

COCHISE COUNTY PLANNING & ZONING COMMISSION
FINAL MINUTES
July 8, 2015
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 Subdivision Tentative Plat Docket extension, one Rezoning Docket, two Special Use Authorization Dockets, and one Special Use Modification 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; seven Commissioners (Jim Martzke, Carmen Miller, Gary Brauchla, Patrick Greene, Wayne Gregan, Nathan Watkins, and Pat Edie) indicated their presence. Staff members present included; Mary Gomez, Interim Planning Director; Britt Hanson, Chief Civil Deputy County Attorney; Peter Gardner, Planner I; Jesse Drake, Planner II; Jim Henry, Planning Intern; and Janet Smith, Secretary II.

APPROVAL OF THE MINUTES

Motion: Approve the minutes of the June 10, 2015 meeting. **Action:** Approve

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

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 2)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gregan, and Ms. Edie

No: 0

Abstain: Mr. Greene and Mr. Watkins

CALL TO THE PUBLIC:

There were no speakers.

NEW BUSINESS

***Item 1* NOT A PUBLIC HEARING Docket S-08-02 (Red Hawk):**

A request for a one-year extension of the Red Hawk III, Unit IV subdivision tentative plat to March 24, 2016 for a 99-lot subdivision south of Interstate 10, west of Benson, AZ. The Developer is Thunder Ranch Estates Unit IV, LLC represented by Mr. Jim Vermilyea.

Chairman Greene called for the Planning Director's report. Planner II 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 closed by listing factors in

favor for and against approval and invited questions from the Commission. There being no further discussion, Mr. Greene asked the Applicant to make a statement.

Mr. Jim Vermilyea from Tucson introduced himself as the Applicant, and explained the request and the background of the Red Hawk Subdivisions and invited questions.

Mr. Martzke made a motion to forward the docket to the Board of Supervisors with a recommendation of approval with the conditions recommended by Staff. Mr. Gregan seconded the motion and Mr. Greene called for a vote. The motion passed unanimously.

Motion: Motioned to Forward the Plat to the Board with a recommendation of Approval with Conditions recommended by Staff. **Action:** Forward to the Board with a recommendation of Conditional Approval.

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

Vote: Motion passed (**Summary:** Yes = 7, No =0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Green, Mr. Gregan, Mr. Watkins, and Ms. Edie

No: 0

Abstain: 0

Item 2 PUBLIC HEARING Docket Z-15-04 (Klump):

A request to rezone 333 acres outside Willcox from SR-8 (Single Household Residential) to LI (Light Industry) for the construction of a Marble Cutting Plant, and other future commercial or industrial development between S. Haskell Ave and S. Railroad Ave in Willcox, AZ, directly west of incorporated city limits. The Applicant is Klump Ranches, LLC.

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

Mr. Greene then opened the Public Hearing. Mr. Matthew Klump of Bowie, the Applicant, explained the request, and offered to take questions. There being no speakers in support or opposition, Mr. Greene closed the Public Hearing and invited discussion. Mr. Greene asked Staff about curb cuts onto the property from Haskell Avenue. Mr. Gardner explained that Haskell Avenue was an ADOT road, and would be the agency with jurisdiction, and that the site had approximately 3,500 feet of frontage, which would permit multiple safe access points. There being no further discussion, Mr. Greene asked for Staff's recommendation. Mr. Gardner recommended Conditional Approval with the Modifications requested by the Applicant. 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. The motion passed 7-0.

Motion: Motioned to Forward the Docket to the Board of Supervisors with a Recommendation of Approval with the Conditions recommended by Staff **Action:** Forward with a recommendation of Conditional Approval

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

Vote: Motion passed (**Summary:** Yes = 7, No =0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Greene, Mr. Gregan, Mr. Watkins, and Ms. Edie
No: 0
Abstain: 0

Item 3 PUBLIC HEARING Docket SU-15-11 (Dickamore):

A request to allow a Contract Construction Service at an R-36, Residential zoned property at 7101 S. Dos Amigos Lane in Hereford, AZ. The Applicant is Dale Dickamore.

Chairman Greene called for the Planning Director's report. Planner I Peter Gardner presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Gardner also explained Staff's analysis of the request. He 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, Mr. Dale Dickamore of Hereford, spoke, explaining the background and rationale behind the request. Mr. Greene then asked for speakers.

Ms. Patricia Hynds of Hereford spoke in opposition, citing concerns regarding noise, traffic, garbage and junk, and property values. She also spoke regarding previous illegal activity on the site. Ms. Hynds also raised concerns regarding the dwellings on the north portion of the property.

Mr. Edward Garcia of Hereford spoke, identifying himself as the developer of one of the adjacent subdivisions. He noted that he shared the previous speaker's concerns, but felt that Mr. Dickamore had addressed the issues, and felt that the proposal was a good use of the property.

There being no further speakers, Mr. Greene asked the Applicant to rebut. Mr. Dickamore addressed concerns about the volume of traffic and noise, and explained his ongoing clean-up efforts to improve the property. Mr. Gregan asked about fencing. Mr. Dickamore stated that he would be fencing portions of the property for storage and security. Mr. Watkins asked if the Applicant had plans for further splits. Mr. Dickamore stated that he did plan to install or construct additional homes on the northern portion of the site, but would not split the portion with the Special Use. Mr. Martzke asked about the ownership, which Mr. Dickamore clarified that he had the property under contract. Mr. Greene then closed the Public Hearing and invited discussion. There being no further discussion, Mr. Greene asked for Staff's recommendation. Mr. Gardner recommended Conditional Approval with the requested Modifications. Mr. Greene called for a motion. Mr. Gregan made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Mr. Watkins seconded the motion. Mr. Gregan asked Staff about required separation and fencing requirements. Mr. Gardner noted that the request met the increased setback requirements and that there were screening requirements. Mr. Greene called for a vote. The motion Passed 7-0.

Motion: Motioned to Approve the Docket with Conditions and Modifications recommended by Staff. **Action:** Conditional Approval with Modifications.

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

Vote: Motion passed (**Summary:** Yes =7, No =0, Abstain = 0)

Yes:

Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Greene, Mr. Gregan, Mr. Watkins, and Ms. Edie

No: 0

Abstain: 0

Item 4 PUBLIC HEARING Docket SU-15-10 (Red Horse Expansion):

A request to approve a 30 megawatt expansion of the Red Horse solar facility adjacent to the existing solar facility northwest of Willcox, AZ. The project will include new transmission lines to the existing substation. The applicant is Red Horse III LLC. Chairman Greene called for the Planning Director's report. Planner II 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 closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Greene then opened the Public Hearing. Mr. John Kilberg and Ms. Sara Born of Torch Green Energy, the Applicant, explained the request, using a prepared presentation, and offered to take questions. The Applicant spoke regarding the Army's concerns about potential interference to the Electronic Testing Range. There being no speakers in support or opposition, Mr. Greene closed the Public Hearing and invited discussion. There being no further discussion, Mr. Martzke asked for Staff's recommendation. Ms. Drake recommended Conditional Approval with the Modifications requested by the Applicant. Mr. Greene called for a motion. The conditions were discussed, noting that several of the previous conditions were based on the previous project was located on public land, and this portion was on private land and several conditions were not required. Mr. Gregan made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff, striking Conditions 6 and 7 as not necessary as the request was on private land. Mr. Martzke seconded the motion. There being no further discussion, Mr. Greene called for a vote. The motion passed 7-0.

Motion: Motioned to Approve the Docket with Conditions and Modifications recommended by Staff, removing Conditions 6&7. **Action:** Conditional Approval with Modifications.

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

Vote: Motion passed (**Summary:** Yes = 7, No =0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Greene, Mr. Gregan, Mr. Watkins, and Ms. Edie

No: 0

Abstain: 0

Item 5 PUBLIC HEARING Docket SU-08-17B (All the King's Horses):

A request for a Modification to revise and expand the existing Special Use for Foster Children's Ranch on an RU-4, Rural zoned property to triple the number of residential units, add two duplexes for respite parents, add an RV park for volunteers, and expand recreational and education services for the children at 543 S. Grapevine Loop in Benson, AZ. The Applicant is Dan Syson, Executive Director, All the King's Horses. Chairman Greene called for the Planning Director's report. Planner I Peter Gardner presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Gardner also explained Staff's

analysis of the request. He 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, Mr. Dan Syson of Benson, spoke, explaining the background and rationale behind the request. He explained the history of the organization and the plans for expansion. Mr. Greene then asked for speakers.

Ms. Vickie Marie of Benson spoke, noting that she lived adjacent to the property. She expressed concerns about the access, which she, along with several other property owners, shared with the Children's Ranch. Ms. Marie expressed concern regarding property values and taxes, and worried about the proximity of the proposed new homes to her home.

Ms. Ana Lucore of Benson spoke, identifying herself as the founder of the Children's Ranch. She spoke about the access road and their efforts to maintain it.

Ms. Kathy Stevens of Benson spoke in support of the request.

There being no further speakers, Mr. Greene asked the Applicant to rebut. Mr. Syson addressed the road issue and their ongoing maintenance to the road, noting that the access was a private access that was used with permission from Union Pacific. Mr. Syson explained the distance between the proposed new homes and the property line adjoining Ms. Marie's property. Mr. Greene then closed the Public Hearing and invited discussion. Mr. Gregan expressed concern regarding the access issue and road maintenance. Mr. Gardner clarified that the zoning regulations would require a private road maintenance agreement to be signed by the Applicant. There being no further discussion, Mr. Greene asked for Staff's recommendation. Mr. Gardner 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. Miller seconded the motion and Mr. Greene called for a vote. The motion 6-1, with Mr. Gregan opposed.

Motion: Motioned to Approve the Docket with Conditions and Modifications recommended by Staff. **Action:** Conditional Approval with Modifications.

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

Vote: Motion passed (**Summary:** Yes =6, No =1, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Greene, Mr. Watkins, and Ms. Edie

No: Mr. Gregan

Abstain: 0

PLANNING DIRECTOR'S REPORT:

Next P&Z Commission meeting

August 12, 2015

- a. SU-15-12 (Ramirez) Contract construction in R-36
- b. R-15-03 (Zoning Regulations Update)
- c. Special Use for new Solar Plant (AEPCO)

Upcoming:

July 22, 2015 – Board of Adjustment 1

- a. BA1-15-02 (Kirkland) – Request for Height Variance in R-36 for an accessory garage building

August 5, 2015 – Board of Adjustment 2

- a. BA2-15-01 (Malone) Request for Interpretation of Administrative ruling regarding utilities
- b. BA2-15-02 (Family Dollar Elfrida) Request for Sign Variance

Recent Board of Supervisors actions

- a. Unanimous approval of an extension, to December 31, 2020, of the rezoning for the Bowie Power Plant.

CALL TO COMMISSIONERS ON RECENT MATTERS:

None

ADJOURNMENT – Mr. Watkins moved to adjourn, Mr. Brauchla seconded, and the meeting was adjourned at 5:35 pm.