



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

MEMORANDUM

TO: Cochise County Board of Supervisors
THROUGH: Ed Gilligan, County Administrator
FROM: Peter Gardner, Planner I
FOR: Daniel Coxworth, AICP, Planning Director
SUBJECT: Docket Z-18-01 (Pena)
DATE: February 15, 2018 for the February 27, 2018 Meeting

APPLICATION FOR A REZONING

The Applicant is requesting a rezoning from R-9 (Residential; one dwelling per 9,000 square feet) to GB (General Business). The request is to facilitate the construction of a Trucking Terminal. The subject parcels total 11.87 acres (516,857.16 square feet) in size.

The subject parcels, APN 408-23-013D & 408-23-013E, are located on the south side of E. Merritt Ave between N. I Ave and N. Sulphur Springs St in unincorporated Douglas. The Applicants are Maby C. Pena & Ricardo Andres Pena Cruz.

I. PLANNING & ZONING RECOMMENDATION

On Wednesday, February 14, 2018, the Planning and Zoning Commission voted 6-0 to forward this Docket to the Board of Supervisors with a recommendation of approval. The motion included the conditions of approval recommended by staff, as well as a modification to permit the existing homes to remain in place with non-conforming setbacks.

II. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size:	11.87 acres (517,057 sq. ft.)
Current Zoning:	R-9 (Residential; one dwelling per 9,000 square feet)
Proposed Zoning:	GB (General Business)
Growth Area:	B – Community Growth Area
Plan Designation:	Developing
Area Plan:	None
Existing Uses:	Small Mobile Home Park/Vacant
Proposed Uses:	Truck Terminal/Storage Yard

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

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	County Maintained Road/R-9	E. Merritt Ave/Vacant
South	R-9/LI	Equipment Storage/Mobile Home Park
East	GC (City, General Commercial)	Freight Forwarder/Truck Terminal
West	R-9/GB	Single Family Residential/ Mobile Home Park/Warehouse

III. PARCEL HISTORY

A small mobile home park was established in 1973, and through lot splits is now spread over several parcels. The park occupies approximately one acre in the extreme west side of the property.

IV. NATURE OF REQUEST

The Applicant is requesting to amend the zoning of his 11.87-acre two parcel site west of incorporated Douglas from Residential to General Business to permit parking of trucks engaged in cross-border commerce.

The area surrounding the site is a mixture of residential, commercial, and industrial uses, with other similar trucking uses to the east. The site is bordered along the southeast edge by an ADOT owned wash. This wash is crossed by a bridge at the northeast corner of the property, immediately south of the intersection of E. Merritt Avenue and N. Sulphur Springs Street. There are multiple means of access to the site from Highway 80, of varying levels of appropriateness to heavy truck traffic.

V. ANALYSIS OF IMPACTS

Mandatory Compliance

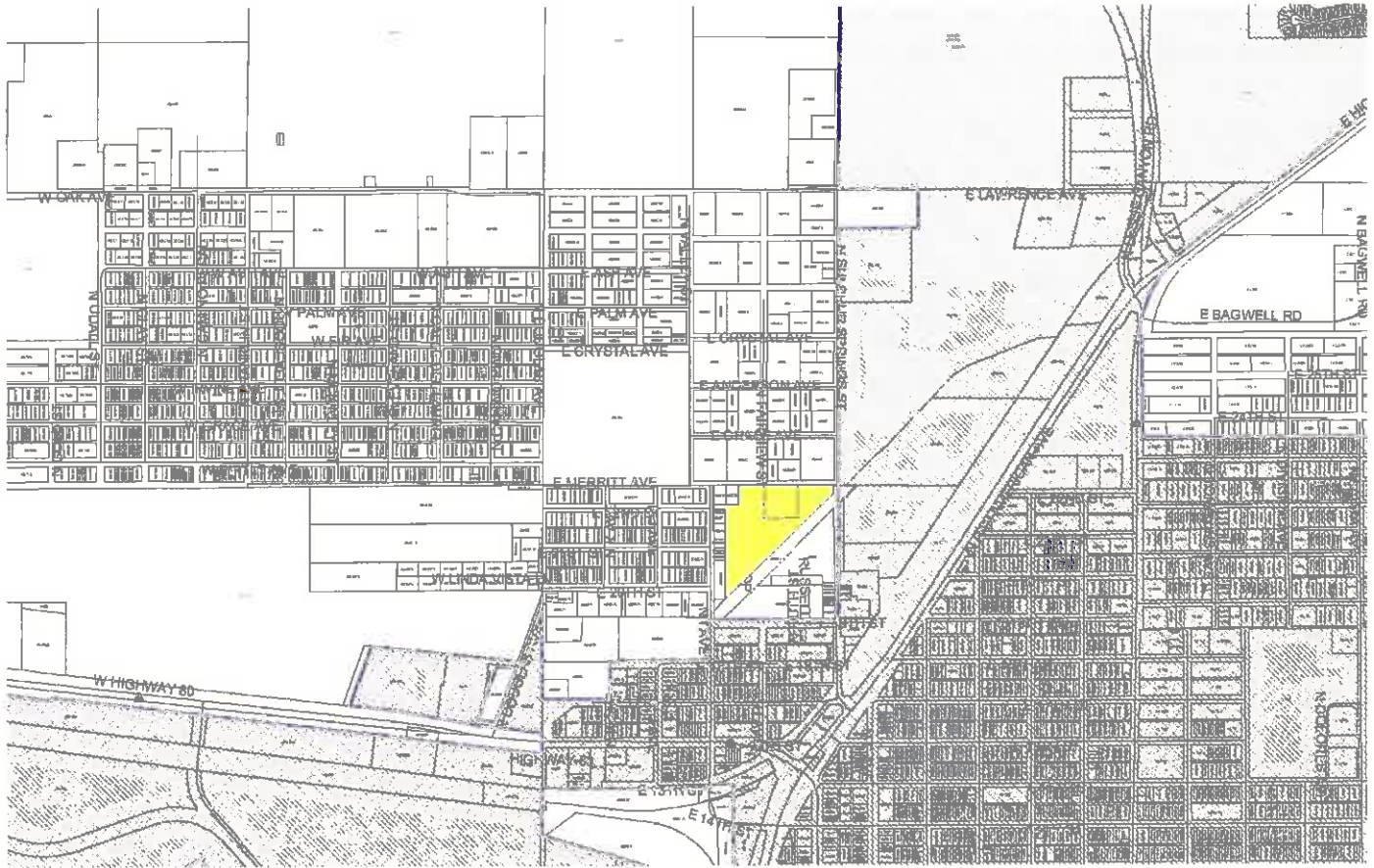
Section 2208.03 of the Zoning Regulations requires that the amendment of Zoning District boundaries take place in compliance with the Comprehensive or Area Plan Designation assigned to the area in question. In this case, the subject property lies within a Category "B" Community Growth Area and is considered an "Development" area per the Comprehensive Plan. GB zoning is permitted in the Category "B," "Development" areas, therefore this request to rezone to GB complies with the Comprehensive Plan as detailed below.

Compliance with Rezoning Criteria

Section 2208.03 of the Zoning Regulations provides fifteen criteria used to evaluate rezoning requests. Fourteen of the criteria are applicable to this request. Five of the factors are met as submitted, one factor is partially met, the other eight are met with conditions and modifications.

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

The Applicant intends to construct a truck storage yard, a use considered Trucking Terminal. At the commercial permit phase, a full site plan will be required, but the submitted concept plan does show that all required site development standards for the yard may be met.



Location Map

2. Compliance with Applicable Site Development Standards: Complies

As noted above, all applicable site development standards may be met. Setbacks will be increased on all sides; however, the site is large enough to accommodate this increase.

3. Adjacent Districts Remain Capable of Development: Complies

The proposal would not affect the development prospects of any neighboring properties. Much of the surrounding area is developed, and the parcel to the southeast is a wash controlled by ADOT that will not be developed. The parcels to the north are currently undeveloped, but this request will not preclude or limit their developments.

4. Limitation on Creation of Nonconforming Uses: Complies with Modification

If approved, the rezoning will cause the mobile homes on the west side of the property to become non-compliant with setbacks to the west. The required setback will increase from 10 feet to 40 feet. As the structures are residences and abut other residential uses, Staff recommends a modification to permit the homes to remain in place along with any potential replacement units, but any non-residential uses must meet the new setback requirements.

5. Compatibility with Existing Development: Complies

The site will abut existing commercial and industrial zonings and uses. It will also abut residential zoning districts; however, those areas already abut or are in close proximity to the existing commercial and industrial zoning districts.



Looking southwest at the site, showing the abutting warehouse

6. Rezoning to More Intense Districts: Complies with Conditions

As noted above, the proposed zoning is a reasonable extension of existing commercial and industrial zoning districts. In addition, the large area of the site permits the use to be situated away from the west side of the property, close to the residential areas. The subject site also has residences which will benefit from this orientation.

7. Adequate Services and Infrastructure: Complies with Conditions

The site has existing electric, gas, water, and sewer service. Pirtleville Fire provides fire service, with support from the Douglas Fire Department.

Staff does have concerns about traffic that will also be addressed in the next point. There is a bridge on N. Sulphur Springs Street crossing the previously referenced wash, immediately south of the intersection with E. Merritt Avenue. Previous County Engineers have expressed concerns about the integrity of this bridge. Increasing the amount of heavy truck traffic over this bridge, coupled with the turning movements that the trucks would make while still on the bridge have the potential to negatively impact the structure of the bridge. Staff would recommend that truck traffic be routed around the bridge.



The residences along the west side of the property.

8. Traffic Circulation Criteria: Complies with Conditions

This rezoning request has the potential of routing truck traffic through residential streets. There are three potential access routes to the property. The first runs along N. Sulphur Springs Street, which as noted above, crosses a bridge that may not be adequate for the proposed use. The second runs along N. I Avenue, which would route the truck traffic through several blocks of a residential neighborhood, including homes and public parks. Both routes require turning movements with sharp radii that trucks may have difficulty navigating. The third route exits Highway 80 onto N. Leslie Canyon Road, then east onto E. Lawrence Avenue, then south onto N. Sulphur Springs Street. The route is primarily commercial, industrial, and government uses. It avoids the bridge, residential areas, and corners which may be difficult for trucks to navigate.

9. Development Along Major Streets: Complies with Conditions

If the route suggested above is used, it directs traffic on and off Highway 80 at an intersection with a signal rather than at narrow, unsignalled side streets.



The bridge on N. Sulphur Springs Street.

10. Infill: Partially Complies

Rezoning to General Business are encouraged to be located in areas designated as Enterprise or Enterprise Redevelopment to discourage sprawl.

This site is within a designated Developing Area, which is a catchall designation for mixed use areas such as this. The proposal does not alter the overall pattern of development in the area, and may push towards a re-designation of the area as Enterprise.

11. Unique Topographic Features: Complies with Conditions

While there are no applicable features on the site, it does immediately abut a major wash along the southeast edge. Setbacks from the wash will be enforced at commercial permitting. Most of the site is also located in the designated flood plain, and the appropriate regulations will also apply during permitting.

12. Water Conservation: Complies with Conditions

Upon commercial permitting, all applicable regulations will require compliance.



The wash.

13. Public Input: Complies

The Applicant completed a Citizen Review and received no response. Staff mailed notices to neighboring property owners within 1,000 ft. of the subject property on January 4, 2018. Staff posted the property on January 30, 2018 and published a legal notice in the *San Pedro Valley Sun-News* on January 24, 2018. Two responses in support and five in opposition were received. The letters in opposition cited concerns about traffic on Highway 80 at N. I Avenue and N. Sulphur Springs Street, traffic through the residential area, noise, fumes, privacy, dust, the existing conditions of the residential areas. The proposed route will prevent traffic from impacting at least three of the four properties in question. The existing requirement for solid screening, along with locating the use away from the residences to the west will mitigate the noise, fumes, and privacy concerns.

14. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

15. Compliance with Comprehensive Plan: Complies

The subject property lies within a Category "B"-- Community Growth Area and is considered an "Development" area per the Comprehensive Plan. This designation is intended to include area with mixed uses until a clear pattern of development occurs. This request would push towards a designation of Enterprise.

The proposal is also supported by the Economic Development element of the Comprehensive Plan, by creating new employment and trade opportunities.

VI. PUBLIC COMMENT

In response to County mailings, the Planning Department has received two responses in support and five in opposition.

VII. SUMMARY AND CONCLUSION

The request is for a rezoning, from R-9 (Residential; one dwelling per 9,000 sq. ft.), to GB (General Business) on an 11.87-acre parcel located northwest of incorporated Douglas. At this time, the area is characterized by mixed land uses, tending towards commercial and light industrial to the east and south, and residential to the west. The Applicant proposes to use the site for truck storage. The Cochise County Comprehensive Plan designates the site as Developing, which permits for future residential or commercial growth as appropriate prior to re-designation as Enterprise or Neighborhood Conservation.

Factors in Favor of Approval

1. Allowing the request would be in keeping with the character of the existing development in the area;
2. The Comprehensive Plan policies prescribe Developing areas to grow towards build-out. This request would infill a large undeveloped area, indicating the direction of future development;
3. The request will continue an existing effort to replace and revitalize distressed or vacant properties with conforming development;
4. Two letters of support have been received.

Factors Against Approval

1. The rezoning will create a land use with more neighborhood impacts than would be permitted under the existing zoning; and
2. There is a potentially unsound bridge along one potential access route to the site; and
3. Five letters of opposition have been received

VIII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the request for a rezoning, from R-9 (Residential; one dwelling per 9,000 sq. ft.) to GB (General Business) on an 11.87-acre parcel located on the south side of E. Merritt Avenue between N. I Avenue and N. Sulphur Springs Street in unincorporated Douglas to the Board of Supervisors with a recommendation of **Conditional Approval**, subject to the following Conditions and Modifications:

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. The Applicant shall direct truck traffic along the route designated above.

Modification - The existing homes may maintain a ten-foot setback from property lines.

VIII. ATTACHMENTS

- A. Application
- B. Location Map
- C. Agency Comment Memos
- D. Public Comment



**Cochise County
Community Development
Planning, Zoning and Building Safety Division**

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

COCHISE COUNTY REZONING APPLICATION

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

1. Applicant's Name: MARY C. PENNA & RICARDO ANDRES PENNA CRUZ

2. Mailing Address: 3246 N. LINCOLN AVE

<u>DOUBLAS</u>	<u>AZ</u>	<u>85607</u>
City	State	Zip Code

3. Telephone Number of Applicant: 520-227-6481

4. Telephone Number of Contact Person if Different: RAUL ENRIQUEZ 520-358-6100

5. Email Address: rckypc@hotmail.com

6. Assessor's Tax Parcel Number: 408-23-013E⁵ (Can be obtained from your County property tax statement)
408-23-013D6

7. Applicant is (check one):

- Sole owner:
- 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:

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

- If corporation, corporate resolution designating applicant to act as agent: _____
- If partnership, written authorization from partner: _____
- If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

9. Attach a proof of ownership for all property proposed for rezoning. Check which proof of ownership is attached:

- Copy of deed of ownership: ✓
- Copy of title report: _____
- Copy of tax notice: _____
- Other, list: _____

10. Will approval of the rezoning result in more than one zoning district on any tax parcel?

- Yes _____ No ✓

11. If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

12. Is more than one parcel contained within the area to be rezoned? Yes _____ No

- If yes and more than one property owner is involved, have all property owners sign the attached consent signature form.

13. Indicate existing Zoning District for Property: R-9

14. Indicate proposed Zoning District for Property: GB

Note: A copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached. Review this criteria and supply all information that applies to your rezoning. Feel free to call the Planning Department with questions regarding what information is applicable.

15. Comprehensive Plan Category: B (A County planner can provide this information.)

16. Comprehensive Plan Designation or Community Plan: DEV (A County planner can provide this information.)

Note: in some instances a Plan Amendment might be required before the rezoning can be processed. Reference the attached rezoning criteria, Section A.

17. Describe all structures already existing on the property: NONE

18. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: _____

COMMERCIAL TRUCK PARK

19. Are there any deed restrictions or private covenants in effect for this property?

- No X Yes _____
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes _____ No _____

- Provide a copy of the applicable restrictions (these can be obtained from the Recorder's office using the recordation Docket number)

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

MERRITT AVE ENTRANCE LOCATED
NORTH OF PROPERTY

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? NONE

23. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	CITY OF DOUGLAS	
Sewer/Septic	CITY OF DOUGLAS	
Electricity	APS	
Natural Gas	SWG	
Telephone		
Fire Protection	DOUGLAS & PIRILEVILLE FIRE	

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).

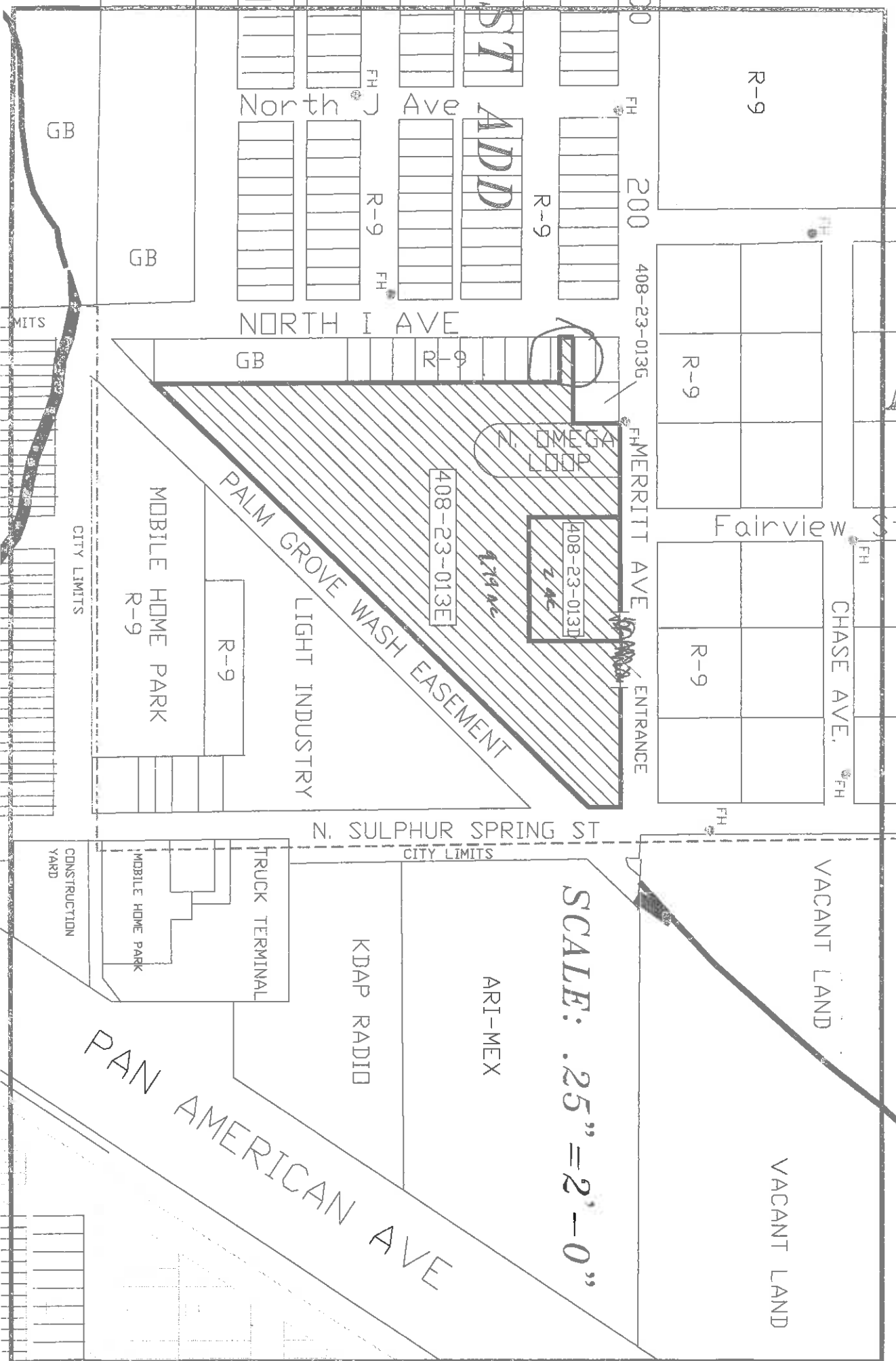
THIS PROPERTY IS NEAR OR ABUTS A LI ZONE
TO THE EAST, GB ZONING AREAS TO THE WEST
TRUCK TERMINAL, ARI-MEX COMMERCIAL LAND TO
THE EAST, MOBILE HOME PARK TO THE SOUTH

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: Moby C Peña

Date: 12/18/17



ST ADD

North Ave

NORTH I AVE

LIGHT INDUSTRY

MOBILE HOME PARK

PALM GROVE WASH EASEMENT

N. SULPHUR SPRING ST

PAN AMERICAN AVE

SCALE: .25" = 2'-0"

R-9

R-9

R-9

R-9

R-9

R-9

R-9

408-23-0133E

408-23-0131

17900

OMEGA LOOP

FERRITT AVE ENTRANCE

CHASE AVE.

VACANT LAND

VACANT LAND

KDAP RADID

ARI-MEX

TRUCK TERMINAL

MOBILE HOME PARK

CONSTRUCTION YARD

GB

GB

GB

R-9

FH

FH

FH

FH

200

408-23-0136

ENTRANCE

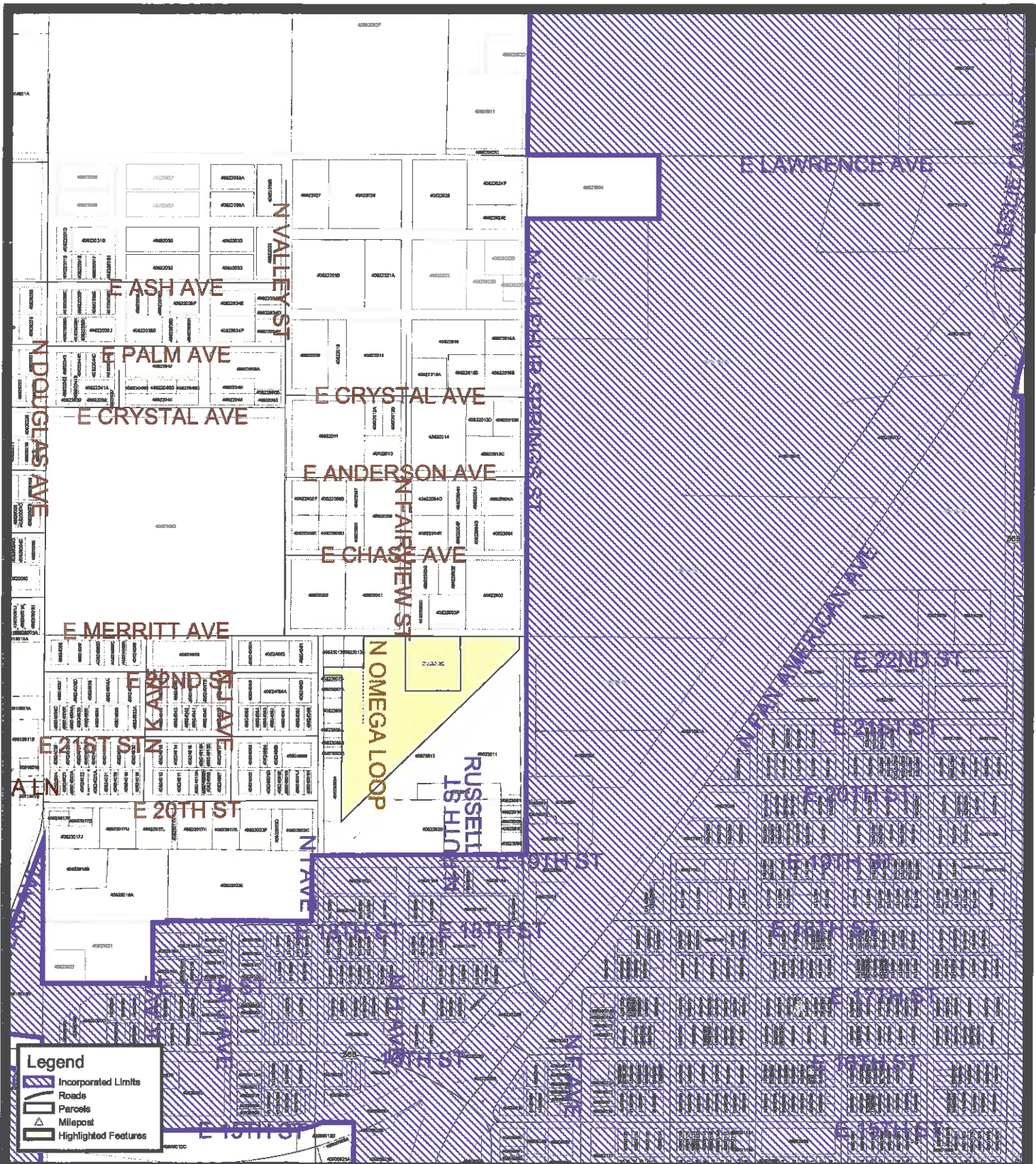
FH

FH

MIT

CITY LIMITS

CITY LIMITS



Legend

- Incorporated Limits
- Roads
- Parcels
- Milepost
- Highlighted Features



Z-18-01
(Pena)

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



Rezoning Docket Z-18-01 (Pena)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

Yes I do support this I am also a business woman and support local businesses to help our economical growth

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S): *Melissa Salcido*

YOUR TAX PARCEL NUMBER: 408-23-017H (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 5 PM on **Wednesday, January 24, 2018** to be included in the staff report to the Commission, and by **Thursday, February 15, 2018** 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 Peter Gardner at pgardner@cochise.az.gov. Comments received after the January 24 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 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-01 (Pena)

X YES, I SUPPORT THIS REQUEST
Please state your reasons:

This property is vacant, and this is a good idea to put it to good use. Plus I am hoping it will give work to some people.

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): CERES LINDA BROWN

SIGNATURE(S): *Ceres Linda BROWN*

YOUR TAX PARCEL NUMBER: 40374051 (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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 Peter Gardner at pgardner@cochise.az.gov. Comments received after the January 24 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 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY
JAN 16 2018
PLANNING

Gardner, Peter B

From: Elsa Rose <elsarose2002@yahoo.com>
Sent: Thursday, February 01, 2018 5:57 AM
To: Gardner, Peter B
Subject: Docket z-18-01 Pena

Hello Mr. Gardner

My name is Elsa Rose and I reside at 340 E Chase Ave Douglas Arizona.

I do not support this request for rezoning...

I am not in favor of the additional traffic this will in pose on the neighborhood...

The additional noise and pollution is also a concern..

I am also concerned what this will do to the property values in our area... Most of us have lived in the area for many years and enjoy our quiet community..

The traffic and the damage to our road caused by the trucking company that is in our neighborhood already is bearly tolerable, one tucking company at my front door is more than enough.

Thank you for your consideration.

Best regards,

Elsa Rose

Try the top-rated email app

Rezoning Docket Z-18-01 (Pena)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

There is already a great deal of traffic at the intersection of Pan American Ave, N. Sulfur Springs Rd, 17th Street and the entrance to the Credit Union. There have been several accidents between these vehicles making a left turn to the Credit Union and those exiting Sulfur Springs Rd to enter Pan American. Residents on 17th Street are elderly + handicapped and often find it hard to cross the street. Extra traffic from a trucking company would be detrimental to our neighborhood.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Trudy Barraza

SIGNATURE(S):

Trudy Barraza

YOUR TAX PARCEL NUMBER:

40825145

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

40825146

40825147

408

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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 Peter Gardner at pgardner@cochise.az.gov. Comments received after the January 24 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 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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:

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Bisbee, AZ 85603

Rezoning Docket Z-18-01 (Pena)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

My wife and I are concerned about noise. Trucks are not quiet. People loading and unloading trucks are not quiet.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Bruce E. Skippar / Ann M. Skippar

SIGNATURE(S):

Bruce E. Skippar
Ann M. Skippar

YOUR TAX PARCEL NUMBER: 40825141 (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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 Peter Gardner at pgardner@cochise.az.gov. Comments received after the January 24 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 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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.

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Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-01 (Pena)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST: *my concerns are the following*
Please state your reasons:

- 1- *Fumes: No matter how New truck are I'm sure they blow fumes out of the pipes*
- 2- *Noise: are truck just going to be parked or left on Running? Time Periods?*
- 3- *Dust: what method is being used to keep dust on the low?*
- 4- *Privacy: Just behind my back yard, which side of parcel are trucks going to be parked at?*
- 5- *What's behind my Back yard Alley/Street or Penas Property?*

(Attach additional sheets, if necessary)

"because it's full of trash & our sewer line runs through here."

PRINT NAME(S): *Betty Grijalva*

SIGNATURE(S): *Betty Gardner*

YOUR TAX PARCEL NUMBER: 408-23-006 (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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 Peter Gardner at pgardner@cochise.az.gov. Comments received after the January 24 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 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

22 January 2018

Chochise County Community Development
Planning, Zoning and Building Safety Division
Bisbee, Arizona 85603

Dear Mr. Gardner, Planner 1

Regarding Docket Z-18-01 (Pena)

I will not be able to attend the public meeting on February 27 since I live in California. Unfortunately, I'll be in Douglas the week before the meeting. Since the meeting is in Bisbee, I doubt it if people would attend. More power for Pena. I'm opposing for this request. It's unbelievable that another trucking wants to be in our area. This area is becoming GHETTTO! Instead of improving this residential area you are allowing another trucking company. I've been living in this area since 1960 and this area was beautiful once upon a time. Now there are trailers which are not kept well it's a disgrace and eye sore. Why can't they have a trucking business outside of our town. For example, around the highway for the prison is. This suppose to be a residential area, right? Just because we are outside the city limits people are taking advantage of taking over our residential area with trucking companies.

I'm pleading that you take a second thought and stop this process. I bet you wouldn't allow this to happen in your residential area. Probably not! Enough is enough with these eye soring trucking businesses. Let's us beautify our area!!

On 20th and K there is a trucking company an another one down the street, which I didn't get a letter to authorize this. Have you been there to check it out. Also on 21st Street and K there is a rental area with lots of cars in there lots. It would be appreciated if you check these areas out. I will try and email you those pictures.

Sincerely,

Yolanda Schroeder (yolanda.schroeder@gmail.com)
2410 Aviation Blvd., Redondo Beach, CA 90278



Cochise County Community Development

Highway and Floodplain Division

Public Programs...Personal Service

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INTEROFFICE MEMO

Date: January 24, 2018
To: Peter Gardner, Planner I
From: Teresa Murphy, Right-of-Way Agent
Subject: Z-18-01 (Pena)

Background: The applicant is requesting a rezoning from r-9 (residential; one dwelling per 9,000 square feet) to GB (General Business). The request is to facilitate the construction of a Trucking Terminal. The subject parcels total 11.87 acres (516,857.16 square feet) in size.

The subject parcels, APN 408-23-013D & 408-23-013E, are located on the south side of E. Merritt Avenue between N. I Avenue and N. Sulphur Springs Street in unincorporated Douglas. They are further described as being situated in Section 12 of Township 24 South, Range 27 East of the Gila and Salt River Bas and Meridian, in Cochise County, Arizona. The Applicants are Maby C. Pena and Ricardo Andres Pena Cruz.

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 via Highway 80, north on N. I Ave, east on E. Merritt Ave, on south side
- Merritt Ave is a County Maintained Road (MI #621) and is classified as a County Collector Road, right-of-way widths between 80' and 100'.
- An undetermined portion of Merritt Ave was dedicated to the public as shown on the map entitled Fairview Addition to Douglas, recorded in Book 0 of Maps and Plats, page 29.

Recommendation:

- Further right-of-way dedication for Merritt Road is requested at this time. Minimum right-of-way for a County Collector Road is 80'. County staff is able to prepare dedication documents for the right-of-way along the North boundary of the subject parcels.

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MEMORANDUM

Date: January 24, 2018
To: Peter Gardner, Planner 1
From: Dennis L. Donovan, P.E., Civil Engineer III for Karen L. Lamberton, AICP, County
Transportation Planner
Subject: Pena Re-Zoning/Z-18-01/Parcel #'s 408-23-013D & 408-23-013E

This re-zoning request proposes changing the approximately 11.87 acre property's zoning designation from R-9 (Residential with one dwelling unit per 9,000 square foot) to GB (General Business.) The Applicants, Maby C. Pena & Ricardo Andres Pena Cruz, indicate a "Commercial Truck Park" as the proposed use if the re-zoning request is approved. Currently the land is mostly vacant with four mobile homes in the extreme northwest corner. Access to the site is from E. Merritt Avenue (Ave.) via N. Sulphur Springs St. and North I Ave. The City of Douglas Jurisdictional (City) Limits are nearby and even touching the site at the northeast corner.

Transportation Analysis

Current zoning would allow for 57 single family residential dwelling units, which is Land Use Code 210 in the ITE Trip Generation 9th Edition manual used for estimating vehicular traffic impacts on the surrounding roadway system. Among many uses, the proposed GB Zoning designation would allow for an Intermodal Truck Terminal under Land Use Code 30 of the ITE manual spread over 11.87 acres. Trip generation estimates for the current and proposed land uses on this site shows the following:

1. For the parcel's land size of 516,857 sf and current zoning allowing one unit per 9,000 sf, there is potential for 57 dwelling units. For a total of 57 single family detached residences, the average vehicular trips per day is just under 543 – about 271 vehicles in and out of the site on an average daily basis. The typical range is estimated to be 245.7 to 1,245.5 trips per day. The peak one-hour average rate in the AM is potentially 43.9 and the peak in the PM is potentially 58.1 average trips in one hour.
2. Average vehicle trips per day (vtpd) for the proposed use in a GB Zone as a Truck Terminal on 11.87 acres is estimated to be 972.15. That potential estimated vehicle trips per day of 972 is about nearly double (1.8 times as many vtpd than average for the residential use. The range is 786.6 to 1,188.0 vehicle trips per day, and the peak one-hour estimated trips could be 91.4 in the AM and 85.9 in the PM.

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Other than the high end range of estimated vehicle trips per day for 57 single family detached dwelling units at 1,245, compared to high end of the truck terminal use range of 1,188, there is an expectation of increased vehicle trips in and out of the site under the proposed zoning designation with a truck terminal as a principal use.

Off-Site Impacts

The off-site impacts on the surrounding street system could be quite significant considering the size, weight, off-tracking turning movements, etc. of trucking operations. The bridge structure for the drainage channel owned by ADOT at the Sulphur Springs Rd. crossing is old, of questionable structural adequacy, and potentially in need of replacement. This bridge structure is near the northeast corner of the site and in all probability within the major traffic circulation pattern for the proposed use.

Advisory Note for the Applicant

The Applicant is strongly encouraged to review the Commercial Permit Application and Questionnaire materials for Transportation related requirements now, so as to proceed with the proposed re-zoning request in an informed manner. A Traffic Impact Analysis is likely to be required if the scale of development maximizes the site potential.

A Commercial Permit application for the building(s) and site work will require the applicant to provide a detailed layout of the site showing the location and details for all proposed driveways that will serve the site. Additional information regarding traffic, including construction impacts, will be asked on the Commercial Permit Application and traffic circulation and parking will be reviewed for adequacy at that time.

Recommendation

The proposed use, or alternative land uses could potentially have a significant impact on the existing localized streets and local transportation infrastructure in the area. However, the site's close proximity to State Highway 80, US Highway 191, and Pan American Highway and the general mix of commercial, light industrial and residential uses in the immediate area are generally compatible with the proposed re-zoning request. Transportation Planning has no objection to the re-zoning, but advises the Applicant that the impact on the area's vehicular and multi-modal transportation system may require on and/or off-site mitigation.