

COCHISE COUNTY

Z-18-01 (Pena)

A request to rezone from R-9 to GB outside
incorporated Douglas

Board of Supervisors
February 27, 2018



Public Programs...Personal Service

COCHISE COUNTY

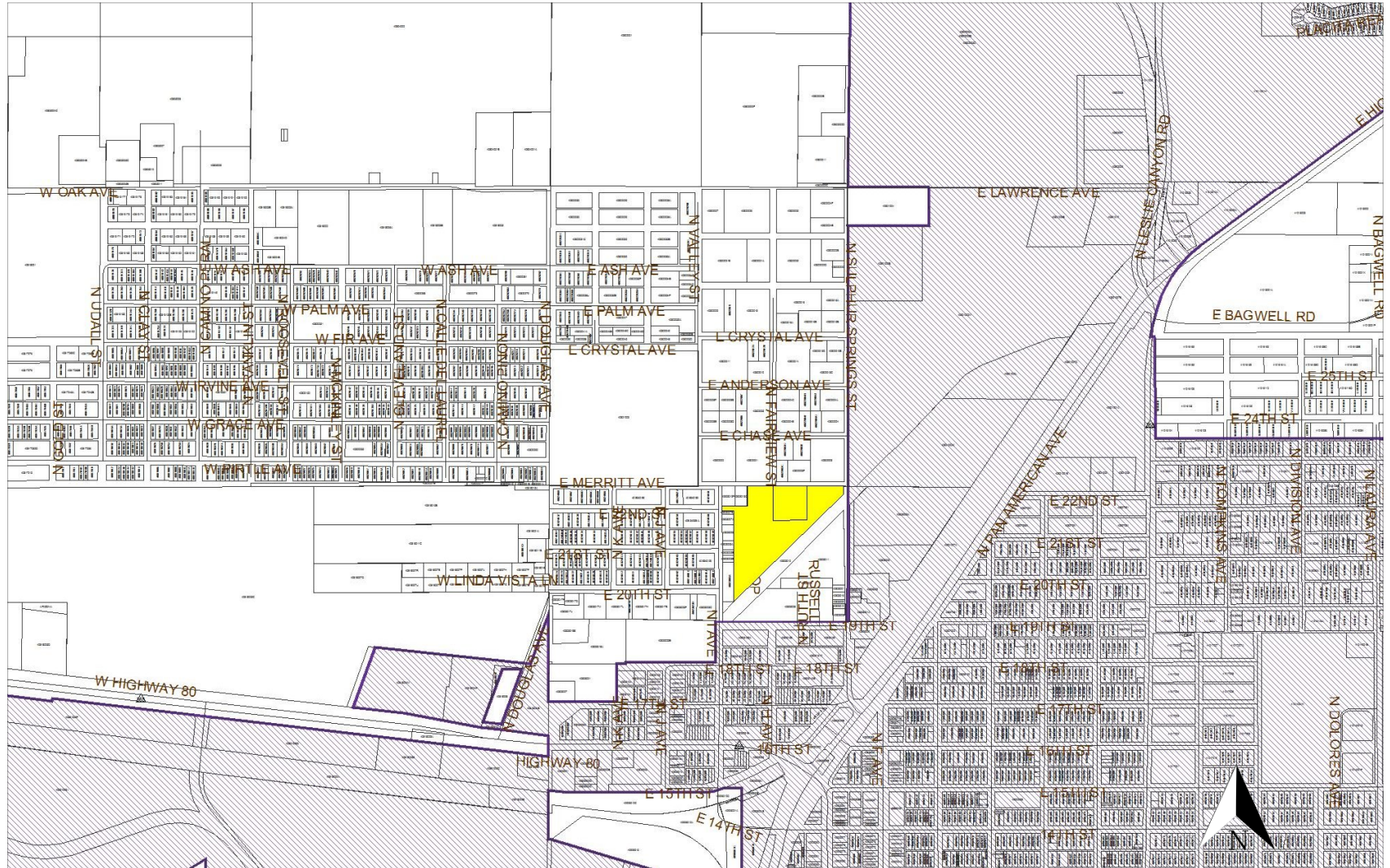
Docket Z-18-01 (Pena)

- The Applicant is requesting rezoning from R-9 (Residential; one dwelling per 9,000 square feet) to GB (General Business) on a 11.87 acre site northwest of Douglas to permit construction of a trucking terminal for cross border commerce.
- The parcels, 408-23-013D/E, are located on E. Merritt Ave, between N. I Ave and N. Sulphur Springs Street.
- On February 14, 2018, the Planning & Zoning Commission voted 6-0 to forward the docket with a recommendation of Conditional Approval, including a modification to site development standards to permit the existing homes to remain in their present locations, which will be rendered non-conforming regarding setbacks from the west property line.
- The Applicants are Maby C. Pena & Ricardo Andres Pena Cruz.



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Location Map:



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Site Photos:

The site



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Site Photos:

Looking southeast across the site.



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Site Photos:

The wash bordering the site



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Site Photos:



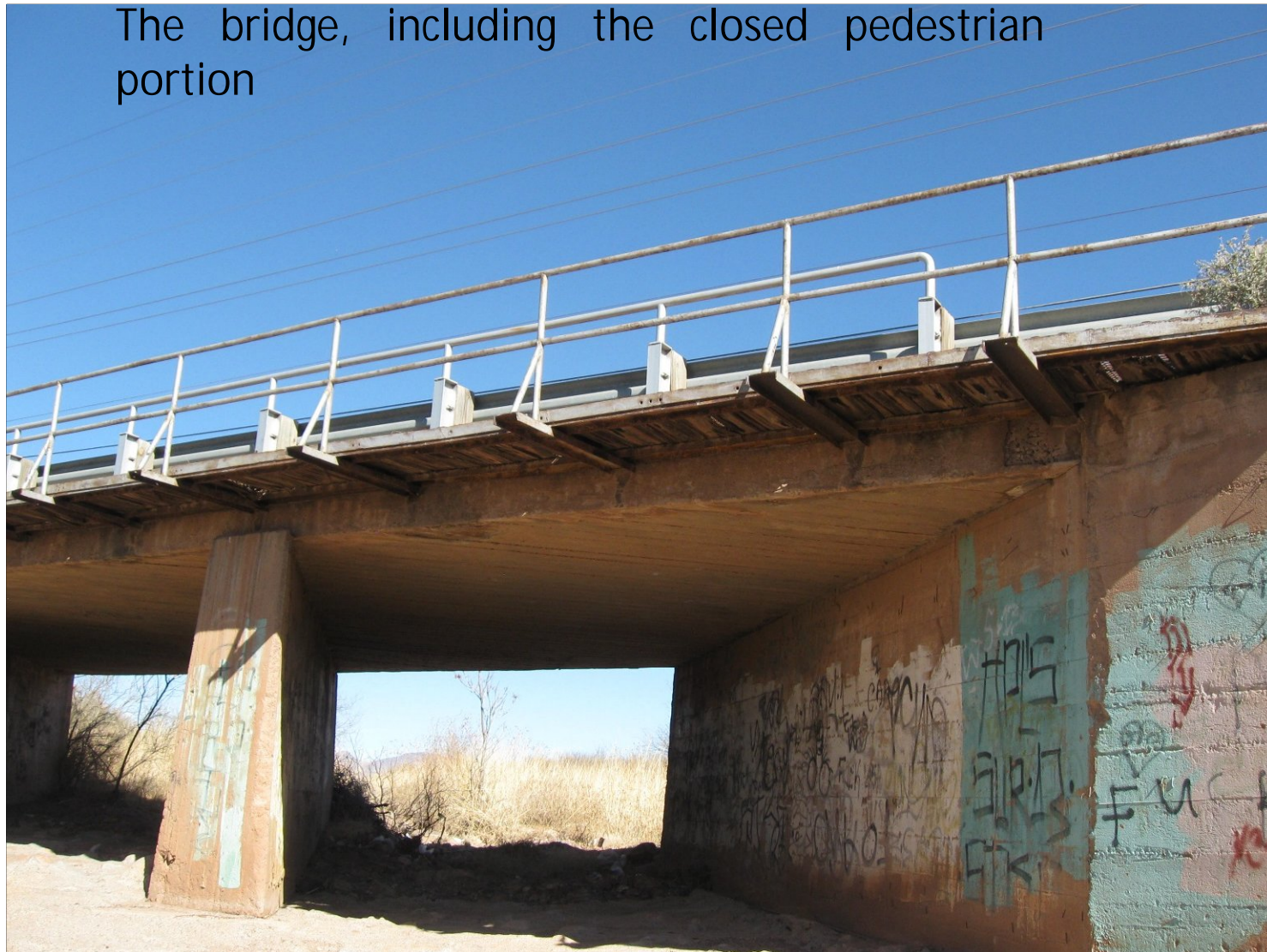
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Site Photos:



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Site Photos:



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Site Photos:

Pedestrian portion closed due to damage



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Site Photos:



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Factors in Favor of Approving the Rezoning:

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 I development;
4. Two letters of support have been received.



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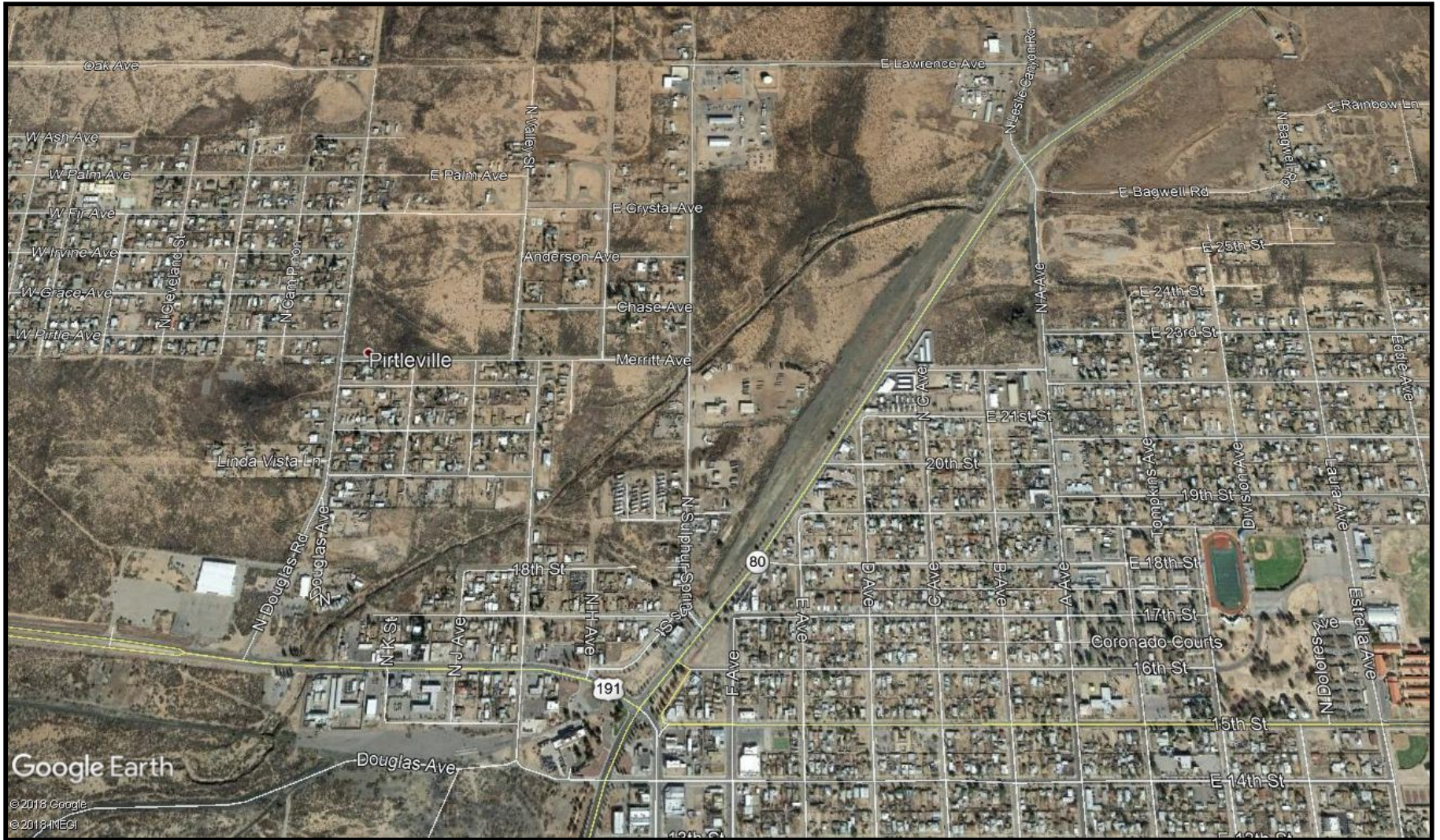
Factors Against Approving the Rezoning:

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



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Discussion:



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Based on the factors in favor of approval, staff recommends Conditional Approval of the Rezoning request, subject to the following Conditions and Modification:

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.

