drake also explained Staff's analysis of the request. She explained the existing agricultural nature of the area and the road conditions. Ms. Drake noted the support and opposition received, and closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Greene then opened the Public Hearing. The Applicant's representative, Mr. Brian Underwood of the Planning Center spoke, explaining the nature and background of the request, including potential expansion plans. Mr. Underwood noted that there would be no public access or sales on the site. He further explained security and screening, as well as the filtration and surveillance systems.

Mr. Greene then asked for Speakers

Mr. Joseph Krause of Willcox spoke, identifying himself as the resident directly to the north. Mr. Krause stated that he supported the application, though he had concerns about request regarding the legal issues, property values, and future plans. He stated that he appreciated the applicant's outreach efforts and their efforts to work with the neighbors.

Mr. Vicente Reyna of Safford spoke, explaining that he would be providing staff and expertise to the project. He explained the water conservation that would be addressed.

Dr. Douglas Miller of Willcox spoke, stating he was on the northeast side of the project site. He stated that he was opposed, citing his experience in education and potential substance abuse problems with youth down the road. Dr. Miller concurred with speakers on the previous docket, and cited a study claiming that an overwhelming glut of production existed.

There being no further speakers, Mr. Greene invited the Applicant to rebut. Mr. Underwood thanked Dr. Miller for his comments, and explained that the study he cited was hypothetical, and that actual data showed the opposite. Mr. Underwood concurred that abuse was a concern, and stated that all County and State regulations would be strictly followed to prevent such abuse. He stated that at this point, there was no data available regarding impact on property values.

Mr. Greene closed the Public Hearing and called for discussion. Ms. Weissler asked about water usage, noting that the listed number was higher than previous dockets. Mr. Underwood stated that the listed number was for the current application only, but was a worst-case number, without efficiency measures. Mr. Greene asked about water usage for a golf course. Mr. Brauchla stated that it was over 300,000 gallons per day, which is much greater than the 40,000 gallons per month given by the applicant. Mr. Gregan asked about the contract with the dispensary. Mr. Underwood stated that the contract was completed. Mr. Greene then asked for Staff's recommendation. Ms. Drake recommended Conditional Approval. Mr. Greene called for a motion. Mr. Martzke made a motion of Conditional Approval, with the Conditions recommended by Staff. Mr. Gregan seconded the motion. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed unanimously.

Motion: Motioned to Approve the Docket with the Conditions recommended by Staff

Moved by: Mr. Martzke **Seconded by:** Ms. Edie

Vote: Motion passed (**Summary:** Yes = 6, No = 0, Abstain = 0)

Yes: Mr. Martzke, Mr. Gregan, Mr. Greene, Mr. Brauchla, Ms. Weissler, and Mr. Borer

No: 0

Abstain: 0

PLANNING DIRECTOR'S REPORT:

Recent Board of Supervisors:

January 5, 2016

- a. SU-15-18 (Sonoran Care) Appeal near Elfrida

Next P&Z Commission meeting

February 10, 2016

- a. Richardson professional services office near Sierra Vista
- b. Z-15-08 (Newell) GB expansion near Willcox

Upcoming:

- a. Verizon stealth cell tower in St. David
- b. Kramme tire aggregate recycling near Willcox

CALL TO COMMISSIONERS ON RECENT MATTERS:

Mr. Greene asked about elections, as it was not on the agenda. Ms. Orduno stated that the item must be on the agenda.

Mr. Gregan asked about the difference in scrutiny and requirements that have occurred on various dockets. The Commission discussed their individual views on their discretion and the regulations.

ADJOURNMENT – Mr. Gregan moved to adjourn, Ms. Weissler seconded, and the meeting was adjourned at 7:34 pm.



Cochise County
Community Development
 Planning, Zoning and Building Safety Division
Public Programs...Personal Service
 www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Jim Henry, Planner I >>††
FOR: Paul Esparza AICP, Planning Director
SUBJECT : Docket Z-15-08 (Newell)
DATE: February 1, 2016 for the February 10, 2016 Meeting

APPLICATION FOR A REZONING

The Applicant is requesting a rezoning from MR-1 (Multiple Dwelling Residential; one dwelling per 3,600 ft.) to GB (General Business). The subject parcel is 40.04-acres in size and is currently zoned GB, MR-1, and SR-12. The rezoning would extend the current GB zoning 320 ft. to the north to facilitate the Applicant's desire to install a manufactured home with a setback of 450 ft. Manufactured homes are not permitted in an MR-1 zoning district.

The subject parcel, APN 202-49-018 is located on E. Old Stewart Road approximately a quarter mile to the east of the intersection of N. Old Stewart Ramp / N. Huntington Road near Willcox, AZ. The Applicant is Sharon Newell.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 1,744,343.61 sq. ft. (40.04 acres)
 Current Zoning: GB (Residential; one dwelling per 3,600 sq. ft.) MR-1 (Residential; 1 dwelling/ 9,000 sq. ft.) SR-12 (Residential; 1 dwelling / 9,000 sq. ft.)
 Proposed Zoning: GB
 Growth Area: B
 Comprehensive Plan Desig.: B- Developing / Neighborhood Conservation
 Area Plan: None
 Existing Uses: Vacant
 Proposed Uses: Residential

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	SR-43 & SR-12	Vacant
South	N/A	State of Arizona
East	SR-12, GB, & MR-1	Vacant
West	SR-12 & GB	Single Family Residential

Planning, Zoning and Building Safety
 1415 Melody Lane, Building E
 Bisbee, Arizona 85603
 520-432-9300
 520-432-9278 fax
 1-877-777-7958
 planningandzoning@cochise.az.gov

Highway and Floodplain
 1415 Melody Lane, Building F
 Bisbee, Arizona 85603
 520-432-9300
 520-432-9337 fax
 1-800-752-3745
 highway@cochise.az.gov
 floodplain@cochise.az.gov

II. PARCEL HISTORY

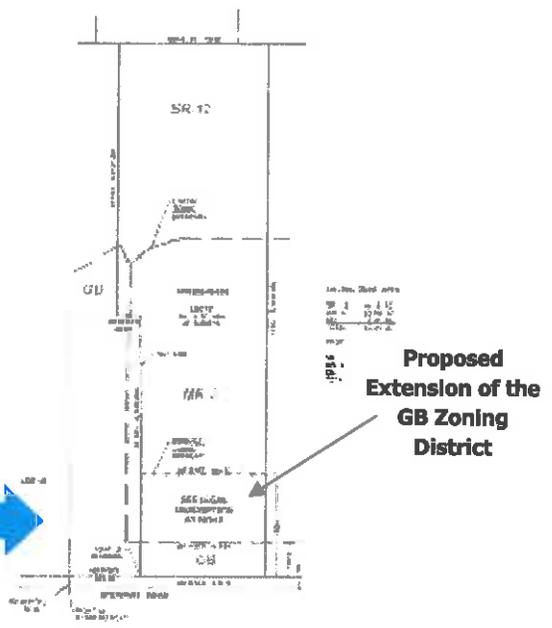
None

III. NATURE OF REQUEST

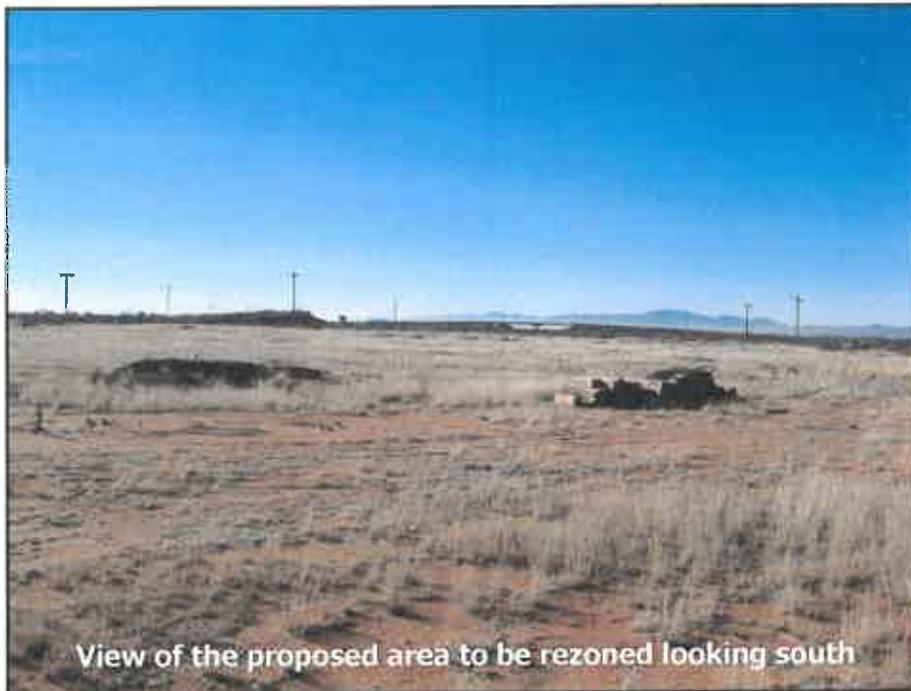
The Applicant purchased the property several years ago with the intention of eventually placing a manufactured home on the property to be closer to her daughter, son and law, and granddaughters who all reside in Willcox, AZ. However, the current MR-1 (formally known as MR-A) and SR-12 zoning districts does not allow manufactured homes. The Applicant assumed based on the size of the parcel, the rural character of the area, and with the support of the Covenants, Conditions, and Restrictions (CC&R's) that the parcel's current zoning would allow a manufactured home to be placed on the property. The GB zoned section of the property does allow for manufactured homes, yet the portion of the property zoned GB does not satisfy the Applicant's desire for a greater setback from Old Stewart Road and Interstate 10. Therefore, the Applicant is requesting an extension of the current GB zoning district. Specifically, the Applicant requests to rezone the southern section of the property (approximately 4.52 acres of the 40.04 acre parcel) from MR-1 to GB.



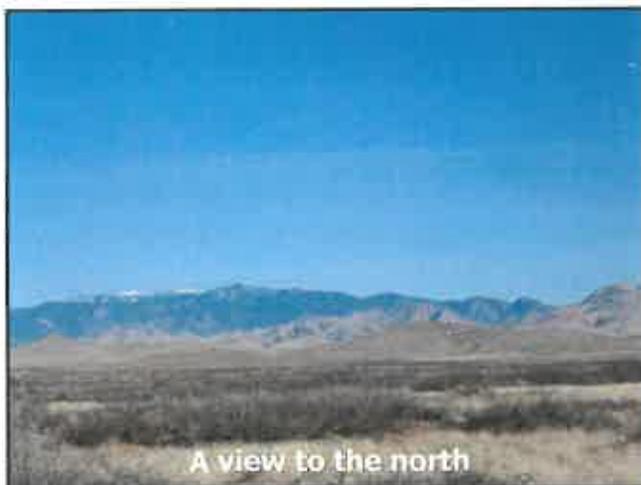
Current Zoning



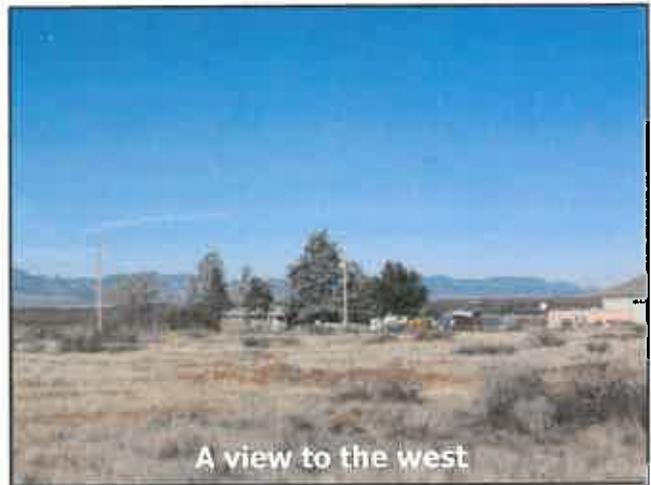
Proposed Rezoning



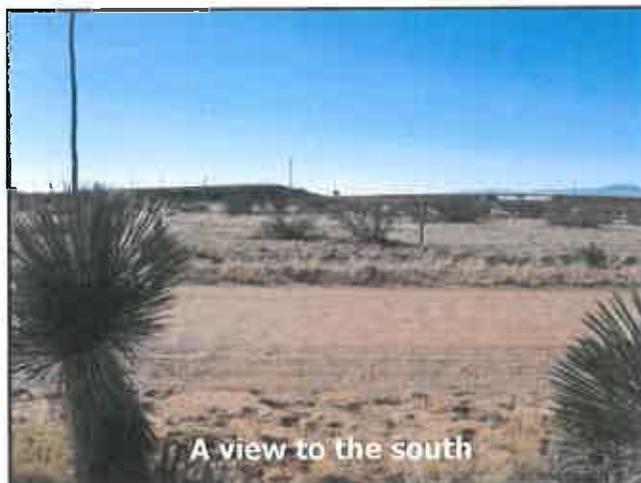
View of the proposed area to be rezoned looking south



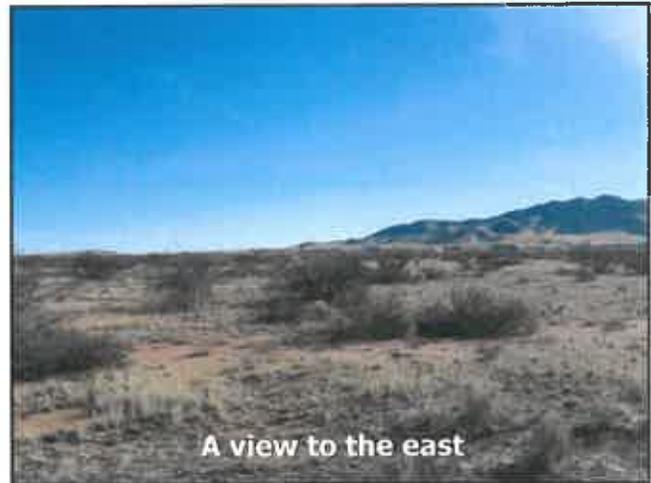
A view to the north



A view to the west

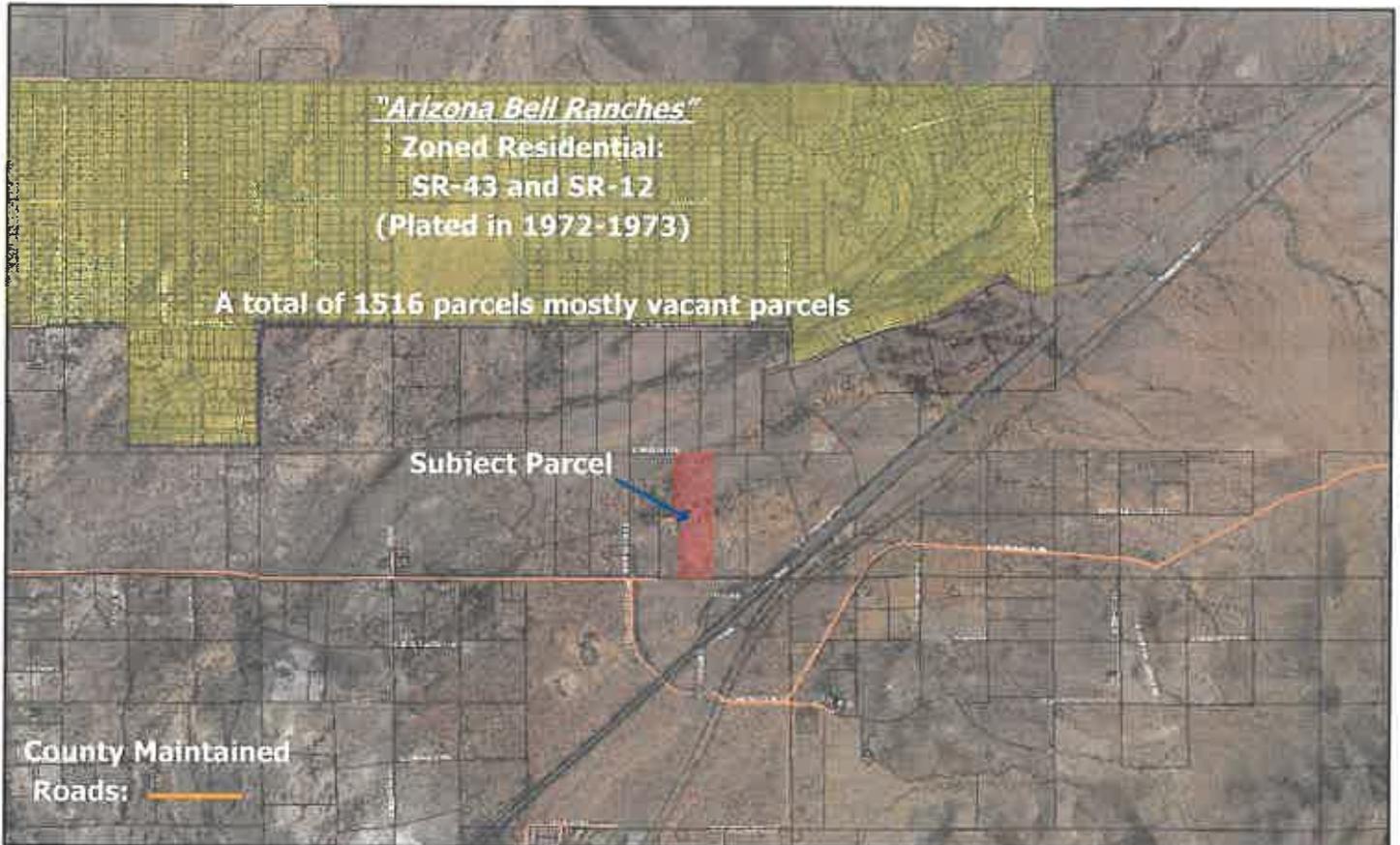


A view to the south



A view to the east

Staff has not been able to locate records that would explain the unusual triple zoning that exists on this parcel and others in the area. It is possible that when this area was initially zoned, the original developers planned for a commercial strip along Old Stewart Road, where the subject parcel is located, to accommodate the needs of future residents of the area. This would make sense, given the subject parcel's proximity to "Arizona Bell Ranches" subdivision. However, this area has yet to develop and still maintains much of its rural character, as it did when the present zoning districts were established. Currently the area consists of mostly undeveloped vacant land.



Location Map

IV. ANALYSIS OF IMPACTS

Mandatory Compliance

The subject property lies within a B-Developing Area. Section 402 of the Zoning Regulations allows owners of property within this Plan Designation to request a rezoning to GB.

Compliance with Rezoning Criteria

Section 2208.03 of the Zoning Regulations provides fifteen (15) criteria used to evaluate rezoning requests. Ten of the criteria are applicable to this request, which as submitted, fully complies with nine of the applicable factors.

1. Provides an Adequate Land Use/Concept Plan: Complies

The proposal is to extend the current GB zoning an additional 320 ft. to the north on a 40.04 acres parcel to allow the Applicant to install a manufactured home. The Applicant has provided a map drawn to scale that illustrates the existing and proposed District boundaries as well as an accurate legal description of the area being petitioned for amendment. (see attachment A)

2. Compliance with Applicable Site Development Standards: Complies

The proposal will meet all site development standards of the GB zoning district should the rezoning be approved.

3. Adjacent Districts Remain Capable of Development: Complies

The proposed rezoning would not affect the development prospects of any neighboring property. The subject parcel is bounded to the north by two vacant parcels of similar size that are zoned SR-43 and SR-12. To the east lies a parcel of similar size and zoning configuration as the subject parcel and is also vacant. To the west, lies two parcels, the smaller parcel is zoned GB and the other parcel is zoned GB and SR-12. These parcels consist of mostly open space, each with a residential dwelling. To the south of the subject parcel lies a large parcel of undevelopable State land.

4. Limitation on Creation of Nonconforming Uses: Complies

The proposal would not create any non-conforming land uses. An approval of the rezoning would allow the Applicant to place a manufactured home on her property in a legal manner that would abide by the zoning regulations governing the GB zoning district.

5. Compatibility with Existing Development: Complies

The two parcels to the west of the subject parcel are the only developed properties near the subject parcel; both parcels abut the subject parcel and are currently developed as residential single-family properties. The smaller parcel immediately to the west of the subject parcel is zoned GB. Thus, the addition of a manufactured home on the subject parcel would not be out of character with the exiting development in the area.



6. Rezoning to More Intense Districts: Complies

The request to rezone approximately 4.52 acres of land from MR-1 to GB, which is a reasonable extension of the GB zoning district currently in place, with the extension, the subject parcel will maintain its current transition and sufficient buffer between the MR-1 and SR-12 zoning districts also in place on the subject parcel.

7. Adequate Services and Infrastructure: Complies

Access to the subject property is taken from Old Stewart Road, via the Old Stewart Road ramp from Interstate 10. Old Stewart Road is a private roadway but becomes a county maintained road approximately 950 ft. to

the east of the subject parcel. Interstate 10 is approximately 1,300 ft. to the west of the subject parcel's driveway. No special driveway requirements apply to a residential use on a non-county maintained roadway.

Law enforcement services are provided by the Cochise County Sheriff's office. Health Care Innovations (HCI) provides EMS services. However, the parcel is not covered by a fire district. Water will be provided to the site via an existing well the Applicant has drilled and a septic system will be installed in the future. Sulphur Springs Valley Electric Cooperative (SSVEC) will provide electricity to the property. Accordingly, the site will have the infrastructure necessary for the placement of a manufactured home, should the rezoning request be approved.

8. Traffic Circulation Criteria: Complies

According to the County's transportation planner,

"the placement of a mobile home further off from the roadway, would not likely change the existing traffic circulation or create any new traffic impacts. A single family residential unit, either on the existing MR-1 zoned site or on a GB site, would likely generate an estimated 9.52 trips per day, per the ITE Manual, 9th edition".

See attachment C for a more detailed transportation analysis.

9. Development Along Major Streets: Partially Complies

Access to the subject parcel is taken from Old Stewart Road, which is listed by the Transportation Department as a "Rural Minor Access" road, but because the segment of the road that abuts the subject parcel is not County maintained, the proposal only partially complies with this factor. The County maintained portion of Old Stewart Road starts approximately 950 ft. to the east of the subject parcel.

10. Infill: Does not Comply

This factor applies specifically to rezoning to GB, LI, and HI in an existing "Enterprise" or "Enterprise Redevelopment" plan designation area. This factor is designed to encourage infill in areas where commercial and industrial development already exists. Although the proposal is to partially rezone the southern section of the subject parcel to GB and it is located in a County designated "Enterprise Redevelopment Zone". The proposal does not include a commercial or industrial component, and the surrounding area is either vacant or developed for residential purposes. Consequently, the proposal does not comply with this factor.

11. Unique Topographic Features: Not Applicable

From a topographical standpoint, the subject parcel is relatively level, a dry wash runs across the northern section of the parcel there, but is not exceptional and does not warrant consideration. The entire parcel is in an "X" flood plain, which means it lies outside of the 0.2% annual chance of a flooding event.

12. Water Conservation: Not Applicable (at this time)

If the rezoning is approved, all appropriate water conservation measures required by the zoning regulations will apply at the time of building permit issuance.

13. Public Input: Complies

The Applicant completed the required Citizen Review process and has not received a response as of the date of this memo. Staff mailed notices to neighboring property owners within 1,500 ft. of the subject property on January 20, 2016. Staff posted the property on January 21, 2016 and published a legal notice in the *Bisbee Observer* on January 21, 2016.

14. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

15. Compliance with Area Plan: Not Applicable

The parcel is not in an Area Plan.

V. MODIFICATIONS TO DEVELOPMENT STANDARDS

The Applicant is not requesting waivers from the County's site development standards.

VI. PUBLIC COMMENT

In response to Applicant and County mailings, the Planning Department has received one letter of support for the request.

VII. SUMMARY AND CONCLUSION

The proposal as submitted fully complies with nine of the criteria staff uses to evaluate rezoning requests. Four of the factors are not applicable, the request partially complies with one of the factors, but does not comply with the "Infill" factor. The request is to rezone a portion of a parcel of land located near Willcox, AZ from MR-1 to GB extending the current GB zoning 320 ft. further to the north. The rezoning is necessary in order to accommodate the Applicant's desire to place a manufactured home on the parcel with a setback of 450 ft. Staff's recommendation is based upon the above analysis, as well as the following factors in favor and against approval:

Factors in Favor of Approval

1. The proposal fully complies with nine of the factors criteria staff uses to evaluate rezoning requests.
2. Approval of the rezoning for a residential use would not alter the overall character or the density of existing development in the area.
3. The proposal is in general conformance to the surrounding zoning districts.
4. Rezoning to GB would not change the minimum site development standard requirements for any future construction on the parcel.
5. Staff has received one letter in support of the request.

Factors Against Approval

None

VIII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the docket to the Board of Supervisors with a recommendation of **Conditional Approval**, subject to the following Conditions:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning; and
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations; and
3. Any changes or modifications to any Conditions of Approval shall require a recommendation by the Planning and Zoning Commission and approval by the Board of Supervisors.

IX. ATTACHMENTS

- A. Application
- B. Site Plan
- C. Agency Comment Memo
 - i. Transportation Analysis dated January 5, 2016 from the County Transportation Planner
- D. Public Comment



Cochise County
Community Development
 Planning, Zoning and Building Safety Division
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12/24 CHAIRMAN'S FILE
 3/15/16 D+2
 3/18/16 BOARDS
 1/20/16 DEADLINE FOR
 MARCH 9 PM

COCHISE COUNTY REZONING APPLICATION

Submit to: Cochise County Community Development Department
 1415 Melody Lane, Building E, Bisbee, Arizona 85603

1. Applicant's Name: Sharon L. Newell

2. Mailing Address: 9453 S Kings Ranch Rd

Hereford
 City

AZ
 State

85615
 Zip Code

3. Telephone Number of Applicant: (520) 508-0304

4. Telephone Number of Contact Person if Different: () _____

5. Email Address: kstrailsend@gilanet.com

6. Assessor's Tax Parcel Number: 202 - 49 - 018 # (Can be obtained from your County property tax statement)

7. Applicant is (check one):
- Sole owner: X
 - Joint Owner: _____ (See number 8)
 - Designated Agent of Owner: _____
 - If not one of the above, explain interest in rezoning: _____

7. If applicant is **not** sole owner, attach a list of all owners of property proposed for rezoning by parcel number. Include all real parties in interest, such as beneficiaries of trusts, and specify if owner is an individual, a partnership, or a corporation:

- List attached (if applicable): _____

8. If applicant is **not** sole owner, indicate which **notarized** proof of agency is attached:
- If corporation, corporate resolution designating applicant to act as agent: _____
 - If partnership, written authorization from partner: _____

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 520-432-9278 fax
 1-877-777-7958
 planningandzoning@cochise.az.gov

Highway and Floodplain
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 520-432-9337 fax
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 highway@cochise.az.gov
 floodplain@cochise.az.gov

20. Which streets or easements will be used for traffic entering and exiting the property?
OLD STEWART ROAD

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? NONE

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? 1

23. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Well	
Sewer/Septic	Septic	
Electricity	SSVEC	
Natural Gas	NA	
Telephone	NA	
Fire Protection		

24. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional pages as needed).

Please see attached page 1 and map 44

25. AFFIDAVIT

I, the undersigned, do hereby file with the Cochise County Planning Commission this petition for rezoning. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Cochise County Planning Department staff to enter the property herein described for the purpose of conducting a field visit.

Applicant's Signature: Sharon J. Newell

Date: 12-11-2015

Rezoning Application Evaluation Criteria

Section 2208.03.B. of the Cochise County Zoning Regulations provides fifteen (15) rezoning evaluation factors with which to measure and analyze the appropriateness of the proposed rezoning. An analysis of how the Project addresses these evaluation factors is required for staff report to the Commission and Board. The Rezoning application must provide sufficient information for staff to make this analysis.

Rezoning Evaluation Factors:

1. **Application.** The Application Site Plan must provide sufficient information to determine that the proposed size and layout would comply with the applicable uses and standards for the types and intensity of uses permitted in the requested zoning district.
2. **Compliance with Site Development Standards.** Each parcel must meet the site development standards of the proposed zoning district including minimum lot size, setbacks, lot coverage, driveway width, parking and ADA-access requirements. The rezoning Concept Site Plan should show how these standards would be met.
3. **Adjacent Districts Remain Capable of Development.** Adjacent parcels should be able to meet minimum lot size and development standards of the remaining zoning district.
4. **Limitation on Creation of Nonconforming Uses.** The subject property should contain no structures or uses that would not be permitted or would not meet development standards of the new district.
5. **Compatibility With Existing Development.** The proposed rezoning district should be compatible with existing development in the vicinity.
6. **Rezoning To More Intense Districts.** The proposed new district should:
 - Be buffered by an intermediate district of sufficient size to provide a reasonable transition of intensity from the existing area (as a guide, a reasonable transition is considered to be a difference of intensity or density of two levels as described in Section 2208.02);
 - Be a reasonable extension of a similar density district within the area; and
 - Provide a transition between an existing less intense district and a more intensive district or an arterial street; or
 - Provide adequate protection to the adjacent less intense development in the form of enhanced screening, landscaping, setbacks, large lot size, building orientation or other design measures.
7. **Adequate Services and Infrastructure.** The following factors are used to determine if there are adequate services and infrastructure to serve an intensification of zoning:
 - (a) For a rezoning to a more intensive district, the applicant has provided adequate information to evaluate the impacts of the rezoning on roads, other infrastructure, and public facilities. The applicant must demonstrate that there are adequate provisions to address the impacts identified. The applicant shall provide data supporting the estimated traffic volumes as part of the application.
 - (b) If the site accesses on a road where existing demonstrable traffic problems created by incremental development have already been identified, such as a high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant has proposed a method to address these problems.
 - (c) The proposed development meets or will meet the applicable requirements for street, sewer, or water improvements.
 - (d) The site has access to streets that are adequately designed and constructed to handle the volume and nature of traffic typically generated by the use.
8. **Traffic Circulation Criteria.**
 - (a) Any rezoning shall be consistent with preservation of the functions of surrounding streets as defined in

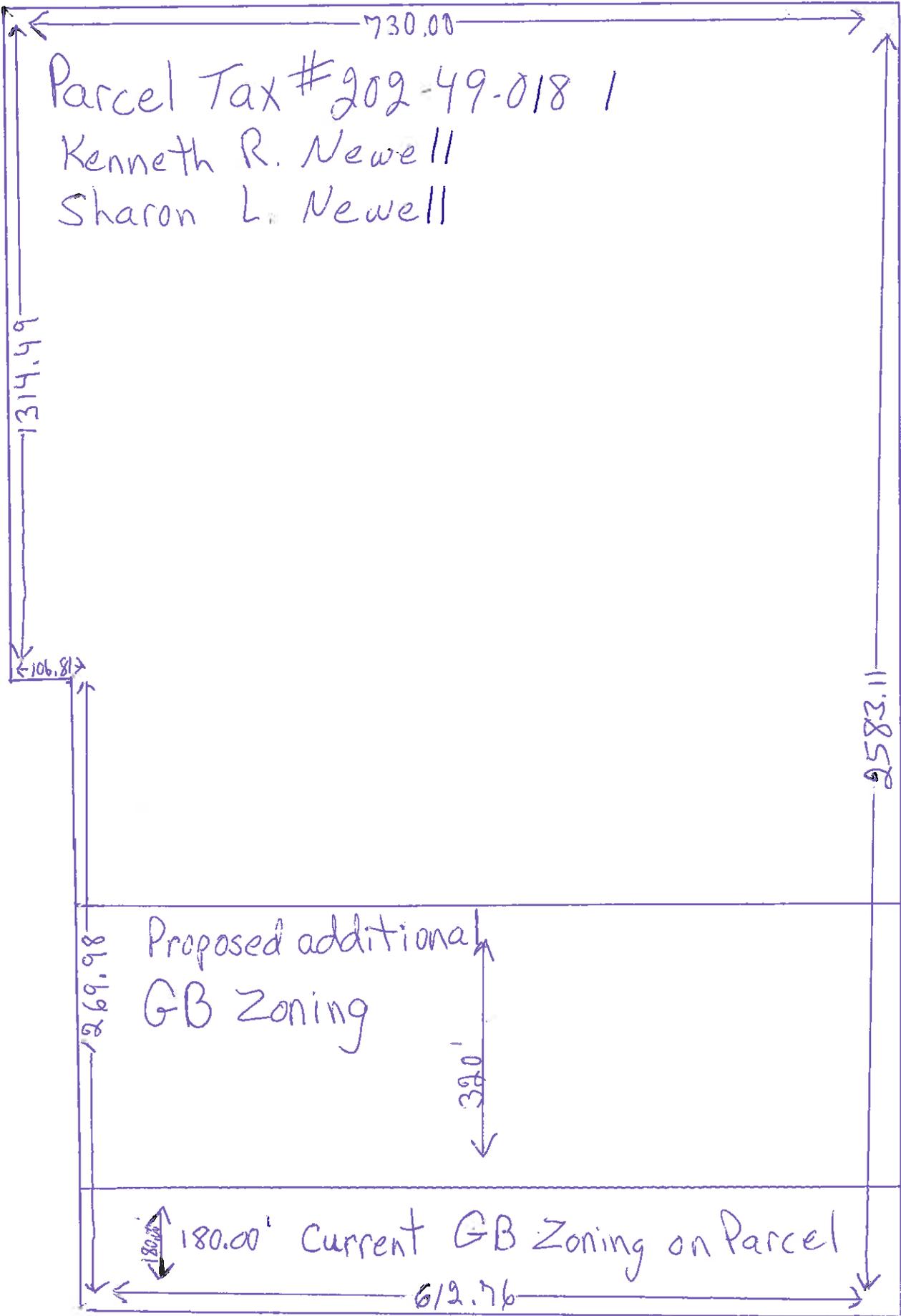
I would like to point to page 182 of the zoning regulations. Number 5. Compatibility With Existing Development: The proposed Zoning District bears a logical relationship to surrounding Zoning Districts. and number 6 b. The proposed District is a reasonable extension of a similar density District within the area. I have attached Map 44 showing existing GB zoning on parcels near our Lot 17 of Tehama Properties, Parcel #202-49-018 1, outlined in green.

A few years ago our daughter, son-in-law and two granddaughters moved to Willcox. Since that time we have been working toward moving to our property, Lot 17 of Tehama Properties, to be closer to and be able to spend more time with our daughter, son-in-law and especially our two granddaughters. We made an honest mistake in thinking because the CCR'S for Tehama Properties allow manufactured homes we could pick a desirable site on our parcel and begin preparation to make this our home. We drilled a well and ran electricity near that site. We make this request to extend the GB zoning on our property an additional 320 feet for the sole purpose of being able to place our new manufactured home on the site of our choice. It is important for us to be able to place the home farther from Old Stewart Road to reduce the impact of dust from the dirt road. It is also important to be farther from the I-10 Freeway and Railroad Tracks.

Another point that would be a presumption in favor of our request for rezoning is that the 10 acres and Lot 18 West of our Lot 17 are both being used as homesites.

Thank you for your consideration,

Sharon L. Newell



Parcel Tax # 202-49-018 1
Kenneth R. Newell
Sharon L. Newell

1314.49

730.00

106.81
18.90

2583.11

269.98

Proposed additional
GB Zoning

320'

180.00'

Current GB Zoning on Parcel

612.76



OLD STEWART ROAD (D.F.R.T.)

Barbed Wire Fence

730.00

Parcel # 202-49-018 1

Kenneth R. Newell
Sharon L. Newell

washes are
8 to 12 inches deep
4 to 6 feet wide

1314.49'

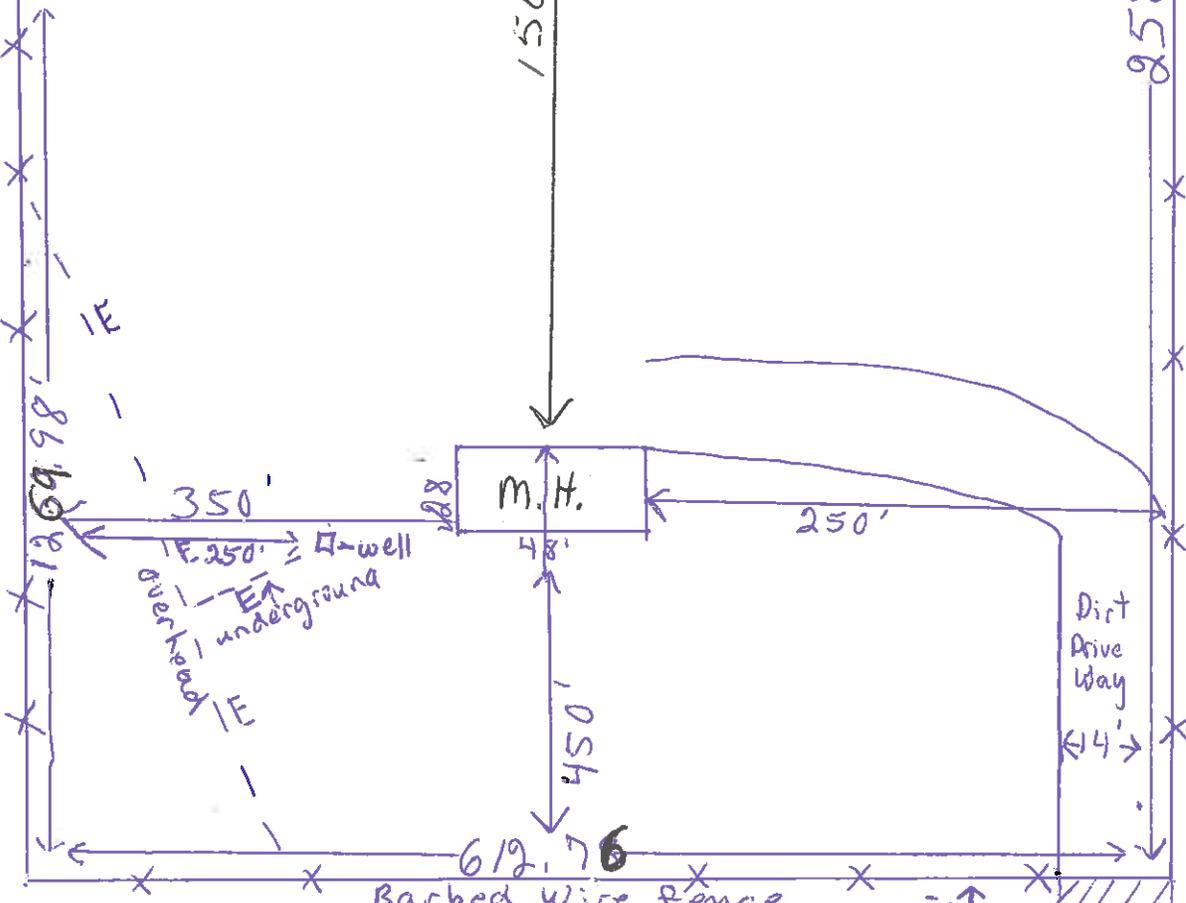
106.81'

1500.00

2583.11'

Barbed wire fence

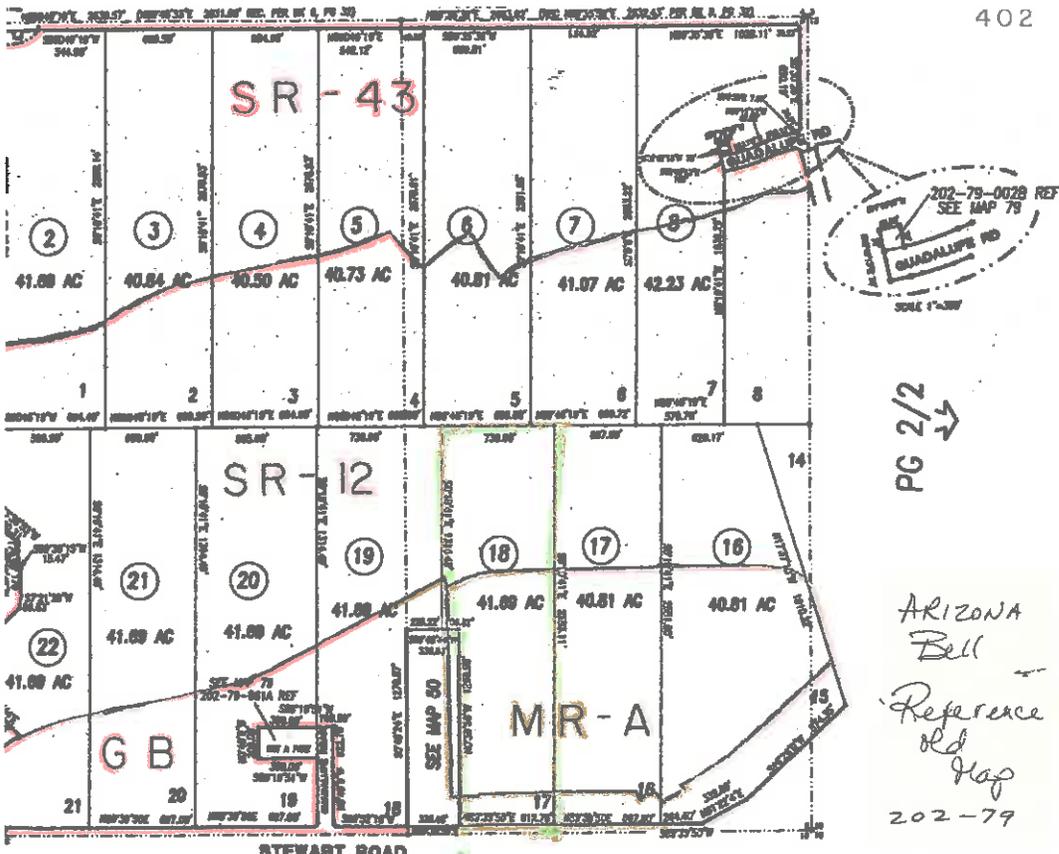
Proposed
Site
Plan



OLD STEWART ROAD E. DIRT
NOT COUNTY MAINTAINED

14
NORTH

Parcel Tax # 202-49-0181
 Kenneth R. Newell
 Sharon L. Newell



402

PG 2/2

ARIZONA
 Bell
 Reference
 Rd
 Map
 202-79

MAP 44

THIS INFORMATION IS TAKEN FROM OUR WORKING RECORDS FOR ASSESSING PURPOSES ONLY
 COCHISE COUNTY

COCHISE COUNTY



Legend

- Subject Parcel
- Parcels
- Roads



Z-15-08 (Newell) Location Map

This map is a product of the
Cochise County GIS
Information Technology Dept.





0' 1" = 1000'



**Cochise County
Community Development
Highway and Floodplain Division**

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MEMORANDUM

Date: January 5, 2016
To: Jim Henry, Planner 1
From: Karen L. Lamberton, AICP, County Transportation Planner
Subject: Newell Re-Zoning/Z-15-08/Parcel #202-49-018

This re-zoning proposes modifying the land designation from MR-1 to GB for a portion of this 40 acre parcel. Although the applicant owns a large parcel, it currently has three different zonings on it. In order to allow a mobile home at the location on this site desired by the applicant it would need to be re-zoned appropriately. It is the desire of the applicant to place a mobile home fairly far set back from their parcel boundary due to the proximity of a native surfaced roadway, the Interstate and the Railroad.

Traffic Analysis

Access is proposed to be taken from Old Stewart Rd. This is not county-maintained roadway at this location: Old Stewart Rd. county maintenance begins approximately 950 feet to the east. Interstate 10 is approximately 1,300 feet to the west of the subject parcel's driveway but access is from N. Old Stewart Rd. Ramp, a county-maintained roadway, then to Interstate 10 access ramps. No special driveway requirements apply to a residential use on a non-county maintained roadway.

The proposed use, the placement of a mobile home further off from the roadway, would not likely change the existing traffic circulation or create any new traffic impacts. A single family residential unit, either on the existing MR-1 zoned site or on a GB site, would likely generate an estimated 9.52 trips per day, per the ITE Manual, 9th edition.

Recommendation

Land use changes do not, in and of themselves, change traffic patterns; however, they do create conditions for future transportation impacts. This re-zoning is not likely to change the general nature of this land use nor is it likely to adversely impact traffic circulation or trip generation in the area. It would open up the frontage along this roadway to potential new commercial uses in the expanded GB district; however, if such a change should occur those permits would appear before with the Commission or submitted through the Commercial Permit process and appropriate review conducted at that time for any adverse transportation impacts.

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highway@cochise.az.gov
floodplain@cochise.az.gov

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COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

DATE: January 6, 2016

TO: Jim Henry, Planner I

FROM: Pam Hudgins, Right-of-Way Agent II

SUBJECT: Rezoning for Newell (Z-15-08)

Background: Sharon Newell the applicant, is requesting, a rezoning from MR-1 (Multiple Dwelling Residential; one dwelling per 3,600 ft) to GB (General Business). The subject parcel is 40.04 acres in size and is currently zoned SR-12, GB and MR-1. The rezoning would extend the current GB zoning 320 ft. to the north to facilitate the applicant's desire to install a manufactured home with a setback of 450 ft. which is not allowed under the current MR-1 zoning. Right-of-Way staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access for the subject parcel is from Interstate 10 exit 344 via N. Old Stewart Ramp exit. North to Old Stewart Road and Huntington Road. East on to Old Stewart Road approximately ¼ mile to the subject parcel APN 202-49-018.
- The subject parcel APN 202-49-018 adjoins and derives access from Old Stewart Road.
- Adjoining the subject parcel, Old Stewart Road is not a county maintained road at this location.
- Old Stewart Road is a county Maintained road (#976), but not at the location of the subject parcel.

Recommendation:

- Regarding existing right-of-way needs for County Maintained Roads, no further dedication is required at this time for Old Stewart Road.

Henry, Jim

From: Cratsenburg, Diane E
Sent: Tuesday, January 05, 2016 2:23 PM
To: Henry, Jim
Cc: Ellis, Ronald J; Marinez, Frances G; Lamberton, Karen L
Subject: RE: Z-15-08 (Newell)
Attachments: APN 202-49-018.pdf

Thank you for sending this for review. The short answer is that this parcel has frontage on a portion of Old Stewart Road that is not on County maintenance, so no permit from highways would be required to establish the access.

The back story:

At present, there does not appear to be an assigned address point at the subject parcel. There does appear to be an existing access drive which is not evident on the June 2013 aerial; it shows up on the Jun 2015 aerial. It does not appear to be at the location noted on the site plan, which indicates the location to be way over at the southeast property corner; rather, it appears to be offset approximately 115 feet west of the southeast property corner, which is actually better. Driveways need to be offset from property corners by at least the turn radii so that the associated turn radii do not overlap the frontage of an adjacent parcel.

If the rezoning was approved, a right-of-way permit with a \$100 fee would be required to legally establish and document the location and condition of the existing driveway access if this parcel had frontage on a County maintained road. Such a permit would be issued in conjunction with the building permit that would be required in order for them to establish the proposed residence on that parcel.

Diane Cratsenburg
Engr Tech III
Cochise County Community Development
Highway and Floodplain Division
1415 Melody Lane
Bisbee, AZ 85603
520-432-9327
520-432-9337 fax

Public Programs...Personal Service
www.cochise.az.gov

From: Henry, Jim
Sent: Tuesday, January 05, 2016 7:50 AM
To: jstoddard@willcoxcity.org; Call, Pat G; Cratsenburg, Diane E; Dist1a; Dist1b; Dist1c; Dist2a; Dist2b; Dist2c; Dist3a; Dist3b; Dist3c; Drake, Jesse; English, Ann S; Esparza, Paul; Flores, Dora V; Gardner, Peter B; Hanson, Britt W; Hudgins, Pamela A; Izzo, Michael D; Lamberton, Karen L; Riggs, Karen C; Searle, Richard R; Solis, Joaquin
Subject: Z-15-08 (Newell)

For your review and comment.

Happy New Year!

Jim Henry
Planner I



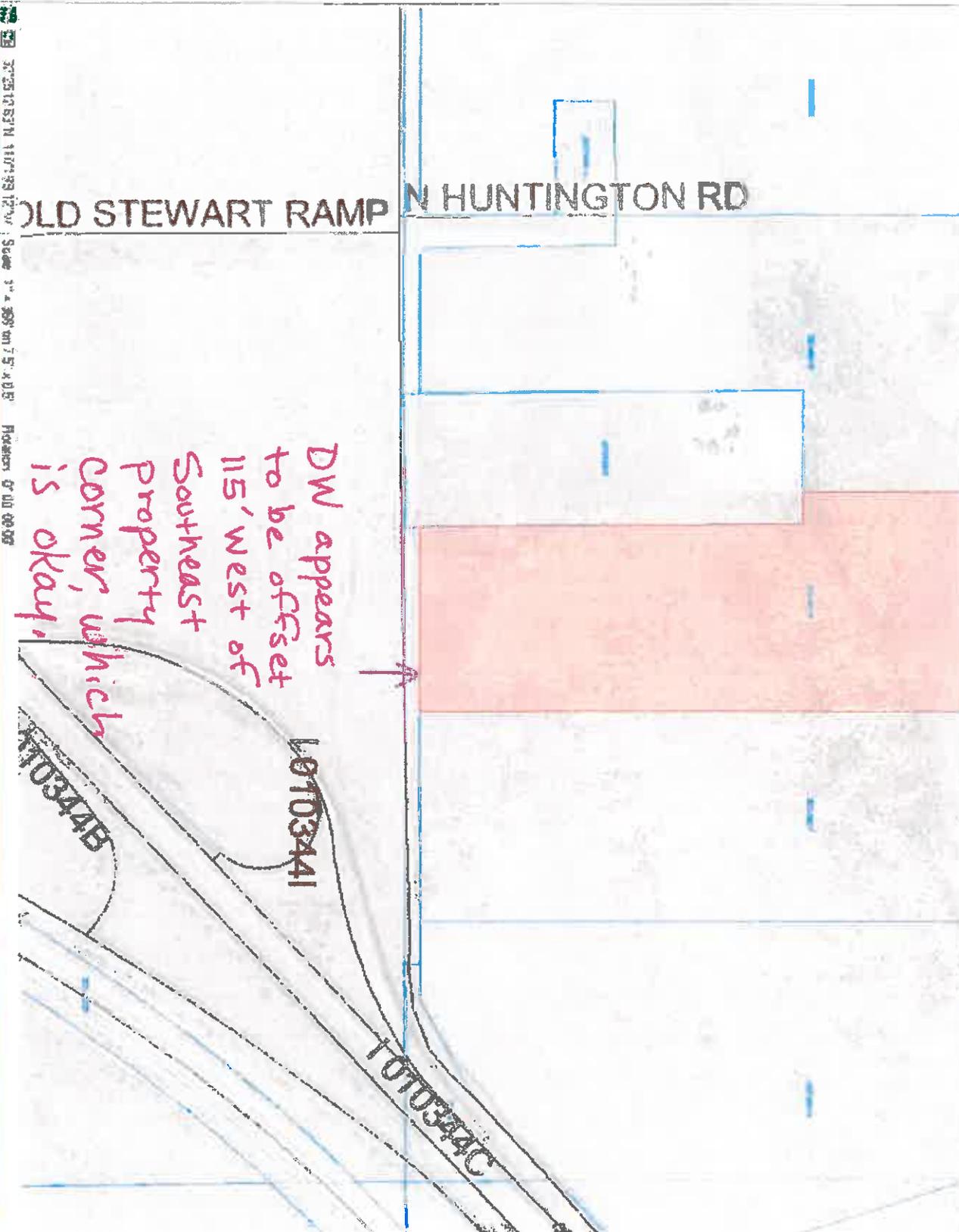
Parcel: 105890

General | Owner | Related |

Address Value	
APN	2024018
Book	202
Map	49
Parcel	018
Use Code	0003
Tax Area	1300
Market A	05
Market S	07
Zone	SR-12 GB MR-1
Category	
ESN	142
Parcel	47
Referent	R/S BKD14P9013
System	105890
Last M. servent	
Last Ed.	2009-09-29 09:33

Locate by: (R) (I) (F) (C) (P) (E) (L) (S) (D) (A) (V) (U) (T) (R) (N) (O) (G) (H) (I) (J) (K) (L) (M) (N) (O) (P) (Q) (R) (S) (T) (U) (V) (W) (X) (Y) (Z) (Space) (Tab) (Esc) (F1) (F2) (F3) (F4) (F5) (F6) (F7) (F8) (F9) (F10) (F11) (F12) (Print) (Home) (End) (Refresh) (Zoom In) (Zoom Out) (Full Screen) (Close) (Help)

Map Tools: (Home) (Previous View) (Next View) (Full Screen) (Close) (Help)



DW appears to be offset 115' west of Southeast Property corner, which is okay.

LOT03441

LOT0344B

LOT0344C

27°29'12.83"N 110°7'59.12"W Scale: 1" = 309' on 7.5" x 0.5" Plot Date: 07/06/09

Special Use Docket Z-15-08 (Newell)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): JONES James RSR & Victoria Co.

SIGNATURE(S): *James R. Jones Sr*
Victoria R. Jones

YOUR TAX PARCEL NUMBER: 20249016 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **4 PM on Friday, January 29, 2016** to be included in the staff report to the Commission, and by **Wednesday, February 10, 2016** to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Jim Henry at jhenry@cochise.az.gov. Comments received after the January 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the **public hearing on February 10, 2016 for the Planning and Zoning Commission and March 8, 2016 for the Board of Supervisors**. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Jim Henry, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603



Cochise County
Community Development
 Planning, Zoning and Building Safety Division
Public Programs...Personal Service
 www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner I *(PGD)*
FOR: Paul Esparza, AICP, Planning Director
SUBJECT: Docket SU-15-26 (Richardson)
DATE: January 26, 2016 for the February 10, 2016 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant is requesting a Special Use for midwife consultation, and wellness and spa services, with accessory retail sales, in an R-36 Residential (R) zoning district. The proposed use is considered Personal and Professional Services and requires a Special Use Authorization per Section 707.04 of the Zoning Regulations. The subject property, 105-39-025D, is located at 3499 E. Astro Lane, Hereford. The applicants are Dennis and Darci Richardson.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 0.91 Acres (39,521 square-feet)
 Zoning: R-36 (Residential; one dwelling per 36,000 square-feet)
 Growth Area: Category C-Community Growth Area
 Comprehensive Plan Designation: Neighborhood Conservation
 Area Plan: None
 Existing Uses: Single Family Residential
 Proposed Uses: Personal and Profession Services

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	R-36	Residential
South	County Maintained Road/R-36	E. Astro Lane/Residential
East	R-36	Residential
West	Dedicated Right of Way/R-36	Undeveloped Road/Residential

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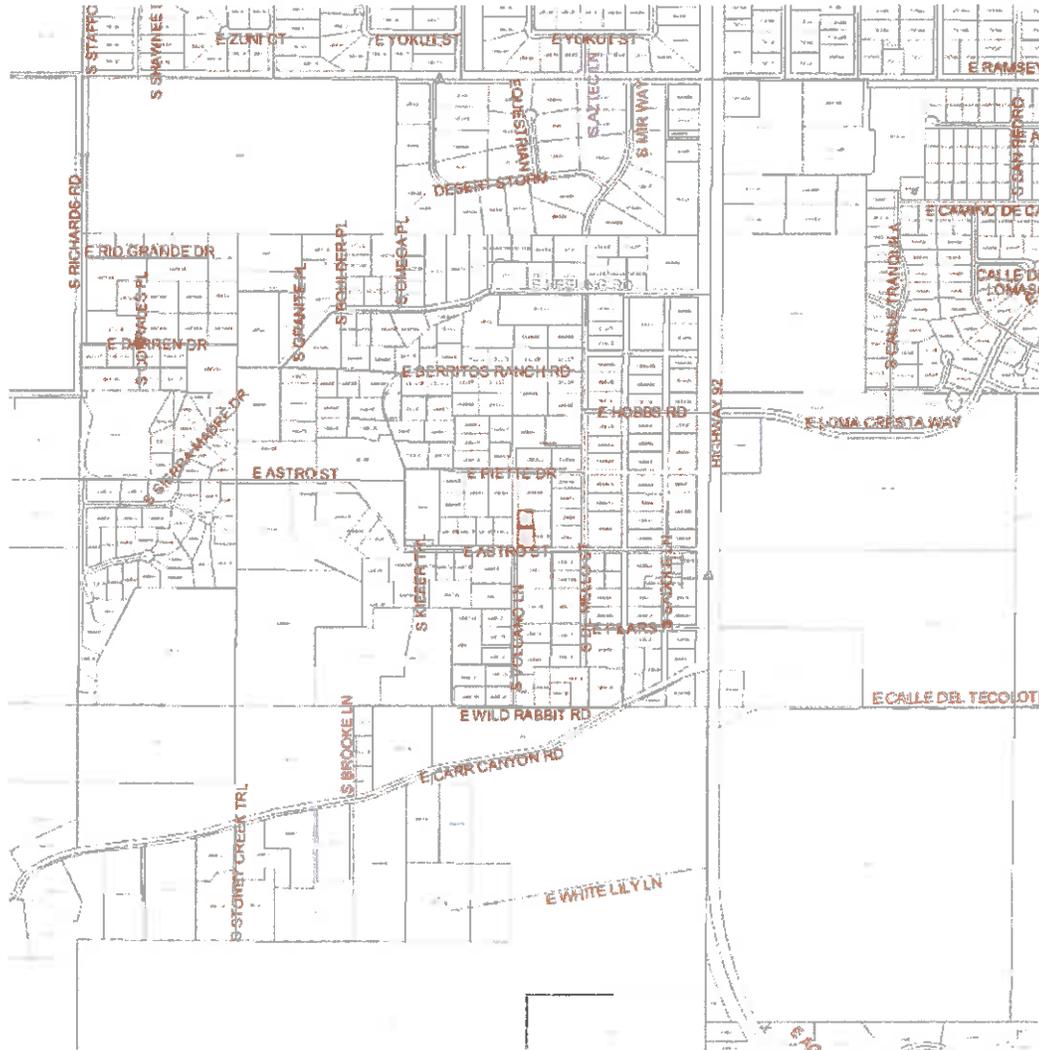
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 highway@cochise.az.gov
 floodplain@cochise.az.gov

II. PARCEL HISTORY

- 1964 – Single Family Residence built
- 1999 – Addition Built
- 2007 – Home remodeled and detached garage built
- 2008 – New Septic System installed

III. NATURE OF REQUEST

The Applicant is requesting a Special Use authorization to approve using a portion of an existing single-family residence to provide midwife consultation, and spa and wellness services such as massage and aromatherapy, with accessory sales of wellness related products such as essential oils. As part of the use, there will be accessory retail sales of wellness related products such as essential oils. The use will be confined to 600 square-foot portion of the 2,400 square-foot home, with one display case for the retail products. The site is located on E. Astro Lane, a County Maintained, chip-sealed local roadway.



Location Map

Clients will receive spa and wellness services, and midwife consultations at the site. No medical procedures will be performed on-site. There will typically not be more than one or two clients at the facility at a time. There will be one employee initially, who will reside in the dwelling, with the possibility of adding up to two more employees in the future. The limited nature of the proposal limits off-site impacts to additional traffic generated. No hazardous materials will be stored or used on-site, and there will be no noise, dust, light, or vibration caused by the business that would be detectable on surrounding parcels. Per the County transportation planner, the traffic increase will be nominal, not exceeding the traffic that would be generated by an additional residence in the neighborhood. While not directly impacting the request, the transportation planner also recommends that the applicants pursue abandonment of N. Volcano Lane, as it is undeveloped and other property owners abutting the right of way have already infringed upon it.



Location Aerial

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Authorization, as well as to determine what Conditions and/or Modifications may be needed.

Seven of the ten factors apply to this request. The project, as submitted, complies with six of those seven factors. With the requested and recommended Modifications, it complies with the seventh factor. The three remaining factors are not applicable to this application.

A. Compliance with Duly Adopted Plans: Complies

The proposed project complies with the Economic Development Element of the Comprehensive Plan. This Element encourages supporting entrepreneurship and encourages locating businesses near existing infrastructure. This site is located on a county maintained road 1,500 feet from Highway 92. All necessary infrastructure currently exists.



View of the site

B. Compliance with the Zoning District Purpose Statement: Complies

The purpose statement in Article 7 makes no mention of any type of non-residential land use; however, Section 706 permits Personal and Professional Services in the R Districts as a Special Use. Such uses provided in a home, rather than in a dedicated commercial building, are considered "neighborhood serving" and compatible with residential neighborhoods.

C. Development Along Major Streets: Complies

The property takes access from E. Astro Street, a county maintained local roadway, which connects to Highway 92. No new road connections are proposed or required.

D. Traffic Circulation Factors: Complies

While the proposed use will bring some amount of non-residential traffic onto a residential street, the total increase in traffic will be equivalent to the addition of one single-family home to the neighborhood, per the

attached memo from the transportation planner. E. Astro Street will not be used for non-residential through traffic as a result of this use.

E. Adequate Services and Infrastructure: Complies

The project site is served by SSVEC, Bella Vista Water, and CenturyLink. On-site waste disposal is via an existing septic system, installed in 2008. The parcel is in the Fry Fire District; increased fire risk is negligible. The site is accessed by E. Astro Street, a county-maintained roadway.

F. Significant Site Development Standards: Complies with Modifications

The site complies with most applicable site development standards as is. There are two exceptions that require Modifications to comply. The first is the driveway surfacing. As the site takes access from a chip-sealed roadway, Section 1804.07.C of the zoning regulations requires a driveway of the same or better materials. The Applicant is requesting that the existing, permitted, circular gravel driveway be allowed to remain. Staff supports this request based on the memo from the County Transportation planner. Second, the building for the proposed use is less than forty feet from the east property line, and therefore does not meet the setback required under Section 704.03 of the Zoning Regulations. As the structure and the addition are permitted, and the use is expected to generate minimal offsite impacts, staff supports a modification to permit the proposed use in the building in the as it exists.

G. Public Input: Complies

The Applicant sent letters to all property owners within 1,000 feet of the parcel to notify them of the application and to address any neighbor concerns. Staff has also mailed notices to the same property owners, and has received two letters of support, including one from the neighbor immediately to the north of the subject parcel.

H. Hazardous Materials: Not Applicable

I. Off-Site Impacts: Does Not Apply

Other than the traffic generated, there will be no additional off site impacts. The maximum estimated traffic generated will be the equivalent of one additional housing unit, which is well within the capacity of E. Astro Street per the transportation planner.

J. Water Conservation: Not Applicable

No new construction is proposed; therefore, the standards in Article 18 do not apply. Any future construction will be required to comply with the requirements of the Sierra Vista Sub-Watershed Overlay District.

VI. PUBLIC COMMENT

Staff mailed notices to neighboring property owners within 1,000 feet of the subject property on January 13. Staff posted the property on January 25, 2016 and published a legal notice in the *Bisbee Observer* on January 21, 2016. In response to applicant and County mailings, the Planning Department received two letters supporting this request.

VII. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve a midwife consultation and wellness services use, considered Personal and Professional Services, with accessory Retail Sales, in an existing home in an R-36 zoning district.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval and Modifications, the proposed use would fully comply with the applicable seven Special Use factors used by staff to analyze this request;
2. The Cochise County Comprehensive Plan encourages entrepreneurship and locating businesses in areas where suitable infrastructure exists;
3. The proposal will provide a service to the area with minimal impacts; and
4. Two letters of support has been received.

Factors Against Allowing the Special Use

None

VIII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant’s responsibility to obtain any additional permits, or meet any additional Conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.

Sample Motion: *Mr. Chairman, I move to approve Special Use Docket SU-15-26, with the Conditions of Approval and Modifications recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

IX. ATTACHMENTS

- A. Application
- B. Parcel map, aerial, and site plan
- C. Agency comment memos
- D. Citizen comment



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs... Personal Service"

COCHISE COUNTY PLANNING DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER

APPLICANT

ADDRESS

CONTACT TELEPHONE NUMBER

EMAIL ADDRESS:

PROPERTY OWNER (IF OTHER THAN APPLICANT)

ADDRESS

DATE SUBMITTED

Special Use Permit Public Hearing Fee (if applicable)	\$ <input type="text" value="300.00"/>
Building/Use Permit Fee	\$ <input type="text"/>
Total paid	\$ <input type="text" value="300.00"/>

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (Please note that nine (9) copies will be required for projects occurring inside the Uniform Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)

N/A

N/A 6. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. Attach separate pages if the lines provided are not adequate for your response. Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? Residential Rental Property

2. What is the proposed use or improvement? We would like to open a small retail and service center

for our existing business, GOT OILS?

3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties?

We will sell products and provide services related to Midwifery and Essential Oils

4. Describe all intermediate and final products/services that will be produced/offered/sold.

Sold - Essential Oils, Books, accessories used with essential oils. Services - Midwifery Services, Oil

Therapies, some spa services, ie. facials, foot therapies, etc.

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

N/A

6. Will the project be constructed/completed within one year or phased? One Year Phased if phased, describe the phases and depict on the site plan.

N/A

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: M-F Hours (from 10 AM to 5 PM)

B. Number of employees: Initially: 1 Future: 3

Number per shift Seasonal changes

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.

1 to 3 at a time

(2) Total trucks (e.g., by type, number of wheels, or weight)

0

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

All traffic will travel East and West on Astro Street

(4) If more than one direction, estimate the percentage that travel in each direction

N/A

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest

M through Friday mid-day

Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

D. Estimated total gallons of water used: per day 100 gallons per year 40K/year

Will you use a septic system? Yes No If yes, is the septic tank system existing?

Yes ___ No ___ Show the septic tank, leach field and 100% expansion area on the site plan.

G. Does your parcel have permanent legal access*? Yes No if no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

H. For Special Uses only - provide deed restrictions that apply to this parcel if any.
Attached NA

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Bella Vista	N/A
Sewer/Septic	On Site	N/A
Electricity	SSVEC	N/A
Natural Gas	N/A	N/A
Telephone	Century Link	N/A
Fire Protection	FRY	N/A

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

2. Will outdoor storage of equipment, materials or products be needed? Yes No if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.

3. Will any noise be produced that can be heard on neighboring properties? Yes No if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

4. Will any vibrations be produced that can be felt on neighboring properties? Yes No if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties?

5. Will odors be created? Yes No If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties?

6. Will any activities attract pests, such as flies? Yes No If yes, what measures will be taken to prevent a nuisance on neighboring properties?

7. Will outdoor lighting be used? Yes No If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.

8. Do signs presently exist on the property? Yes No If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. B. C. D.

9. Will any new signs be erected on site? Yes No If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes No

If yes, will storm water be directed into the public right-of-way? Yes No

Will washes be improved with culverts, bank protection, crossings or other means?

Yes No

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

Concrete

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes No If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

N/A

2. How many acres will be cleared? N/A If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.)

SECTION D - Hazardous or Polluting Materials

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes No If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

Note: Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. The Arizona Department of Environmental Quality Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333).

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature 

Print Applicant's Name

Date signed

November 25, 2015

RE: Waiver Request for Driveway

I am requesting a waiver for the driveway surface material for my property. I already have a concrete pad where the cars can park, when they come to visit the office. The 24 foot wide driveway is a circular driveway that has two entrances on Astro and it is currently dirt and gravel.

Thank you for your consideration.

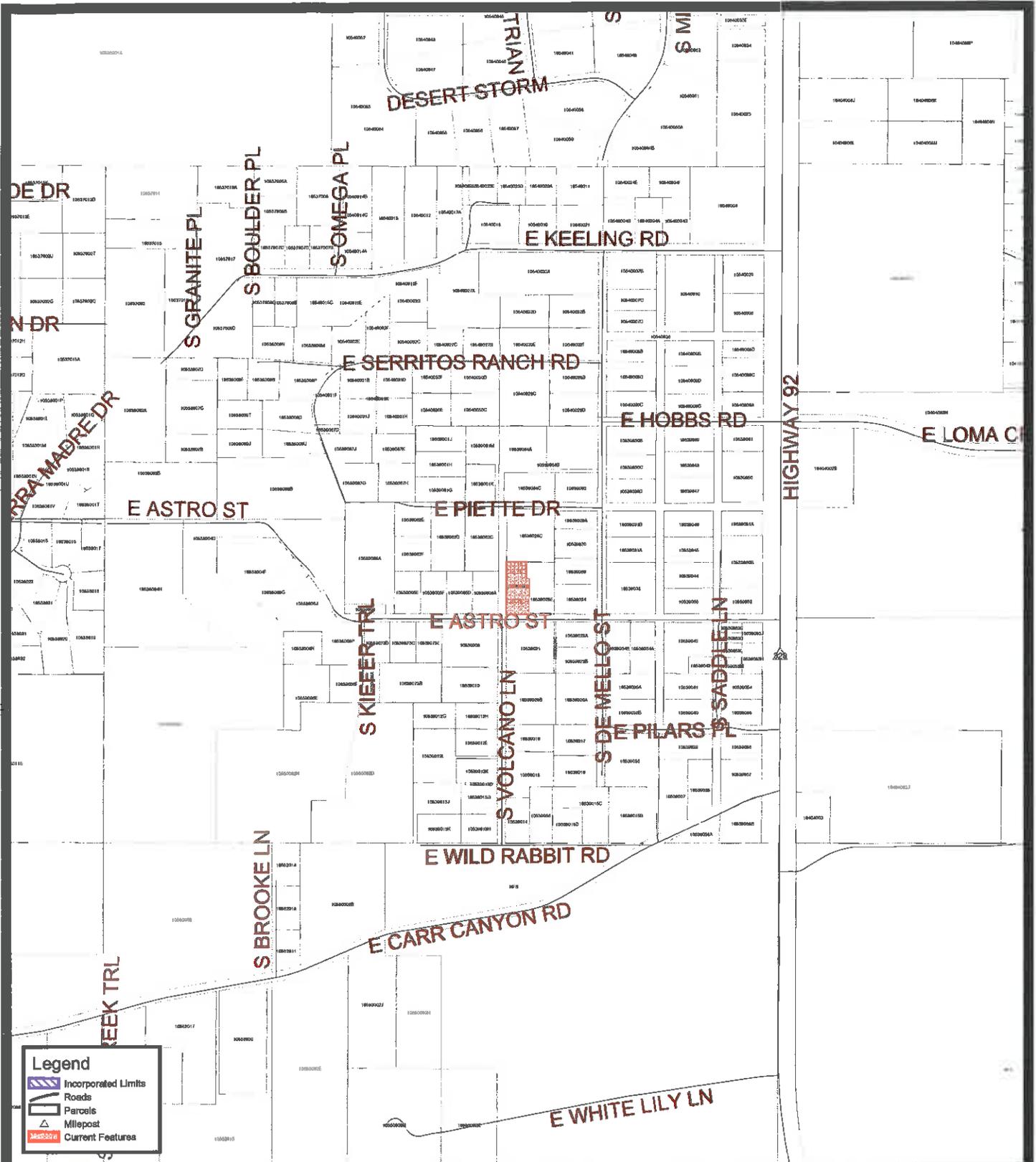
Thank you,

A handwritten signature in black ink, appearing to read "BRAD RICHARDSON", written in a cursive style.

Brad Richardson

520-236-8924

Parcel # 105-039-025D



Legend

- Incorporated Limits
- Roads
- Parcels
- Milepost
- Current Features



SU-15-26 (Richardson)

This map is a product of the Cochise County GIS Information Technology Dept.

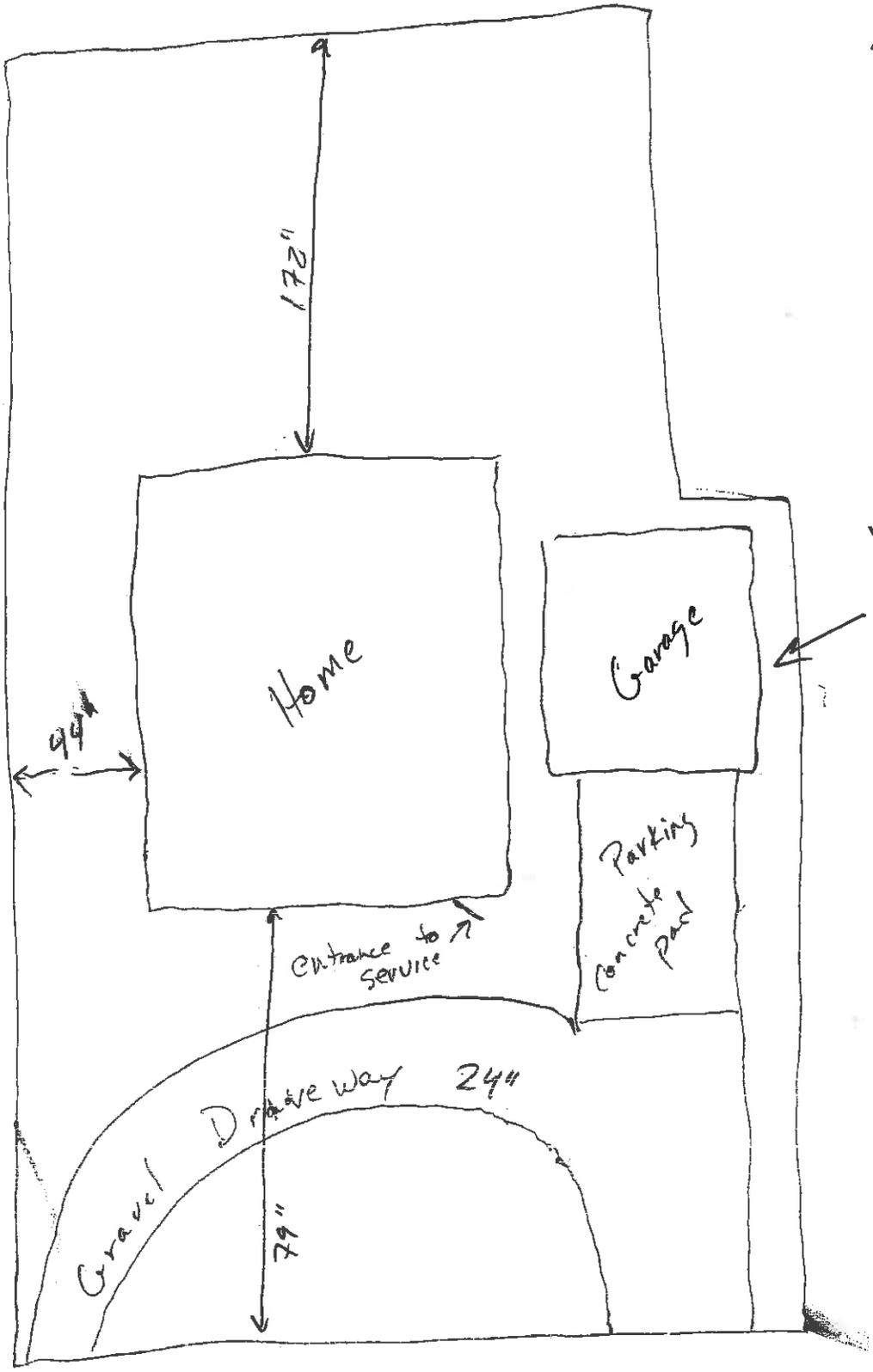
36 B

1" = 80'



Google earth





↑ North

Variance already in Place for this Set back 2''

Astro Street - Paved

Not to Scale



Cochise County
Community Development
Highway and Floodplain Division
Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

Date: December 16, 2015
To: Jim Henry, Planner I
From: Karen L. Lamberton, AICP, County Transportation Planner
Subject: Richardson Retail and Midwifery Services/SU 15-26/Parcel # 105-39-025-04-0

This applicant has submitted an application to re-purpose an existing housing unit, currently used as a rental property, for the sale of essential oils and to provide wellness services such as massage and midwifery consultation. No health care services, such as baby deliveries, will be offered and this location is intended to supplement an existing operations, called Got Oils?, located in the City of Sierra Vista on Fry Blvd.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following advisory notes to the applicant:

1. The applicant is encouraged, but not required, to improve their circle driveway as their business grows.
2. A revised site plan will be needed at the Commercial Permit phase.
3. The applicant may wish to consider requesting an abandonment of Volcano Lane west of their parcel.
4. No off-site improvements will be required.

Traffic Analysis

Access is taken from Highway 92 to Astro Street, a county-maintained, rural minor access roadway with a 24 foot cross-section. This segment of roadway has been dedicated to the County (Docket 842 page 350). There are no recent traffic counts on Astro Street but to the east on Highway 92, at this approximate intersection, an estimated 3,376 average daily vehicles (2015 traffic count) are traveling on Highway 92 and to the west on Cherokee Ave., an estimated 253 average daily vehicles (2011 traffic count) are traveling on Cherokee Ave. Astro Street likely carries less than 100 vehicles on a typical day and has adequate capacity for this proposed use.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

This is a very small scaled retail operation with the type of wellness activities that typically bring in one or two clients at any given time. Expansion of this use, with the existing building, is no more than what would functionally fit within the existing 1,749 square foot building.

Typical trip generation rates do not exist for this specific use and it is a combination of a specialty retail store (Land Use 815) and a wellness clinic (Land Use 630). In addition, the applicant plans to continue to use a portion of the house for a rental thus adding a residential use component to the proposed use. Considering the rural location and the scale of the existing operation in Sierra Vista, it is likely that this proposed use could potentially attract about double the vehicle trips for a residential unit but not much more than the high end of the range for a single home (21.85 high end range of a single dwelling unit).

Trip generation for this scale of operation, with 1 to 3 employees, and including the residential component, would likely range from 21.96 to 37.25 vehicles per day. *ITE Manual, 8th edition*. Most vehicle trips would occur off-peak hours. The applicant does not anticipate operating the proposed business during the weekends at this time.

Volcano Lane

Immediately west of the subject parcel is a Volcano Lane, a 50 foot roadway that was dedicated to the public (Docket 902, page 459) but is not in the county maintenance system. This segment ends further north at Piette Drive and also continues much further to the south. Past Piette Drive this "roadway" is significantly reduced in width and then disappears. In the past this applicant has applied for an ROW/Encroachment Permit to provide mowing and vegetation removal within this public easement. The applicant also accesses his parcel from Volcano Lane under ROW/Encroachment Permit 20070733 obtained on November 26, 2007. Further north of this subject parcel there is significant encroachment by another property owner into this easement for private uses.

The applicant may wish to consider independently or jointly with other property owners along Volcano Lane requesting an abandonment of this portion of the public easement from Astro St. to Piette Drive. However, this is not a requirement of this permit because an abandonment action is a separate action of the County requiring a different level of review and because the inappropriate use of this easement is not being caused by the applicant. Nevertheless, the applicant may desire to have private control over that easement immediately adjacent to his parcel and this department's preliminary review would lead us to tentatively support such a request.

Driveway Access

This site has two improved driveway accesses to Astro St. established under a County Right-of-Way/Encroachment permit 910488 on July 9, 1991. A circle driveway was then established with appropriate hard surfaces connecting the county-maintained roadway. It is the applicant's responsibility to maintain those access aprons in good condition.

Site Plan Deficiencies

The site plan submitted with the Special Use Authorization application is adequate for a conceptual plan. It will not be adequate at the Commercial Permit stage. Typically, at the Special Use phase the applicants are advised of potential deficiencies in their site plan to address at the Commercial Permit stage. Although this is a re-use of an existing site the level of detail for the Commercial Permit site plan is helpful for the applicant to have. We prefer site plans that are to

scale, although if not to scale, indicating that on the site plan is acceptable. (e.g. Note NTS on the plan). The following dimensions will be needed on the site plan at the Commercial Permit phase:

1. Dimensions of the parcel
2. Dimensions of the driveway width
3. Dimensions of the driveway radii
4. Dimensions of the distance between the edge of driveway and the parcel boundaries
5. The back access to this location off of Volcano Lane is not shown, identify and show dimensions.
6. The surfacing of the driveway and parking areas not shown
7. The handicapped parking are not noted
8. The square footage of the buildings on site
9. Frame the site with the 50 foot Astro Street to the south and the 50 foot Volcano Lane to the west.
10. Provide, per Zoning Code 1807.06, sight distance triangles for the both driveway access locations.

This may not be a complete list but failure to include these details will likely cause the submitted Commercial Permit to be found deficient by this department and/or the Highway Dept. The applicant may wish to take a look at their permit application site plan dated June 19, 1991 as it includes many of these missing details.

Site Standard Modification Request: Driveway Surface Material

The applicant has requested a waiver to the driveway surface material standard. Given the anticipated low volume of traffic for this proposed use and the pre-existing driveways with authorized driveway access aprons in place, this department would not have an objection to granting that modification. As the business develops over time, the applicant would be encouraged to continually improve the site conditions and provide additional gravel or other dust-control mitigation and eventually improve to a hard-surfaced travel area on the site.



***Cochise County Planning Department &
Fry Fire District***

**Joint Project Review Approval for Commercial Permits &
Subdivisions.**

Attn:

Date: 1-13-16

Project Name: Dennis and Darci Richardson

Project Address: 3499 E Astro Street

Project Tax ID #: 105-39-025D

Scope of Project: Special Use Request, Spa and Retail services in a residential area.

- APPROVED
- APPROVED with CONDITIONS
- DENIED
- APPROVAL NOT REQUIRED
- FRY FIRE FEES PAID

Remarks:
The Fry Fire District has no concerns with the special use request. However, the applicants should be advised that the structure and property will have to comply with requirements of the International Fire Code (2012) during the permitting process.

Thank you,

Fire Prevention Officer:

Fry Fire District
Attention: Fire Prevention Office
4817 Apache AVE
Sierra Vista, AZ. 85650

Mike McKearney (520) 439-2239

From: Jeff Pregler [Jeff.Pregler@SIERRAVISTAAZ.GOV]
Sent: Tuesday, January 05, 2016 10:18 AM
To: Gardner, Peter B
Subject: RE: Transmittal SU-15-26 (Richardson)

Hi Peter,

The City of Sierra Vista has no comments regarding the Special Use Permit request. Thank you for allowing the City to review the request. Let me know if you have any additional questions.

Jeff Pregler
City of Sierra Vista
Senior Planner
(520) 439-2203



From: Gardner, Peter B [<mailto:PGardner@cochise.az.gov>]
Sent: Monday, January 04, 2016 4:08 PM
To: Riggs, Karen C; Lamberton, Karen L; Solis, Joaquin; Cratsenburg, Diane E; 'Mike McKearney'; Hudgins, Pamela A; Izzo, Michael D; Flores, Dora V; Hanson, Britt W; Jeff Pregler
Cc: Dist1a; Dist1b; Dist1c; Dist2a; Dist2b; Dist2c; Dist3a; Dist3b; Dist3c; Esparza, Paul; Drake, Jesse; Henry, Jim; Call, Pat G; English, Ann S; Searle, Richard R
Subject: Transmittal SU-15-26 (Richardson)

Please review the attached transmittal and have any comments back no later than January 25. Thank you and regards,

Peter Gardner
Planner I
Cochise County Community Development
Planning, Zoning, and Building Safety Division
1415 Melody Lane, Building E
Bisbee, AZ 85603
520-432-9300
520-432-9278 fax

Public Programs...Personal Service
www.cochise.az.gov

43 C



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

DATE: January 5, 2016

TO: Peter Gardner, Planner I

FROM: Pam Hudgins, Right-of-Way Agent II

SUBJECT: Special Use Permit for Richardson (SU-15-26)

Background: Dennis and Darci Richardson the applicants, are requesting a Special Use authorization for wellness and spa services, with accessory retail sales, in a Residential (R) zoning district. The proposed use is considered Personal and Professional Services and requires a Special Use Authorization per Section 707.04 of the Zoning Regulations. Right-of-Way staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access for the subject parcel is from Highway 92 west on E Astro Street approximately ¼ mile. The subject parcel APN 105-39-025D adjoins and derives access from E Astro Street, a County Maintained Road (#46).
- Astro Street is functionally classified as a Rural Minor Access road and has a 2001 ADT count of 347. Per Figure D-103 of the County Road Construction Standards, the minimum right-of-way width required is 50'.
- Astro Street is established as a Declared County Highway per Resolution 93-13 recorded 2/22/1993, at an unspecified width, but at a minimum to include the traveled way together with borrow ditches, roadway shoulders and all incidents thereto.
- Astro Street was dedicated to the public per Docket 842 page 350 and recorded March 1973 at a width of 50'.
-

Recommendation:

- Regarding existing right-of-way needs for County Maintained Roads, no further dedication is required at this time for Astro Street.

Special Use Docket SU-15-26 (Richardson)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

Yes!

Horizontal lines for writing reasons.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Horizontal lines for writing reasons.

(Attach additional sheets, if necessary)

PRINT NAME(S): Joseph G. Piette

SIGNATURE(S): [Handwritten Signature] 3538 Piette Dr.

YOUR TAX PARCEL NUMBER: 105-39-0280 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, January 25, 2016 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by February 9, 2016 to have your support or non-support noted verbally noted at the meeting; or you may personally make a statement at the public hearing on February 10, 2016. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-15-26 (Richardson)

X YES, I SUPPORT THIS REQUEST

Please state your reasons:

THERE ARE BUSINESSES ON DEMELLO NOW, SO WHY NOT ONE MORE? WE DON'T FEEL IT WILL INTERFERE WITH OUR CURRENT LIFE STYLE, BUT THANK THE BOARD FOR ASKING!

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

HODGES JAMES T & JANICE M.

SIGNATURE(S):

James T. Hodges
Janice M. Hodges

YOUR TAX PARCEL NUMBER: 105-39-020A

(the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, January 25, 2016 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by February 9, 2016 to have your support or non-support noted verbally noted at the meeting; or you may personally make a statement at the public hearing on February 10, 2016. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

JAN 29 2016

PLANNING

46 D