

Cochise County Planning Commission

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

Regular Meeting
April 11, 2018

4:00 p.m.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).
3. **APPROVAL OF THE PREVIOUS MONTH'S MINUTES**
 1. Approve the minutes of the March 14, 2018 meeting,
4. **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. **ACTION**
6. **PUBLIC HEARING**
 1. SU-18-07 (Majewski) A request for a Day Care Facility in Willcox.
 2. SU-18-06 (Green Desert Patient Center) A request for Medical Marijuana Cultivation and Infusion in Kansas Settlement.
 3. Z-18-04 (Vicencio) The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres) in Willcox.
 4. SU-18-04 (Verdugo) The Applicant requests Special Use Authorization to establish an event center and campground in Douglas.
 5. SU-18-05 (Campos)The Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities in Palominas.

6. SU-93-08C (Arizona Folklore Preserve) The applicant is requesting a Special Use Modification for SU-93-08 to expand parking and legitimize weekend music performances per Section 1716.05 of the Zoning Regulations in Hereford.
7. **PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.**
8. **CALL TO COMMISSIONERS ON RECENT MATTERS.**
9. **ADJOURNMENT**

P&Z Agenda Template

3. 1.

Meeting Date: 04/11/2018

Approve minutes of the March 14, 2018 meeting

Submitted By: Peter Gardner, Community Development

Department: Community Development

Presentation: No A/V Presentation

**NAME
of PRESENTER:**

**TITLE
of PRESENTER:**

Agenda Item Text:

Approve the minutes of the March 14, 2018 meeting,

Background:

Attachments

Draft Minutes

COCHISE COUNTY PLANNING & ZONING COMMISSION
DRAFT MINUTES
March 14, 2018
REGULAR MEETING at 4:00 p.m.

1. 4:00 P.M. - CALL TO ORDER

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. Chairman 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 were one Special Use and two Rezoning Dockets on the agenda. Chairman Greene explained the consequences of a potential tie vote and the process for approval and appeal.

2. ROLL CALL

Chairman Greene noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; eight Commissioners (Jim Martzke, Kim DePew, Patrick Greene, Wayne Gregan, Gary Brauchla, Nathan Watkins, Carmen Miller and Pat Edie) indicated their presence. Staff members present included; Daniel Coxworth, Development Services Director; Paul Esparza, Planning Manager; Elda Orduno, County Attorney's Office; Robert Kirschmann, Planner II; and Peter Gardner, Planner II.

3. APPROVAL OF THE PREVIOUS MONTH'S MINUTES

Motion: Approve minutes of the February 14, 2018 meeting **Action:** Approve

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

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain 3)

Yes: Mr. Martzke, Ms. DePew, Mr. Greene, Mr. Gregan, and Ms. Edie

No: 0

Abstain: Mr. Brauchla, Mr. Watkins and Ms. Miller

4. CALL TO THE PUBLIC – CALL TO THE PUBLIC

None

5. NEW BUSINESS

Item 1 Public Hearing Z-18-03 (Santa Lucia)

Cochise County Development Services is requesting a rezoning from R-36 (Residential, one dwelling per 36,000 square feet) to R-18 (Residential, one dwelling per 18,000 square feet). The request is to make four existing sub-standard lots (three with single family residences) compliant, rebuildable, and the vacant lot buildable.

The subject parcels, APN 107-66-029F (4210 S Santa Lucia Ave), 107-66-029G (4226 S Santa Lucia Ave), 107-66-029C (4409 E Gardner St), and 107-66-029 (4421 E Gardner St) are on the northwest corner of S Santa Lucia Ave and E Gardner Street in Sierra Vista Estates. The parcels are further described as being situated in Section 30 of Township 22 South, Range 21 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is Cochise County.

Chairman Greene called for the Planning Director's report. Planner II Robert Kirschmann presented the docket explaining the proposal, using maps, photos and other visual aids. Mr. Kirschmann noted that this is a County initiated effort, after a citizen purchased parcel from the County at a tax sale that was not compliant with the zoning. After having this parcel brought to Staff's attention, additional non-compliant parcels were noted and included in the application. Staff made contact with each individual property owner and there was no objection to the request. Staff is also requesting approval of modifications to the setbacks, allowing the existing non-compliant homes and structures to remain.

Chairman Greene opened and close the Public Hearing. No one was present to speak on the item.

Chairman Greene then called for Commission Discussion.

Mr. Kirschmann explained that a permit was issued to 107-66-029G in the 1990s in error. The lot did not meet the minimum size which is in part why the County is proactively bringing this item forward. Mr. Kirschmann also answered questions about what to do with other properties in the area and explained that there may be a larger rezoning proposed for the Sierra Vista Estates area in the future.

There being no further discussion, Chairman Greene called for the Planning Director's summary and recommendation. Mr. Kirschmann gave a recommendation of Approval with modification to setbacks for the existing structures. Mr. Greene then called for a motion. Mr. Martzke made a motion to forward the Docket to the Board of Supervisors with a recommendation of Approval. Ms. Edie seconded the motion. Mr. Greene asked for discussion. There being no further discussion, Chairman Greene called for a vote on the motion. The motion passed 8-0.

Motion: Forward to the Board with a recommendation of Approval recommended by staff.

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

Vote: Motion passed (**Summary:** Yes = 8, No =0, Abstain =0)

Yes: Jim Martzke, Kim DePew, Patrick Greene, Wayne Gregan, Gary Brauchla, Nathan Watkins, Carmen Miller and Pat Edie

No: 0

Abstain: 0

Item 2 Public Hearing SU-18-02 (Salas)

The Applicant requests Special Use Authorization to establish an approximately 5,178 square foot Grocery Store per Section 707.09 of the Zoning Regulations. The property is zoned R-36 (Residential; one dwelling unit per 36,000 square feet). Grocery stores are allowed subject to the approval of this Special Use request. The 22,243 square foot, parcel 201-07-117 is located at 5835 MacDonald Drive in the community of Winchester. The Applicant is Graciela Romero Salas.

Mr. Greene noted that the Applicant is ill and unable to attend, however they have requested that the item proceed. The Commission decided to proceed with the item.

Chairman Greene called for the Planning Director's report. Planner II Robert Kirschmann presented the docket explaining the proposal, using maps, photos and other visual aids. There have been no letters in opposition to the project. Through a translator, the owner of El Aragon Market called to voice their

support for the request. A condition of approval is included that requires the Applicant to work with Staff to prepare a compliant parking and circulation plan to be submitted in conjunction with the nonresidential permit.

Chairman Greene opened and close the Public Hearing. No one was present to speak on the item.

Chairman Greene then called for Commission Discussion.

Mr. Gregan asked questions regarding the alley and if screening is really required. Mr. Kirschmann explained that there are no easements for the alley and therefore staff recommends that access not be taken. Staff is requesting modifications to the screening requirements. Typically all the Commercial activity is required to be screened. The recommendation before the commission modifies these requirements, requiring only a three-foot screen around parking to shield headlights and a six-foot screen around the trash enclosure. Ms. Edie questioned the lot size of 36,000. Mr. Kirschmann explained that the lots are all part of a pre-1975 subdivision and are legal non-conforming. The use is allowed subject to a special use.

There being no further discussion, Chairman Greene called for the Planning Director's summary and recommendation. Mr. Kirschmann gave a recommendation of Conditional Approval. Mr. Greene then called for a motion. Mr. Martzke made a motion to approve the Docket with the Conditions and Modifications recommended by Staff, Mr. Watkins seconded the motion. Mr. Greene asked for discussion. There being no further discussion, Chairman Greene called for a vote on the motion. The motion passed 8-0.

Motion: Approve the Docket with Conditions and modifications recommended by Staff

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

Vote: Motion passed (**Summary:** Yes = 8, No =0, Abstain =0)

Yes: Jim Martzke, Kim DePew, Patrick Greene, Wayne Gregan, Gary Brauchla, Nathan Watkins, Carmen Miller and Pat Edie

No: 0

Abstain: 0

Item 3 Public Hearing SU-18-03 (Helping Hands Farm)

The Applicant requests a Special Use Permit to permit the breeding of pigs for medical and research purposes, a use considered Animal Husbandry and requiring Special Use Authorization per Section 707.16 of the Zoning Regulations. The property is zoned R-36 (Residential; one dwelling unit per 36,000 square feet) and accommodates a manufactured home and residential accessory structures. The Applicants have requested Special Use Authorization in order to construct accessory structures for the breeding of pigs for medical and research purposes. The 5-acre site, parcel 202-29-003D, is located at 1363 N. Tys Lane in Willcox, AZ. The Applicant is Helping Hands Farm.

Chairman Greene called for the Planning Director's report. Planner II Peter Gardner presented the docket explaining the proposal, using maps, photos and other visual aids. Mr. Gardner states the proposed use is animal husbandry. This particular use requires USDA approval and licensing. Applicants live onsite and use will be located on south site of parcel. Mr. Gardner explains the regulation for keeping of livestock for personal use and how that interacts with the request for Special Use. Mr. Gardner discusses neighbor opposition and conditions of approval to address their concerns. Additionally, staff shows photo and discusses a portion of the building has already been constructed without permits.

Chairman Greene asked why there was no correspondence from the U of A. Mr. Gardner deferred to the Applicant.

Mr. Gregan stated there is a limit to 12 breeding females in the conditions and asked if there is a limit to the total number of animals kept on site. Mr. Gardner said that Staff has put a limit on breeding females because the smaller animals would come and go and by limiting the breeding females onsite it would cap the other numbers as well.

Mr. Brauchla questioned if the walls under construction, shown in the pictures is onsite. Mr. Gardner confirmed that the photo is of the site and construction was done without a permit. Mr. Brauchla stated that they are being requires to approval an illegal structure.

Mr. Greene asked for the Applicant's statement. Mr. Kevin Caffal of Willcox spoke to explain the request. Mr. Caffal explained his business. He stated that they do not currently have a contract with the U of A. He went on to explain that the U of A requires high cleanliness and USDA approval.

Mr. Greene opened the Public Hearing.

Ms. Paula Blank of Willcox spoke in option to the request. She stated that she spoke to the applicant and if they could convince her that there would be no smell, and promise that property values would not negatively be impacted that she might change her mind. She also raised concerns about future expansion and asked what happens if they do not get the contract.

Mr. Jerry Ellis of Willcox spoke in support to the request.

Mr. Greene allowed the applicant to rebut speakers concerns.

Mr. Caffal stated in response to the comments that they have no plans to expand. All solid waste is picked up and then washed into the underfund tank. He stated he is not sure how often it will be required to be pumped. Hydrochloric acid will be added to help neutralize smells. He could not speak to property values.

Mr. Greene closed the public hearing.

Mr. Brauchla asked if they will build the facility if they do not get the contract. Mr. Caffal responded no, that this is only for medical research.

Mr. Greene stated that he grew up on a dairy farm which was sold to a company that used pigs for medical research. He expressed concerns about the proposal including construction and layout of the buildings. He asked the Applicant if he was aware of the requirements by the USDA.

The Applicant answered Mr. Greene's questions.

Mr. Watkins asked how many boars will be onsite and age are piglets when you transport them.

The Applicant responded that three boars would be located onsite. The babies would range from 2 days old to 40 pounds. Most transportation would be done in crates.

Mr. Gregan expressed concerns about the construction within the floodplain and asked how the Applicant will correct the unpermitted construction. The Applicant stated that he may have to add stairs and ramps in order to deal with the floodplain issue.

Mr. Gregan asked questions about the holding tank, how many tanks they will have and how many gallons of water will be used. The Applicant responded that there will be one tank and that he does not know how much water will be used each day.

Mr. Gregan asked how many total pigs he estimates to have onsite. The Applicant responded approximately 30.

Ms. DePew asked how hours animals the pigs will be outside. The Applicant responded approximately 4 hours a day.

Ms. Depew asked about the cleaning of waste outside. The Applicant stated that they will be cleaned daily.

Mr. Greene asked how far along they are with the discussions at U of A. The Applicant responded that they are only having phone conversations until they have USDA approval. Mr. Greene followed up with how far along are you in discussion with the USDA. Mr. Caffal responded that they have the application. Mr. Greene asked why at this location? The Applicant responded that this is where they live, and they would be onsite.

Ms. Depew asked how the information required by the conditions will be provided. The Applicant responded that they would provide copies to the County. Mr. Gardner addressed how staff will monitor the site.

Mr. Brauchla asked why he did not obtain USDA certification before seeking the Special Use. The Applicant responded that there is a \$300 fee and they wanted to see if they could get special use approval first.

Mr. Leo Snyder of Willcox opposes the project because of lower property values and does not meet all Special Use factors.

There being no further discussion, Chairman Greene called for the Planning Director's summary and recommendation. Mr. Gardner gave a recommendation of Conditional Approval. Mr. Greene then called for a motion. Mr. Gregan made a motion to approve the item with the conditions of approval recommended by Staff. Mr. Martzke seconded. Mr. Green opened Commission discussion. Mr. Greene expressed concern that construction has moved to forward, and they have not received USDA approval. Mr. Greene recommended that the item be continued for 90 days to allow the applicant to assemble additional information. Mr. Gregan wants to ensure that Staff will be reviewing the plans, specifically the tank sizing. Mr. Gardner does not believe that is required.

Mr. Greene recommends to table the item to the meeting of June 13, 2018. Mr. Gregan seconded the motion. Mr. Greene asked for discussion. Chairman Greene called for a vote on the motion. The motion passed 8-0.

Motion: Postpone the item until June 13, 2018 Meeting to allow applicant to present additional information

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

Vote: Motion passed (**Summary:** Yes = 8, No =0, Abstain =0)

Yes: Jim Martzke, Kim DePew, Patrick Greene, Wayne Gregan, Gary Brauchla, Nathan Watkins, Carmen Miller and Pat Edie

No: 0

Abstain: 0

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

Next P&Z Commission meeting

April 11, 2018

- a. SU-93-08C (Arizona Folklore Preserve) Modification of Cultural/Historic/Nature Exhibits
- b. SU-18-04 (Verdugo) Event center and campground near Douglas
- c. SU-18-05 (Campos) Guest Lodging and therapy in Hereford
- d. SU-18-06 (Medical Marijuana) Medical marijuana grow operation in Kansas Settlement
- e. SU-18-07 (Fort Grant Child Care) Expand an existing daycare from 4 children to 10
- f. Z-18-04 (Vicencio) Request to Rezone from RU-4 to RU-2 in Willcox

7. CALL TO COMMISSIONERS ON RECENT MATTERS.

None

8. ADJOURNMENT

Mr. Greene noted that there was no more business, and the meeting was adjourned at 6:53pm.

P&Z Agenda Template

6. 1.

Meeting Date: 04/11/2018

SU-18-07 (Majewski)

Submitted By: Peter Gardner, Community Development

Department: Community Development

Presentation: PowerPoint

NAME Peter Gardner
of PRESENTER:

TITLE Planner II
of PRESENTER:

Agenda Item Text:

SU-18-07 (Majewski) A request for a Day Care Facility in Willcox.

Background:

The Applicant requests a Special Use Authorization to expand a current four child day care business located in an existing home, which does not require County permits to a ten child day care business, a use considered a Day Care Facility. Day Care Facilities located in Residential Zoning Districts require Special Use Authorization. The 4.47-acre site, APN 202-16-009, is located at 3900 N. Fort Grant Road in Willcox, and is zoned R-36. The applicant is Kara Majewski.

Attachments

[SU-18-07 \(Majewski\) Memo](#)

[Application & Maps](#)

[Public Comments](#)

[Agency Comments](#)



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 II
FOR: Daniel Coxworth, AICP, Development Director
SUBJECT: Docket SU-18-07 (Majewski Daycare)
DATE: March 29, 2018 for the April 11, 2018 Meeting

APPLICATION FOR A SPECIAL USE AUTHORIZATION

The Applicant requests a Special Use Authorization to expand a current four child day care business located in an existing home, which does not require County permits, to a ten-child day care business, a use considered a Day Care Facility. Day Care Facilities located in Residential Zoning Districts require Special Use Authorization. The 4.47-acre site, APN 202-16-009, is located at 3900 N. Fort Grant Road in Willcox and is zoned R-36. The applicant is Kara Majewski.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 4.47 acres (194,713 square feet)
 Zoning: R-36 (Residential; one dwelling per 36,000 square feet)
 Growth Area: Category B-Community Growth Area
 Comprehensive Plan Designation: Neighborhood Conservation
 Area Plan: None
 Existing Uses: Rural Residential with exempt 4 child day care
 Proposed Uses: Same, with Day Care Facility, up to ten children

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	R-36	Rural Residential
South	R-36	Rural Residential
East	Non-Maintained Road/R-36	N. El Sol Lane/Rural Residential
West	County Maintained Road/R-36	N. Fort Grant Road/Vacant & Grazing Land

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

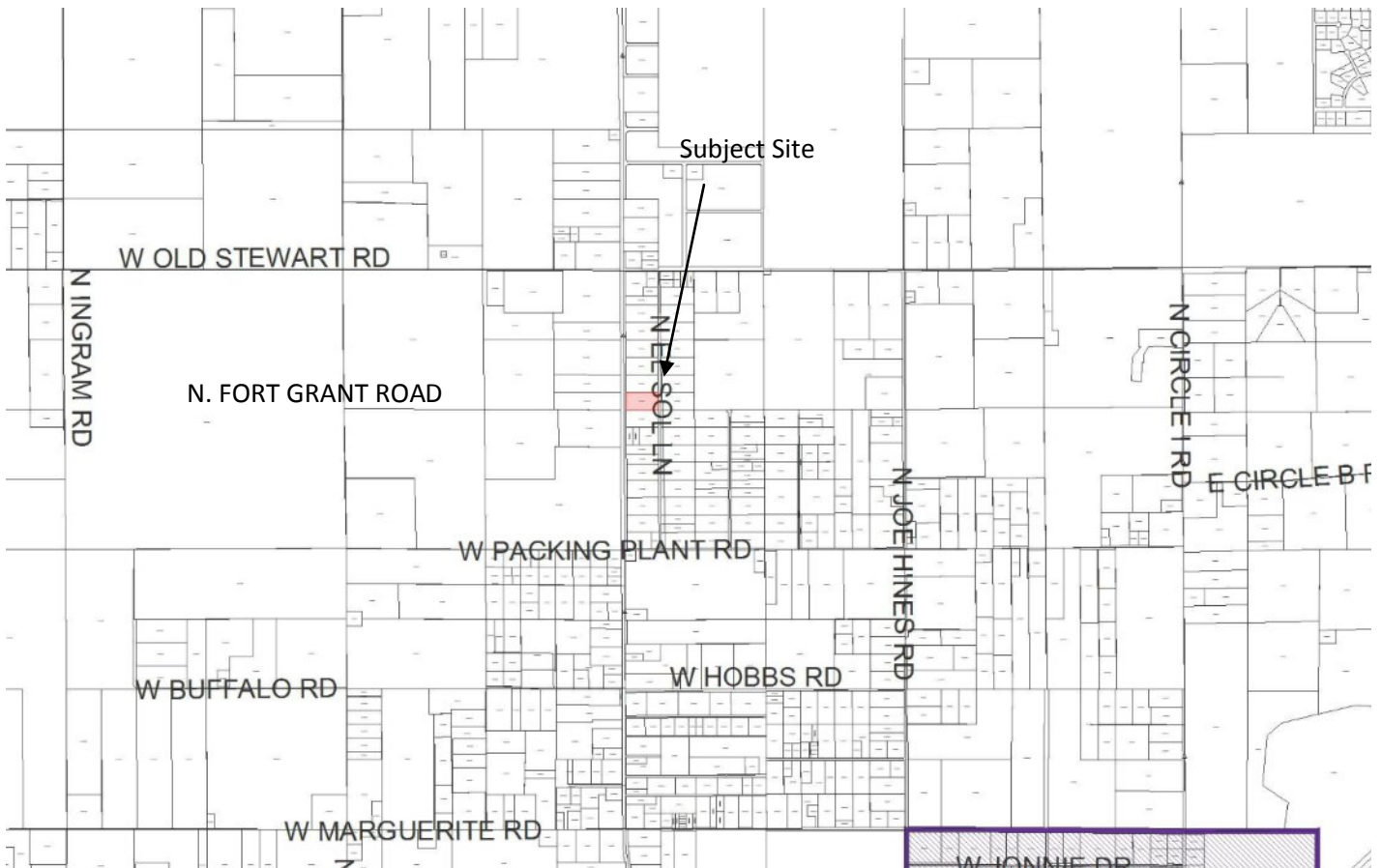
II. PARCEL HISTORY

1977 – Subject SFR Built

2002 – Additional septic and manufactured home installed

III. NATURE OF REQUEST

The Applicant currently provides day care for up to four children in her home, a use exempted from County permitting requirements and licensed through DES. The Applicant would like to apply for a license through DHS which would permit up to ten children, a use considered a Day Care Facility under the zoning regulations. In the Residential zoning district, this requires Special Use Authorization, but is still operated out of a single family home occupied by the Applicant. While the request does require this approval, it remains accessory to the principal use of the site as a primary residence.



Location Map

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.

With the information provided, nine of the ten factors apply to this request. The project as submitted, complies with seven of those nine factors. With the recommended Conditions and Modifications, the other two factors are met.



Aerial view of the site.

A. Compliance with Duly Adopted Plans: Complies

The project site is located in an area designated "Neighborhood Conservation" in the Comprehensive Plan. This use will not change the overall character of the site, while providing a necessary service to the neighborhood. The Strategic and Comprehensive Plans both support economic development which are served both directly and indirectly by permitting parents to work. These plans also support creating healthy, safe communities, and this will provide a safe place for children in addition to the opportunities created for parents.

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 allows childcare in the R Districts as a Special Use. Typically, small childcare services provided in a home, rather than a school or community center setting, is considered "neighborhood serving" and compatible with residential neighborhoods such as unincorporated Willcox.



The home.

C. Development along Major Streets: Complies

The proposed use would not result in the creation of any additional access points to an arterial road or major thoroughfare.

D. Traffic Circulation Factors: Complies

N. Fort Grant Road is a major collector road and will easily absorb any potential increase in traffic.

E. Adequate Services and Infrastructure: Complies with Conditions

The site is accessed directly from N. Fort Grant Road. The site currently has a native surface, unimproved driveway, which is compliant with existing regulation and adopted road design standards. There is a clear pattern of wear from the current exempt use, with most turning movements coming from and returning to the south, towards incorporated Willcox. The current situation does not give the County any means of requiring improvement or protection of the roadway surface. This proposed increase to a regulated use provides the County with these means. At question is what level of improvement is appropriate. A traditional commercial use such as a retail store or professional services building would require a 24', two lane, chip seal, concrete, or asphalt driveway. A residential driveway, as noted above, can be 12' wide, native surface driveway. The latter has shown a noticeable amount of roadway wear, and the former would be well beyond what is required to protect the roadway based on the actual level of traffic. Staff

suggests that the driveway meet residential standards, with the additional requirement of using AB aggregate construction or better to protect the roadway edge. Staff also suggests that this requirement be deferred for one year after closure of the use permit to allow the applicant to procure funds.

All other infrastructure is existing.

F. Significant Site Development Standards: Complies with Modifications

Based on the nature of the use, which is akin to an accessory residential use rather than a true commercial use, Staff recommends the site be treated as a residential site for all site development standards except as noted above.

G. Public Input: Complies

The Applicant mailed letters to property owners within 1,000-feet of the property prior to application submittal. The Planning Department mailed letters to neighboring property owners within 1,000-feet of the subject property, published a legal ad in the *San Pedro Valley News-Sun* and posted legal notices on the property. To date, staff has received three letters of support. Neighboring property owners have noted that any business is good for the area, that the applicants are providing a much-needed service and have an excellent reputation.

H. Hazardous Materials: Does Not Apply

The Applicant states that no hazardous materials will be used or stored on site.



The access onto Fort Grant, showing the existing wear.

I. Off-Site Impacts: Complies

The only offsite impacts are to the roadway, which have been addressed above.

J. Water Conservation: Complies

The project site is not located within the Sierra Vista Sub-Watershed, and no new construction is proposed. Additional water usage will be minimal.



Playground for the children.

V. PUBLIC COMMENT

The Applicant mailed letters to property owners within 1,000-feet of the property prior to application submittal. The Planning Department mailed letters to neighboring property owners within 1,000-feet of the subject property, published a legal ad in the *San Pedro Valley News-Sun* and posted legal notices on the property. To date, staff has received three letters of support. Neighboring property owners have noted that any business is good for the area, that the applicants are providing a much-needed service and have an excellent reputation.

VI. SUMMARY AND CONCLUSION

The Applicant requests Special Use approval to add six additional children to an existing exempt child care operation, placing the proposed use into the category of Day Care Facility.

This department must weigh multiple, sometimes competing interests when reviewing requests. In this case, we must consider Public Health and Economic Development which are served by creating additional safe child care opportunities, permitting more individuals to work while guaranteeing safe situations for their children, as we also consider Infrastructure Protection, by striving for risk mitigation to our County roadway by requiring a higher level of driveway construction. We must note that this is not a Commercial request as many people would understand it, and the impact to the roadway is not on par with a new retail store or restaurant. Both the Special Use Authorization and the DHS regulations cap the number of children in the home at ten, placing a firm limit on traffic generation. In addition, the limited nature of the request and use limit the available financing from the Applicant, which must be considered when weighing the options above. If the County refuses a compromise from a full commercial driveway, the applicant will withdraw the application and continue at the level of current operation. This removes any ability of the County to require or request any repairs on the driveway, failing to fulfill any of the relevant interests as the existing level of traffic and wear will continue.

Based on the factors above, including the limited scope of the request, essentially being an accessory use in an existing single family dwelling, the nature of the other driveways in the area, which are all similar to the Applicant's, even those that serve commercial or agricultural uses, and the Applicant's stated willingness to place AB to repair and improve the driveway, we are comfortable deeming the driveway Residential and recommending that the Commission approve a modification to use AB instead of DBST.

Further, Staff recommends that for all other standards the site be deemed residential in nature.

Factors in Favor of Approving the Special Use

1. The use complies with the Comprehensive Plan and Zoning District purpose statement;
2. With the requested Conditions and Modifications, the request complies with all of the nine applicable Special Use factors;
3. The site has been in operation as a four-child day care operation since 2003, without incident;
4. The increase in children will grant the County the authority to require some level of improvements to protect Fort Grant Road;
5. Although commercial in nature, the use would be low-impact, and in overall harmony with surrounding residential development; and
6. Staff has received three letters of support of the request.

Factors Against Allowing the Special Use

1. Until driveway buildout, additional damage may occur on the edge of Fort Grant Road.

VII. RECOMMENDATION

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

1. The Applicant shall provide the County 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 properties within thirty (30) days of approval of the Special Use Permit. Prior to permit issuance, the Applicant shall submit and obtain building/use permits within 12 months of approval, including a completed joint permit application. The building/use permit(s) shall include a site plan in conformance with this approval and meeting all site development standards (except those specifically waived or modified by the Planning Commission as part of this approval), the completed Special Use Permit questionnaire, and appropriate fees. A permit must be issued within 18 months of approval, otherwise the approval 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 additional conditions, if any, that may be applicable to the proposed activities pursuant to other federal, state, or local laws or regulations;
3. Within one year of temporary Certificate of Occupancy, the Applicant shall construct a driveway to residential standards with an AB or better surface; and
4. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission.

Sample Motion: *Mr. Chairman, I move to approve Special Use Docket SU-18-07, with the Conditions of Approval and Modifications recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

VIII. ATTACHMENTS

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



Cochise County
Community Development
 Development Services Department
Public Programs...Personal Service
 www.cochise.az.gov

Docket No.	_____
Date Received	_____
Receipt No.	_____

**SPECIAL USE AUTHORIZATION QUESTIONNAIRE
 (TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER/APN 202-16-009

APPLICANT Kara Majewski

PHYSICAL ADDRESS OF THE PROPERTY 3900 N. FT GRANT RD
WILL COX, AZ 85643

CONTACT TELEPHONE NUMBER (520) 384-0101

EMAIL ADDRESS: Kara.majewski93@GMAIL.COM

PROPERTY OWNER (IF OTHER THAN APPLICANT) Richard Majewski

PROPERTY OWNER'S MAILING ADDRESS 3900 N. FT GRANT RD
WILL COX, AZ 85643

REQUIRED SUBMITTALS

- Questionnaire with all questions completely answered (attached).
- A Concept Plan or Preliminary Site Plan in 8 1/2 " x 11" or 11" x 17" hard copy, or electronic in jpg or pdf format. Please note that if a Concept Plan is submitted for the Special Use Authorization, a complete Site Plan will be required when submitting the Non-Residential permit application.
- If the applicant is not the property owner, provide a notarized letter from the property owner granting permission to the applicant to apply for the Special Use Authorization and to act as the owner's representative.
- Any other Attachments or Information required to adequately analyze your request.
- Applicant's Certification and Acknowledgement

Bisbee Office
 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

- Fees (\$300.00)
- Other Submittals as required based on the type, scope, and location of the proposed project
 - Hazardous or Polluting Materials Report
 - Off-site Improvement Plans
 - Soils Engineering Report
 - Landscape Plan
 - Hydrology/Hydraulic Report
 - Traffic Impact Analysis (TIA), Traffic Impact Statement (TIA), or Traffic Report (TR):
 - Outdoor Lighting Plan including lumen count

The Planner will advise you if and when any of the above attachments are required.

Project Description

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 delay in analyzing the request.

Describe the existing uses and structures on the property.

USED FOR DAYCARE Birth to 13 years

Describe the proposed uses, structures, and activities.

DAYCARE Birth to 13 years

Describe all the products and services that will be produced or sold.

DAYCARE Birth to 13 years

What is the proposed time frame for construction and operation, including phasing if applicable?

N/A

Provide the following information (when applicable):

Days and hours of operation: Days: 7 Hours (from 1200 AM to 1159 PM)

Number of employees: Initially: 0 Future: 1

Number per shift Seasonal changes N/A

Total truck traffic, including deliveries and shipment (e.g., by type, number of wheels, or weight)

N/A

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

N/A

Describe the physical access to your site.

DRIVEWAY OFF FT BRANT RD.

Identify how the following services are or will be provided:

	Existing Utility Company/Service Provider	Proposed provisions to be made if services are not currently on site
Water	<u>WELL</u>	
Sewer/Septic	<u>SEPTIC</u>	
Electricity	<u>SSVEC</u>	
Natural Gas	<u>N/A</u>	
Fire Protection	<u>WILCOX PIPE DEPT</u>	

Describe all outdoor storage and activities.

N/A

What noise, vibrations, dust, smoke, or odors will be produced that can be detected on neighboring properties? How will they be mitigated, controlled, or reduced?

N/A

If any activities will attract pests, what measures will be taken to control them?

N/A

What screening, if any is proposed?

N/A

Describe all outdoor lighting, including lighted signs.

N/A

Describe the locations and dimensions of all existing and proposed signs, including any attached to a building.

N/A

Is there any regulated flood plain on the property?

Yes ___ No

Are there any washes within 300 feet of the property?

Yes ___ No

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

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.

Show dimensions, locations, and materials of parking areas (including ADA parking), loading areas, and driveways.

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.

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.

N/A

What specific measures will be taken to conserve water on-site? 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.

N/A

Describe proposed landscaping, including what plants and materials are proposed.

N/A

Does the proposed use involve hazardous materials?

No Yes If yes, complete the attached Hazardous Materials attachment.

Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, any required attachments, and on the concept plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Special Use Authorization.

Applicant's Signature Kara Majewski

Print Applicant's Name Kara Majewski

Date signed 2/21/18

D STEWART RD

N ELSOLL LN

N CIRCLE IRD

W PACKING PLANT RD

N JOE HINES RD

E CIR

UFFALO RD

W HOBBS RD

W MARGUERITE RD

W JONNIE DR

W SMITH LN

N HAMILTON RD

W COX RD

N TAYLOR RD

N WELLS LN

FORT GRANT RD

N BISBEE AVE

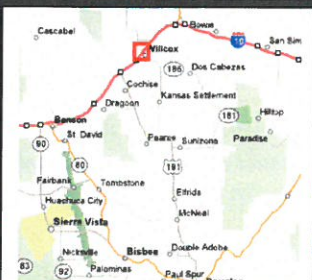
N ARIZONA AVE

Legend

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

W TORRES LN

N QUAIL DR



SU-18-07

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



E Sol Ln

202-18-010

202-18-008

202-18-008

Fot Grant Rd



Special Use Docket SU-18-07 (Majewski Daycare)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

It helps working families - No ~~for~~ impact on the neighborhood. ^{negative}

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S):

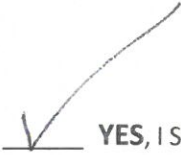
Pony Brander

YOUR TAX PARCEL NUMBER: 202-17-001A (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 Wednesday, March 28, 2018 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 April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. 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-18-07 (Majewski Daycare)



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):

Singer, E. Richard & Victoria H

SIGNATURE(S):

Richard Singer
Victoria H. Singer

YOUR TAX PARCEL NUMBER: 20216049H (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 Wednesday, March 28, 2018 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 April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. NOTE: Please do not ask the Commissioners 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

COCHISE COUNTY

MAR 19 2018

PLANNING

Special Use Docket SU-18-07 (Majewski Daycare)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

It will in no way have any effect on me and I don't foresee any problems.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S): _____

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

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Bisbee, AZ 85603

Special Use Docket SU-18-07 (Majewski Daycare)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Any kind of business added to the Wilcox area will be a plus and these are good neighbors and I heard positive comments about their operation

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Jay Douglas Kuhn Jay Douglas Kuhn

SIGNATURE(S):

Jay Douglas Kuhn

YOUR TAX PARCEL NUMBER: 202-17-001 E 3 (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 Wednesday, March 28, 2018 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 April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the public hearing on April 11, 2018. NOTE: Please do not ask the Commissioners 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

COCHISE COUNTY
MAR 28 2018
PLANNING



Cochise County
Community Development
Highway and Floodplain Division

Public Programs...Personal Service
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INTEROFFICE MEMO

Date: March 12, 2018
To: Peter Gardner, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: SU-18-07 (Majewski Daycare)

Background: The applicant requests a Special Use Authorization to expand a current four child daycare business located in an existing home, which does not require County permits to a ten child daycare business, a use considered a Daycare Facility. Daycare Facilities located in Residential Zoning Districts require Special Use Authorization. The 4.47 acre site, APN 202-16-009, is located at 3900 N. Fort Grant Road in Willcox, and is zoned R-36. The applicant is Kara Majewski.

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 Fort Grant Road
- Fort Grant Road is a County Maintained Road (MI #346)
- Public Dedication of West 33 feet per Book 4 of Maps and Plats, page 50.
- Public Dedication of East 70 feet per Docket 887, page 140.
- Established as a County Highway per the Cochise County Board of Supervisors minute Book 23, page 335, dated June 7, 1965 at a declared width of 60 feet.
- Fort Grant Road is classified as a Federal Function Major Collector Road which has a 100'-150' minimum standard right-of-way width (see figure CC011 of Cochise County Highway Standards).

Recommendation:

- Further right-of-way dedication is not required for Fort Grant Road at this time.

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



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Highway and Floodplain Division

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MEMORANDUM

Date: March 20, 2018
To: Peter Gardner, Planner I
From: Karen L. Lamberton, AICP County Transportation Planner
Subject: Majewski Daycare/SU-18-07/Parcel # 202-16-009

The applicant, Kara Majewski, is requesting a Special Use authorization to expand a 4-child day care to a 10-child day care facility. The property is zoned RU-36, Neighborhood Conservation, and the proposed day care facility requires a special use in this zoning.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions:

1. At the Commercial Permit phase the applicant will be required to obtain a ROW/Encroachment Permit for the construction of a commercial driveway, meeting Design Standard CC205-2, with clear zones (sight distance triangles) per Design Standard, CC300 and Zoning Code 1807.06B, in advance or concurrent with their Commercial Permit application.

Background

The applicant is applying for a Special Use Authorization to provide day care services in an existing home located in the Willcox area. Access to the site is from Fort Grant Road: a county maintained, federally functionally classified rural major collector, asphalt-concrete surfaced, with a 28-foot cross-section.

Driveway Access

Commercial uses typically require a commercial driveway apron allowing for two-way traffic (minimum 24 feet per Design Standard CC2015-2). At a minimum a Type D driveway apron should be constructed.

However, it is understood that this is a fairly low impact commercial use and the applicant may request a modification from the full commercial access apron width from the County Engineer. Design standards for commercial use driveways require that the driveway apron match the surfacing of the adjacent county-maintained roadway; a waiver from that requirement may only be granted by the County Engineer upon a written request and justification for meeting a different or lower standard.

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

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Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Given the classification of Fort Grant Road, the traffic volumes and speeds, the evidence of tracking of debris onto the roadway under existing conditions, a hard-surfaced driveway apron is appropriate. A waiver is unlikely to be granted.

However, up to a one year to complete an approved Right-of-Way Encroachment Permit can be granted, if approved by the County Engineer. If the applicant feels that constructing this infrastructure improvement immediately is a hardship, and the Planning and Zoning Commission is not opposed to a delay in this improvement, the applicant may request additional time from the County Engineer to meet this requirement. (e.g. assessing each student \$2.00 per day will likely generate the necessary funds to construct this improvement within 10 months). A request for more time is likely to be granted.

The applicant should keep in mind that typically only a temporary permit to operate will be issued until the driveway condition is completed.

Traffic Analysis

Trip generation, with one employee and ten daycare children, using the primary residential unit, is estimated to be 34.54 vehicle trips per day, per the ITE Manual, 9th edition. This use is likely to increase the trip generation from this parcel slightly beyond that of the high end of the range for a single residential unit (21.85 trips per day). This potential use would likely create a slight increase in trips generated during the morning and evening peak hour travel periods.

Traffic volumes average 2,684 vehicles per day on Fort Grant Road with an estimated 18% of the daily traffic heavy trucks or buses. Average speeds on this segment of Fort Grant Road is 62 miles per hour (it is recommended that this speed be used for calculating sight distance triangles). Fort Grant Road has the capacity to absorb both current and future traffic generated by this use without causing an adverse effect on traffic patterns. No off-site improvements would be necessary for this proposed use.

Applicant Guidance

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

- The site plan is adequate to illustrate the concept for this Special Use authorization request. It will not be adequate at the Commercial Permit phase. The applicant is advised that a revised site plan that clearly shows all the driveway dimensions as well as sight triangles (Roadway Design Standards CC300 & Zoning Regulation 1807.06B) will be needed at the Commercial Permit stage.

What we are looking for is the dimensions of the width of the driveway, the distance of those from the edge of pavement, property lines. What we want the applicant to be sure of is that no fixed objects, including signs, interfere with sight distance.

P&Z Agenda Template

6. 2.

Meeting Date: 04/11/2018

SU-18-06 (Green Desert Patient Center)

Submitted By: Peter Gardner, Community Development

Department: Community Development

Presentation: PowerPoint

NAME Peter Gardner
of PRESENTER:

TITLE Planner II
of PRESENTER:

Agenda Item Text:

SU-18-06 (Green Desert Patient Center) A request for Medical Marijuana Cultivation and Infusion in Kansas Settlement.

Background:

The Applicant requests a Special Use Authorization to establish a Medical Marijuana Cultivation and Infusion Facility southeast of Kansas Settlement, per Section 607.53 & 607.56 of the Zoning Regulations. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres) and accommodates an existing agricultural facility including greenhouses, a warehouse, and accessory structures. The 143-acre site, parcel 305-43-056C, is located at 5655 E. Gaskill Road in Willcox, AZ.

Attachments

[SU-18-06 \(Green Desert Patient Center\) Memo](#)

[Application & Maps](#)

[Public Comments](#)

[Agency Comments](#)



Cochise County
Community Development
 Planning, Zoning and Building Safety Division

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner II
FOR: Daniel Coxworth, AICP, Planning Director
SUBJECT: Docket SU-18-06 (Green Desert Patient Center)
DATE: March 28, 2018 for the April 11, 2018 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant requests a Special Use Authorization to establish a Medical Marijuana Cultivation and Infusion Facility southeast of Kansas Settlement, per Section 607.53 & 607.56 of the Zoning Regulations. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres) and accommodates an existing agricultural facility including greenhouses, a warehouse, and accessory structures. The 143-acre site, parcel 305-43-056C, is located at 5655 E. Gaskill Road in Willcox, AZ.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 143 acres
 Zoning: RU-4 (one dwelling per four-acres)
 Growth Area: d-Rural
 Comprehensive Plan Designation: Rural
 Area Plan: None
 Existing Uses: Greenhouse facility and fallow crop land
 Proposed Uses: Medical marijuana cultivation and infusion

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	Non-Maintained Road/RU-4	E. Gaskill Road/Agricultural
South	Non-Maintained Road/RU-4	E. Canada Lane/Agricultural/Rural Residential
East	RU-4	Agricultural
West	County Maintained Road/RU-4	S. Bell Ranch Road/Agricultural

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 520-432-9337 fax
 1-800-752-3745
 highway@cochise.az.gov
 floodplain@cochise.az.gov

II. PARCEL HISTORY

1996- Greenhouses constructed

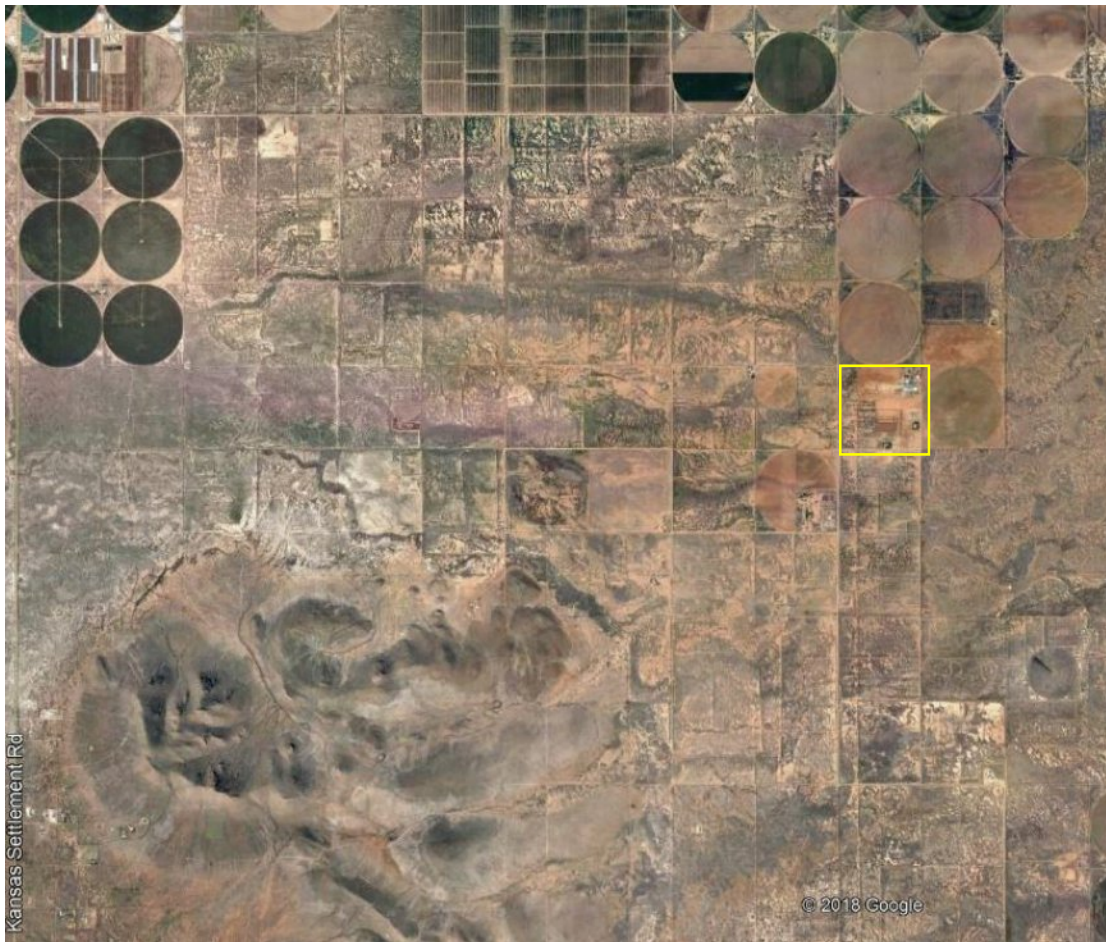
2006- Equipment shed constructed

III. NATURE OF REQUEST

The Applicant is requesting authorization for cultivation of medical marijuana both in enclosed greenhouses and on approximately 2.5 acres enclosed by fencing on the 143-acre parcel located at 5665 E. Gaskill Road in Willcox, AZ, an RU-4, D-Rural zoned property. There will be no dispensary or public facilities at this cultivation site. The property is located approximately 5 miles east of Kansas Settlement Road at the south corner of Bell Ranch Road and Gaskill Road. Currently the property has greenhouses and other accessory agricultural structures.



Site aerial



The property is located in a very low density, rural, agricultural part of the county, and is surrounded, in the larger context with productive agricultural land. The property has been in essentially the same condition for 22 years, since 1996 when the greenhouses were constructed.

This request is for cultivation, harvesting, processing, and potential future infusion only. The applicant will be using both the existing buildings and outdoor planted area, which will be enclosed by a solid barrier in compliance with state requirements.

The parcel is not located in any active water management area. The crop will be grown with computer-controlled drip irrigation. Water runoff will be captured for reuse. The plants will be processed on-site in an enclosed structure during all Phases of the site development. The entire parcel will have perimeter fencing. The site will be in operation five days a week sunrise to sunset starting with 12 to 15 employees with possible expansion to 20 employees. The final medical marijuana products will be transported and sold at the applicant's existing licensed medical marijuana dispensary in the Phoenix metro area.

The parcel takes access from E. Gaskill Road, a non county-maintained road that intersects on the west with S. Bell Ranch Road, a county-maintained roadway. Bell Ranch Road is currently slated to be upgraded to a chip seal surface, along with E. Shelton Road. This will provide a chip seal surface from Kansas Settlement Road to Gaskill. Once the chip seal project is complete, a solid apron from Gaskill onto Bell Ranch will be required to protect the County roadway. The applicant anticipates that one 6-wheel box truck will be used for weekly product delivery and one semi-truck per week will deliver soil to the site. Additional traffic will be limited to employees. The upgraded road network is sufficient to handle the load.



Water usage will be similar to the previous usage, as marijuana is a moderate demand crop, well within normal agricultural demands.

Potential off-site impacts will be mitigated with sealed greenhouses, existing quiet fans, offsite postharvest processing. The crop will be grown using all organic methods. Lady bugs and grasshoppers, together with glue traps will be used to control insects. Non-organic pesticides will not be used.

The proposed project meets all of the County's separation requirements from residences, libraries, schools and day care facilities found in Article 1825 of the Cochise County Zoning Regulations.

Any medical marijuana cultivation will be required to meet the security requirements mandated by the State of Arizona, including security cameras, perimeter fencing and secured access, and will require final approval from the Arizona Department of Health Services (AZDHS) prior to beginning of any marijuana cultivation.



View east from Bell Ranch intersection



View of greenhouses



View of greenhouses and shop



View southeast towards nearest residence

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 Permit, as well as to determine what Conditions and/or Modifications may be needed.

Nine of the ten factors apply to this request. The project, as submitted, fully complies with seven of the conditions and complies with conditions with two factors. The one remaining factor is not relevant to this application.

A. Compliance with Duly Adopted Plans: Complies

The proposed project satisfies the criteria for Comprehensive Plan D-Rural areas since the proposal is in an outlying rural area between unincorporated communities that have a low growth rate and is in a very low-density area is surrounded by agricultural and vacant lands.

The proposal also supports the following Comprehensive Plan Elements:

The Agriculture and Ranching Element goal that seeks to "Protect and promote the agricultural

economy of Cochise County, its agricultural and ranching lands, and related land uses.”; and the policy to “Continue encouraging development of agricultural processing, both on-site and at industrial scale, to support production of value-added agriculture products in Cochise County.

The Economic Development Element that states that “Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness, but will also foster resilience in the face of economic challenges such as natural disasters “and the policy to Continue to communicate with the business community, and be responsive to the changing needs of established and new businesses.’

The Rural Character Element: One goal of the Rural Character Element is to “Provide for a continuation of traditional rural ways of life, such as farming, ranching, and other agricultural-related activities, and provide for diverse and viable economic and development opportunities that are consistent with the character of Cochise County's rural areas.”

The project site is not within the boundaries of any area plan.

B. Compliance with the Zoning District Purpose Statement: Complies

The proposed project satisfies the following zoning district purpose statements:

601.01 To preserve the character of areas designated as "Rural" in the Cochise County Comprehensive Plan;

601.02 To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living;

601.03 To preserve the agricultural character of those portions of the County capable of resource production;

C. Development Along Major Streets: Not Applicable

The property is located on the south side of E. Gaskill Road and the site takes access from one gated driveway entrance and therefore does not take access from any Major thoroughfare or arterial street.

D. Traffic Circulation Factors: Complies with Conditions

Access is taken from a privately-maintained road, E. Gaskill Road, onto the subject parcel from an existing driveway. Gaskill Drive connects to S. Bell Ranch Road, which is a county- maintained road in the process of being chip sealed. A condition is included requiring a chip seal or better apron to be constructed once the County work on Bell Ranch is complete.

E. Adequate Services and Infrastructure: Complies with Conditions

Electrical service is provided to the site by Sulphur Springs Valley Electric Cooperative; water is supplied by an existing private well and there is an existing septic tank on site.

Traffic Analysis

This type of use is akin to a small-scaled agricultural use: average trip generation rates specifically for this type of growing operation have not been developed on either a national or state-level at this time. The applicant anticipates up to 20 employees, at full-build out of this project, which has the potential to generate an estimated range of 30 to 89.6 vehicle trips per day. Greenhouses tend to stabilize the typical seasonal variations inherent in open agricultural activities. The applicant is proposing a staged greenhouse development with three or five phases over time, as market demand allows.



View of prep work on Bell Ranch Road

Note: Vehicle trips are different than number of vehicles that travel to the site. Average vehicle trips per day also include incidental traffic generated due to the presence of any particular use (e.g. mail, deliveries, trash pick-up) and averages seasonal variations in trips generated.

The applicant indicates a startup operation using approximately 70,000 square feet of greenhouses. This level of light industrial agricultural activities is likely to generate an estimated range of 110 to 1,101 vehicle trips per day. The threshold for providing a more significant traffic analysis is at 100 vehicle trips per day; however, given the typical range using employee factors, and taking into account that the site has other exempt agricultural trips associated with it, and assuming no patient services per the conceptual scope of the application, and given the applicant's participation with right-of-way dedication and off-site improvements at the Gaskill Rd. intersection, no traffic report will be required.

If built out to a full residential use this 143-acre parcel would likely generate an average of 334.94 vehicle trips per day, for 35 residential units. As a growing and infusion operation only, with no dispensary operation, the requested use is not likely to change the type of use that has historically been on this site nor the type and volume of traffic associated with an agricultural greenhouse operation. It is likely that even at full build-out, as proposed by this applicant; the trip generation for this site would be less than if developed as a residential use.

Private Maintenance Agreement

The applicant's access is off a non-county-maintained roadway. The applicant will be required, in keeping with the requirements of Zoning Regulation 1807.02 A., to provide a Private Maintenance Agreement at the Commercial Permit stage. This agreement will require the applicant to keep this segment of roadway in "passable" condition which means in a condition on which the average vehicle can travel on the roadway. This agreement does not require that the roadway be maintained to a county-maintained standard or to an all-weather condition.

Like all other native surfaced roadways in the County the access roads to this site are subject to changing conditions which include sudden and severe flooding, ruts, erosion and blowing dust. There is no expectation that the applicant will maintain the private segment of the roadway in any better condition than the County can manage to do in severe weather conditions. However, the applicant will likely have a

higher motivation to bring the roadway back into passable condition than other property owners in order to provide access to their customers and the Private Maintenance Agreement formalizes the higher degree of obligation that they would have as a business owner along this residential roadway.

F. Significant Site Development Standards: Complies

The applicant has not requested any waivers from site development standards. All site development standards must be met to obtain a non-residential use permit, should this request be approved. The property has adequate area for parking. All of the existing structures on the site meet all of the zoning regulations as they pertain to set-backs, off-site parking, and loading areas, land clearing, water conservation, and Section 1825 of the Zoning Regulations pertaining to medical marijuana. Any future construction will be required to meet all clearing, drainage, site development standards and building permit regulations.

In addition to County regulations, the applicant will be required to meet all regulations and requirements established by the State of Arizona for these types of facilities including security cameras, perimeter fencing and secured access to the cultivation greenhouses.

G. Public Input: Complies

The Applicant sent letters to all property owners within 1.75 miles of the subject parcel to notify them of this application. The County notified the same owners and received three letters in opposition and six in support, with two letters coming from LLCs under common ownership.

H. Hazardous Materials: Complies

Natural pest controls, such as lady bugs, grasshoppers and physical traps will be used to deter and control pests. Only organic fertilizers will be used. No hazardous materials or pesticides will be used.

I. Off-Site Impacts: Complies

The proposed facility is not anticipated to produce off-site impacts. The State of Arizona has other lighting requirements for medical marijuana facilities. The applicant is intending to use compliant lighting and will control off-site odors from the plants. The proposal will have the same visual impact as any other agricultural greenhouse use that would be allowed by right as a principal permitted use in this zoning district.

J. Water Conservation: Complies

The applicant is proposing to recycle and capture water and use computer-controlled drip irrigation to reduce water consumption.

V. PUBLIC COMMENT

The Planning Department staff mailed notices to neighboring property owners within 1.75 miles of the subject property. This is the minimum radius required to reach at least 50 distinct property owners as required under current regulations. Staff posted the notice to the County website on March 27, 2018, published a legal notice in the *San Pedro Valley News Sun* on March 21, 2018 and posted the property on the same date. In response to applicant and County mailings, staff received six letters in support of this request and three letters in opposition to this request. Two of the support letters came from separate LLCs under common ownership.

The support letters cited the benefits of the medical use of this plant, economic development, and that this will be a quiet operation with no retail sales or retail traffic. One letter objected to any government interference in a land owner's choice of crops.

The opposition letters expressed disapproval of marijuana in general.

VI. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve the change of use of an existing agricultural property for the cultivation and infusion of medical marijuana on a 143-acre parcel located at 5655 E. Gaskill Road in Willcox, AZ.

No waivers or modifications have been requested. Any State of Arizona requirement for cultivation, security and lighting requirements will be met.

Approval of this land use does not guarantee that the applicant will be successful in obtaining a license with the State of Arizona for medical marijuana cultivation; obtaining County land use approval is only one part of the State application process.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use would fully comply with seven of the ten Special Use factors used by staff to analyze this request, and complies with conditions with two additional factors;
2. The proposal complies with the Adopted Comprehensive Plan Agriculture and Ranching, Economic Development and Rural Character Elements;
3. The proposal complies with the Rural Zoning District purpose statement;
4. If any other crop were being grown, the use would be exempt from County Zoning and Building Codes;
5. The proposal will employ water conservation measures;
6. The proposal will provide jobs for up to 12-15 employees in Phase One and up to 20 employees at full build-out; and
7. At full build-out the traffic generated by this proposal would be less than if the site were developed as a residential use.
8. Five property owners have sent six letters of support for this application.

Factors Against Allowing the Special Use

1. Three Property owners have sent letters in opposition to this application.

VII. 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 shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission;

4. In advance, or concurrent with, their first Commercial Permit application, the applicant is required to provide a Private Maintenance Agreement for E. Gaskill Road from their driveway to S. Bell Ranch Road;
5. At the commercial permit stage additional site plan details, including a sight distance triangle, per Zoning Regulation 1807.06 and/or Roadway Design Standards D-300, will be needed on the site plan or as a separate illustration. Details on the driveway width, driveway access radii will also be needed: design should comply with the County’s Roadway Design Standards;
6. At the commercial permit stage, a maintenance statement stating that they (the owners) will keep all debris, including grass, from obstructing the bottom of the fence and maintain their fence line as to allow water to flow naturally through as to not divert onto other parcels;
7. Within one year of County completion of chip sealing S. Bell Ranch Road, the Applicant shall apply for a permit to construct a private road apron meeting the standards of the Cochise County Road Design Standards, and complete said apron within one year of permit issuance.

Sample Motion:

Mr. Chairman, I move to approve Special Use Docket SU-18-06, with the Conditions of Approval as recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

VIII. ATTACHMENTS

- A. Special Use application
- B. Site plan
- C. Location map
- D. Agency comments
- E. Public Comment



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

Docket No.	_____
Date Received	_____
Receipt No.	_____

**SPECIAL USE AUTHORIZATION QUESTIONNAIRE
 (TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER/APN _____ 305-43-056C _____

APPLICANT _____ Green Desert Patient Center of Peoria, Inc. _____

PHYSICAL ADDRESS OF THE PROPERTY _____ 5655 E. Gaskill Rd., Willcox, AZ 85643 _____

CONTACT TELEPHONE NUMBER _____ Stephanie Wiegold, 650-490-0287 mobile _____

EMAIL ADDRESS: _____ swiegold@banyanmanagementholdings.com _____

PROPERTY OWNER (IF OTHER THAN APPLICANT) _____ c/o Rick Frank, United Country Real Estate _____

PROPERTY OWNER'S MAILING ADDRESS _____ 688 W. 4th St., Suite D, Benson, AZ 85602 _____

REQUIRED SUBMITTALS

- Questionnaire with all questions completely answered(attached).
- A Concept Plan or Preliminary Site Plan in 8 1/2 " x 11" or 11" x 17" hard copy, or electronic in jpg or pdf format. Please note that if a Concept Plan is submitted for the Special Use Authorization, a complete Site Plan will be required when submitting the Non-Residential permit application.
- If the applicant is not the property owner, provide a notarized letter from the property owner granting permission to the applicant to apply for the Special Use Authorization and to act as the owner's representative.
- Any other Attachments or Information required to adequately analyze your request.
- Applicant's Certification and Acknowledgement

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

COCHISE COUNTY
 FEB 23 2018
 PLANNING

- Fees (\$300.00)
- Other Submittals as required based on the type, scope, and location of the proposed project
 - Hazardous or Polluting Materials Report
 - Off-site Improvement Plans
 - Soils Engineering Report
 - Landscape Plan
 - Hydrology/Hydraulic Report
 - Traffic Impact Analysis (TIA), Traffic Impact Statement (TIA), or Traffic Report (TR):
 - Outdoor Lighting Plan including lumencount

The Planner will advise you if and when any of the above attachments are required.

Project Description

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 delay in analyzing the request.

Describe the existing uses and structures on the property.

See #1 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Describe the proposed uses, structures, and activities.

See #2 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Describe all the products and services that will be produced or sold.

See #3 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

What is the proposed time frame for construction and operation, including phasing if applicable?

See #4 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Provide the following information (when applicable):

Days and hours of operation: Days: Mon-FriHours (from SunriseAM to Sunset PM)

Number of employees: Initially: 12-15 Future: 20

Number per shift Seasonal changes Not applicable.

Total truck traffic, including deliveries and shipment (e.g., by type, number of wheels, or weight)

See #5 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

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

See #6 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Describe the physical access to your site.

See #7 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Identify how the following services are or will be provided:

	Existing Utility Company/Service Provider	Proposed provisions to be made if services are not currently on site
Water	Well water	
Sewer/Septic	Septic	
Electricity	Sulfur Springs Valley Electric Co-Op	
Natural Gas	Southwest Gas	
Fire Protection	Willcox Fire Department	

Describe all outdoor storage and activities.

See #8 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

What noise, vibrations, dust, smoke, or odors will be produced that can be detected on neighboring properties? How will they be mitigated, controlled, or reduced?

See #9 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

If any activities will attract pests, what measures will be taken to control them?

See #10 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

What screening, if any is proposed?

See #11 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Describe all outdoor lighting, including lighted signs.

See #12 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Describe the locations and dimensions of all existing and proposed signs, including any attached to a building.

See #13 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Is there any regulated flood plain on the property?

Yes ___ No

Are there any washes within 300 feet of the property?

Yes ___ No

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

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.

Show dimensions, locations, and materials of parking areas (including ADA parking), loading areas, and driveways.

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.

How many acres will be cleared? None.

If more than one acre is to be cleared, describe the proposed dust and erosion control measures to be used.

See #14 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

What specific measures will be taken to conserve water on-site? 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.

See #15 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Describe proposed landscaping, including what plants and materials are proposed.

See #16 of "Banyan Farms, Cochise County Special Use Authorization Questionnaire-answers to questions document."

Does the proposed use involve hazardous materials?

No Yes If yes, complete the attached Hazardous Materials attachment.

Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, any required attachments, and on the concept plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Special Use Authorization.

Applicant's Signature Stephanie Wiegold

Print Applicant's Name Stephanie Wiegold, Director of Operations

Date signed February 23, 2018

Concept Plan Instructions for Special Uses

Sometimes, an applicant will seek approval for a particular special use or uses on a piece of property well ahead of actual construction or operation of that use. Often the exact dimensions of structures or configuration of uses on the property are not known until the uses have been approved and the applicant has invested resources into site planning. The Zoning Regulations (Section 1716.02.K.2) allow for the submittal of a "Concept Plan" in lieu of a site plan in the case of phased Special Use Authorizations on one property or a Special Use Authorization where construction is not anticipated within one year. However, if the Authorization is granted by the Planning and Zoning Commission, then a detailed site plan meeting the requirements of Section 1705 of the Zoning Regulations will be required for each use or phase, and shall be in substantial conformance with the approved Special Use Authorization. If the site plan is not within substantial conformance with the approved use and concept plan, then the Special Use Authorization will need to be reviewed, in a public hearing, by the Commission once again to modify the original proposal. **Note: Any anticipated waivers of site development standards such as setbacks, screening, landscaping or parking spaces must be requested, justified, and approved by the Commission prior to the issuance of a building permit.**

In order to adequately review the proposed special use(s) on a piece of property, a Concept Plan must include at a minimum the following information:

- ☒ Parcel boundaries and adjacent roads;
- ☒ The general location, size and height of all structures and uses (existing and proposed), including minimum setbacks from parcel boundaries, washes and road travelways;
- ☒ The general location, number, and surface of parking spaces to be provided, including ADA parking;
- ☒ Location, surface, and width of driveways;
- ☒ Proposed and existing screening and landscaping;
- ☒ Proposed and existing signs
- ☒ Proposed and existing outdoor lighting
- ☒ Any significant topographical features (washes, hills, rock outcroppings, wetlands) and cultural features of the property and adjacent parcels;
- ☒ If applicable, project phasing (approximate schedule of uses and construction) and any other information deemed necessary to effectively review the Special Use.

1. The current greenhouse structures were used for fruit, vegetable, and flower products. These structures are:
 - a. Greenhouse A, 60,000 sq. ft., used for plant cultivation;
 - b. Greenhouse B, 10,000 sq. ft., used for plant propagation;
 - c. Packing Warehouse, 7,250 sq. ft, used for packing, offices, boiler, and cold and dry storage;
 - d. Pump House, 24' x 28', used for water, including a boost pump and a submersible well pump;
 - e. Generator Building, 24' x 24', used to generate electricity;
 - f. Pellet Mill, 50' x 100', used for to create biomass for boiler, maintenance shop, and storage.
2. There will be no change in the uses, structures, and activities of the buildings and property, except for the addition of fencing around the property in accordance with Arizona Department of Health Services (ADHS) regulations and the future possibility of a Medical Marijuana Infusion Facility within an existing structure, also in accordance with ADHS regulations.
3. Raw, unprocessed, plant cannabis material will be cultivated in the secured greenhouse areas, and then will be transported to an off-site processing facility, minimizing the storage and the duration of raw plant material on-site. No products will be sold from the greenhouse facilities. ADHS prohibits product sales from a cultivation facility.
4. Roughly 30-60 days upon completion of zoning approval and contract fulfillment, security fencing will be installed, and repairs will be made to the existing greenhouses. Repairs will include replacing the current greenhouse coverings and replacing damaged roofs and side walls. No new construction will be necessary, given the existing structures.
5. Weekly shipments out from the facility will done with a 6-wheeled box truck, similar in size to a passenger van-sized vehicle. Soil delivery into the facility will be approximately one per month and will be delivered in an 18-wheel semi-truck.
6. The heaviest traffic will be with the arrival and departure of staff, Monday through Friday, about 6am and 6pm.

7. The existing physical access to the greenhouses is via Gaskin Road, at the north end of the property. This will remain the main entrance to the property, but a security fence and check-point will be added to the gate.
8. There will be no outdoor storage of product at the facility. All production of cannabis will be in a secured area. Farm equipment will be stored in external buildings. Potentially, there may be a truck stored outdoors, but there are no plans for that now.
9. There is no anticipated impact on the community from noise, vibrations, dust, smoke or odors. The greenhouses will be kept sealed to minimize plant aroma. Also, no processing of plant material will take place on-site. All post-harvest processing will take place at our associated Phoenix facility, further reducing the potential for odor. Fragrant desert plants will neutralize any potential residual odor. Regarding noises, there are currently cooling fans in place at the greenhouses and they will continue to be used and inaudible to the community. Traffic dust will be mitigated through dust suppression efforts on the roads.
10. Greenhouse plant production will naturally attract some agricultural pests. These pests will be controlled using glue collection traps and with the use of non-invasive beneficial insects such as ladybugs, lacewings, and praying mantis. Should pesticides be applied, only materials that are organic and compliant with the Organic Materials Review Institute (ORMI) will be used.
11. Insect screening will be used on the greenhouse structures to prevent insect infiltration. Security screening will be incorporated in the fencing surrounding the facilities parameter to accordance with ADHS regulations.
12. All outdoor lighting will be low emission, energy efficient, LED lights that will be on motion sensors and will only be used for security purposes. These lights will be on timers of short duration and will be pointed downward to prevent light pollution. The outdoor lights and cameras will also be managed and manipulated by 24/7, 365 security monitoring. There will be no outdoor lighted signs.
13. There will be no business sign posted, except for the street address number and potentially the name of the street.
14. No acres cleared. There will be no grading or clearing of land.

15. A computer-controlled drip irrigation system will be implemented in the greenhouses to minimize water consumption. Water runoff capture systems will be used in which water will be pumped to a retention system, then mixed with fresh water, and used to water desert landscape plants. There will be minimal runoff due to the drip irrigation systems that will be put into place.
16. Windbreak trees will be planted as needed at the boundaries of the property. Additional non-invasive, native fragrant desert plants will be planted for beautification purposes.

CONCEPT PLAN

Green Desert Patient Center of Peoria, Inc. is applying for a Special Use Authorization in order to cultivate cannabis at 5655 E. Gaskill Rd., Willcox, AZ 85643 (APN 305-43-056C). The Special Use Authorization Application applies to approximately 25 acres of the 142.93-acre parcel. This property is formerly known as The Sunizona Greenhouses.

Parcel Boundaries and Adjacent Roads

The parcel under consideration for Special Use is APN: 305-43-056C, approximately 142.93 acres (See, Figure #1). Adjacent roads are E. Gaskill Road to the north and east; Bell Ranch Road to the west; East Canada Lane to the south. Only a portion of this parcel, about 25 acres (See Figure #2), will be used for plant cultivation (See Figure #3 and Figure #4).

General Location, Size and Height of All Structures (existing and proposed)

Below is a description of the existing structures on the properties (See Figure #5). The height of the structures is unknown. No new structures are proposed.

Type	Unit	Acres/Sq. Ft.	Description
Greenhouses	Greenhouse A	60,000 Sq. Ft.	Van Wingerden model AF-36 - 216' x 276' x 18' to gutters. Pad and fan with new pads. Construction in 1996. Multi-unit, fiber optic linked, Argus Controls computer control system.
	Greenhouse B	10,000 Sq. Ft.	Rough Bros model RD-1 4 bay 21' x 132' x 10' to gutter greenhouse with 12 ebb and flood rolling tables 27' x 5.5'. Constructed 1998 & 2005.
	Packing Warehouse	7,250 Sq. Ft.	50' x 125' x 16' wall ht. 100hp. Cleaver Brooks boiler. 24' x

			24' walk in coolers. (Cooler evap unit not working.) Offices. 600 AMP 480V 3 phase power.
	Pump House with 2 - 5,000-gallon water tanks		24' x 28' Block building. 10hp boost pump. 40hp submersible well pump.
	Generator bldg. c/w 200kw Cummins 855 Natural gas genset		24 x 24' Block building. Automatic. Transfer switch.
Pellet Mill	Building		50' x 100' 20' walls - insulated metal bldg. Includes approx. 120 ton cone bottom silo 800Amp 480V electrical service.

General Location, Number, and Surface of Parking Spaces

The existing parking lot (See Figure #6) at the greenhouse is quarter minus gravel and there is space for approximately 20 or more vehicles on the north and west side of the building, with additional space for parking to the east and south of the building. The proposed parking lot (See Figure #7) use is expected to be no more than 15 vehicles at time on the property. The intention is to pave the parking area to minimize dust, if deemed necessary by the applicant.

Location, Surface, and Width of Driveways

All driveways are quarter minus gravel/dirt and are a minimum of 15-feet wide (See Figure #8).

Proposed and Existing Screening and Landscaping

There is no existing screening or landscaping.

Proposed screening and landscaping (See Figure #9):

- Fencing will enclose approximately 12-15 acres of existing greenhouses and property, of which 2 acres are planned for plant production for the first phase, with a maximum fence project of 25 acres.

- Fencing will enclose the 12-15 acres of Special Use land. This will enclose the greenhouses, 2.5 acres of outdoor farming space, and the top area of the property where equipment will be stored.
- Fencing will be a minimum of 10' high and will be opaque in accordance with Arizona Department of Health Services (ADHS) regulations.
- Desert-friendly trees will be used as windbreaker and native desert fragrant plants will be planted around property.

Proposed and Existing Signs

There are no known existing signs posted.

Proposed signs:

- A street address sign will be posted on the face of the main greenhouse.
- Notices of video-surveillance and no trespassing signs will be posted.
- A good-neighbor farm sign board will be posted stating that the property uses only organically certified herbicides and pesticides.

Proposed and Existing Outdoor Lighting

- The existing outdoor lighting consists of motion sensor lights on the building which could be triggered during the evening hours.
- Proposed outdoor lighting will upgrade the existing motion sensor lights to low emission, low-illumination, security lights that are night-sky friendly, downward-pointing. These lights will be motion activated and will also be full cutoff lights (See Figure #10).
- Outdoor lights and security cameras will be monitored and remotely accessible 24/7, 365 on-site and from our Phoenix facility.
- Proposed greenhouse illumination is solely for the 10,000-square foot propagation greenhouse and will be lit from 6am-8pm. The light will be a neutral white light.
- The greenhouse will require supplemental lighting seasonably from October to February, depending on environmental conditions.
- The impact of the greenhouse illumination will be minimal and night sky-friendly.
- The exposure will be further minimized and almost entirely blocked from view by the larger greenhouse and fencing.

Significant Topographical Features and Cultural Features of the Property

- The property was created as a family production farm and will continue to operate as such.
- The property has only 10' of elevation change. There is no need for specialized irrigation systems or ditches because there will be no grading or clearing of land.

Project Phasing (approx. schedule of uses and construction)

- There is no anticipated major construction planned, given the existing buildings and functionality.
- The fencing will be put up within approximately 30-60 days of closure of the real estate purchase.

Security

- Proposed outdoor lighting will upgrade the existing motion sensor lights to low-emission, low-illumination, security lights that will be motion activated.
- Security cameras will be high-definition infrared cameras.
- There will be 24/7, 365 on-site security guard who will monitor the entire property, including exterior of property, interior of buildings, and all alarm systems.
- Additional 24/7, 365 security monitoring of the site will take place from the company's primary cultivation facility in Phoenix.

Traffic

- Traffic flow to/from the property is expected to be reduced from current traffic to/from property.

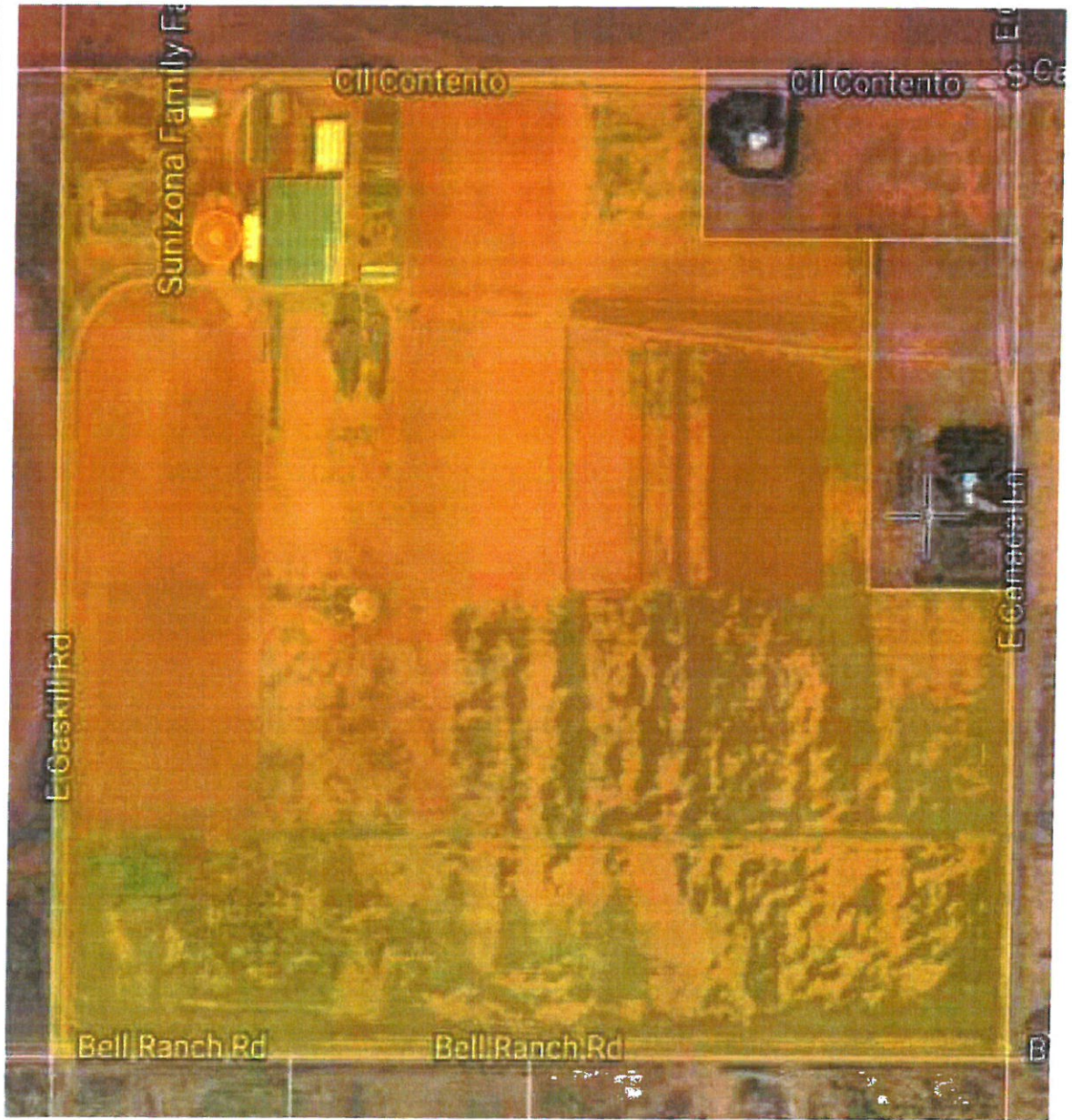
Medical Marijuana Infusion Facility

- Currently there are no plans to process product at the property. However, should our business needs change, we would like approval for a Medical Marijuana Infusion Facility. This would include the testing of infusions, distillates, and other related product(s). Testing of product on-site is permissible under ADHS regulations at a cultivation facility.

Hazardous Materials

- Fertilizers and fungicides that will be used will follow Organic Materials Review Institute (OMRI) guidelines.

Figure #1



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Yellow highlighted area
represents the 142.93
approximate acres to be
acquired by Banyan Farms.

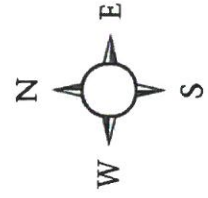
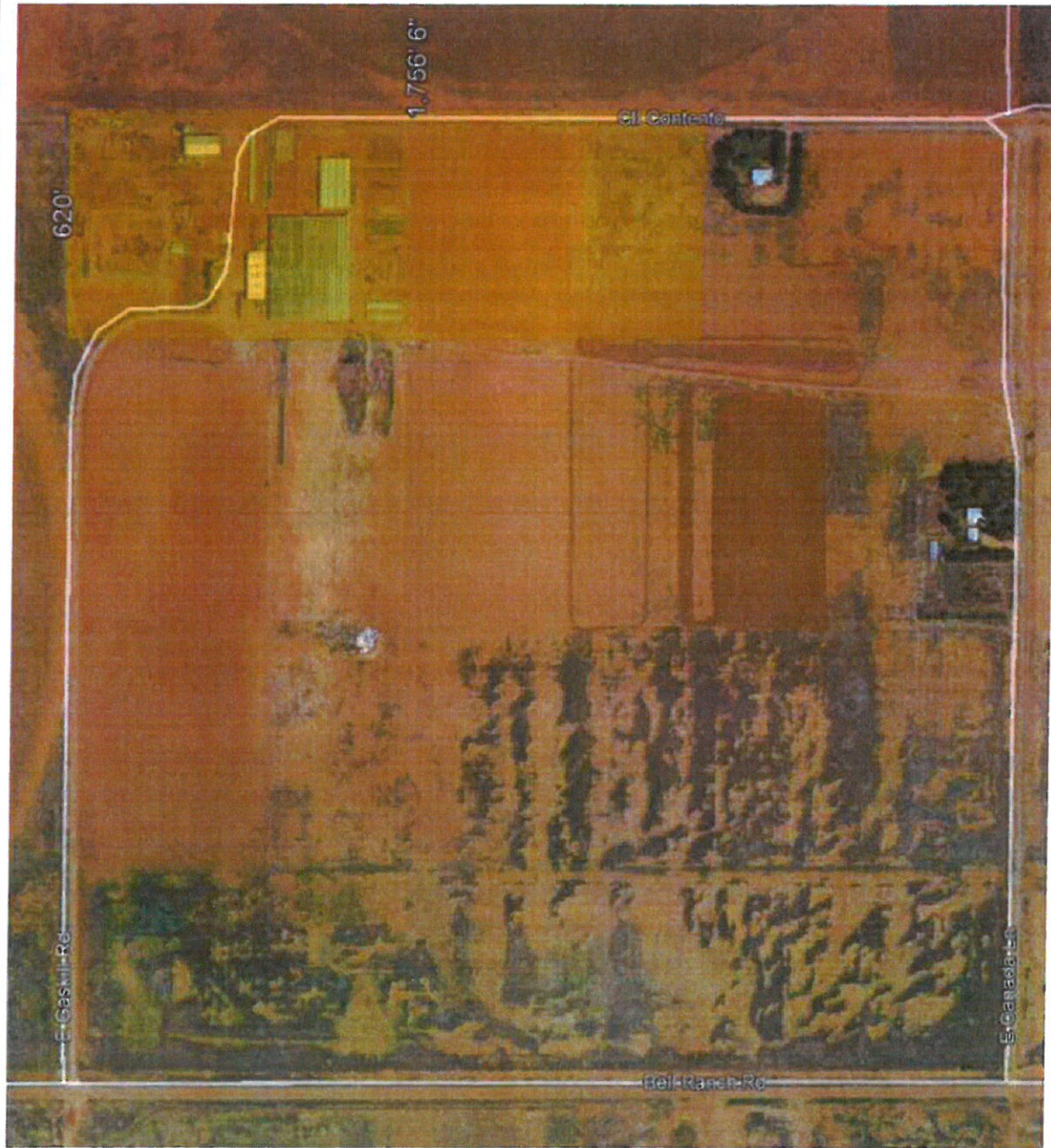


Figure #2



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Yellow highlighted area
represents the 25
approximate acres proposed
for special use by Banyan
Farms.

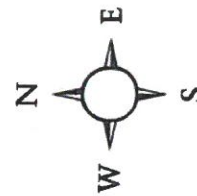


Figure #3



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Green Perimeter represents the 15 approximate acres to be fenced and operated by Banyan Farms.

Blue internal perimeter represents 2.5 approximate acres planned for cultivation outside of physical Greenhouse structures.

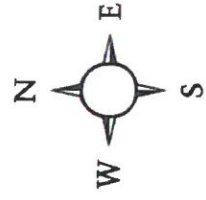
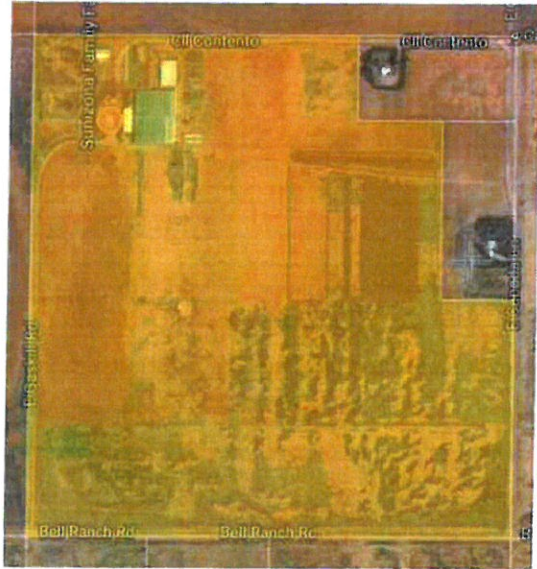
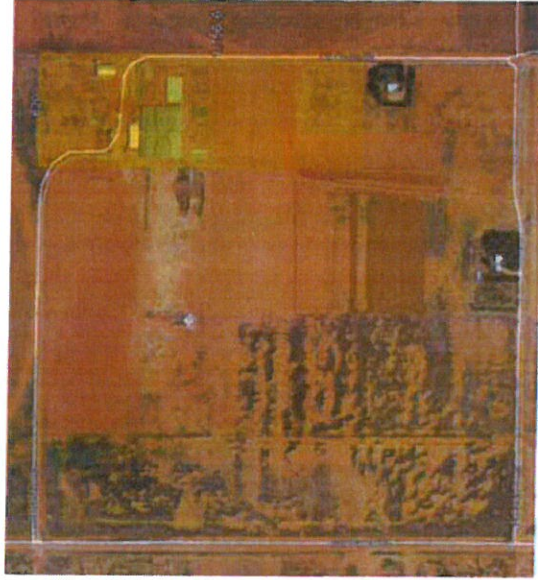


Figure #4



Notes:
Yellow highlighted area represents the 142.93 approximate acres to be acquired by Banyan Farms.



Notes:
Yellow highlighted area represents the 25 approximate acres proposed for special use by Banyan Farms.



Notes:
Green Perimeter represents the 15 approximate acres to be fenced and operated by Banyan Farms.
Blue internal perimeter represents 2.5 approximate acres planned for cultivation outside of physical

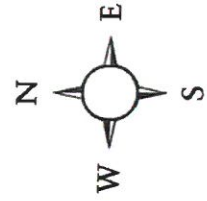
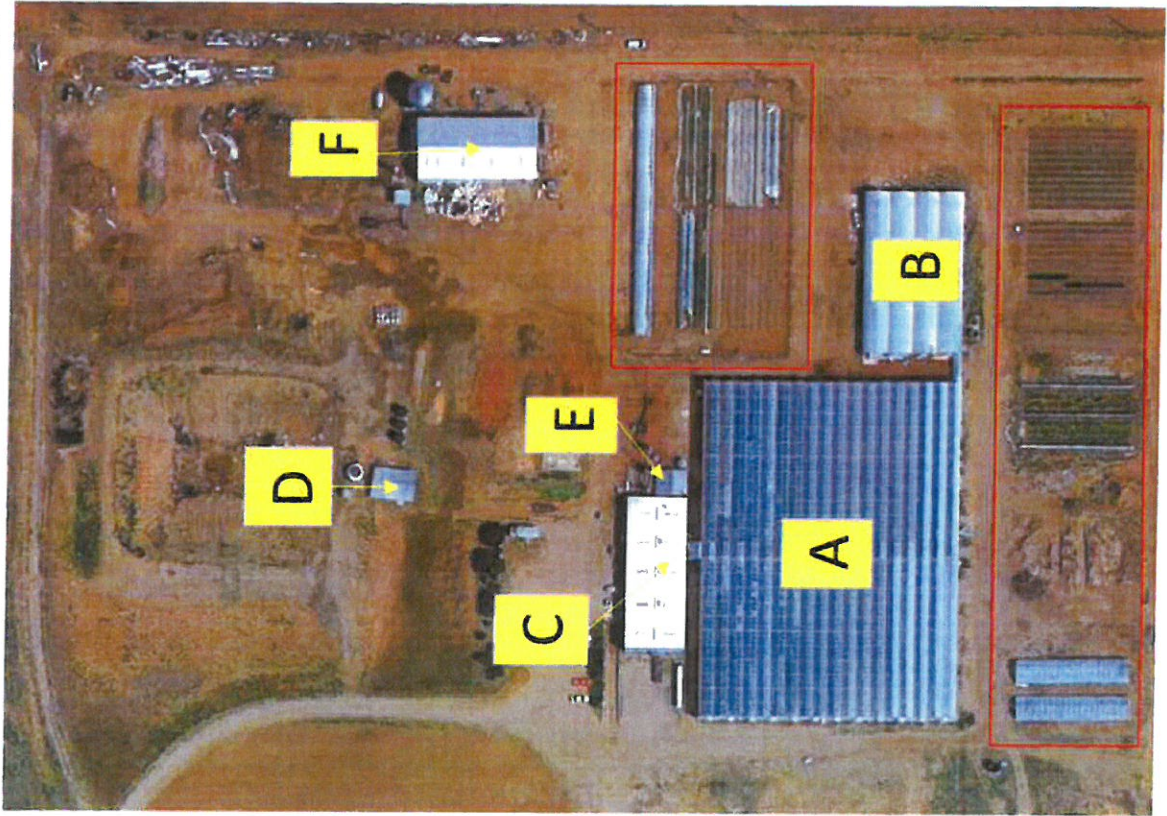


Figure #5



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Existing Structures

- A: Greenhouse A 60,000sq.ft
- B: Greenhouse B 10,000sq.ft
- C: Packing Warehouse 7,250sq.ft
- D: Pumphouse 672sq.ft
- E: Generator Building 576sq.ft
- F: Pellet Mill 5,000sq.ft

*Areas outlined in red have been cleared and do not contain structures or vegetation.

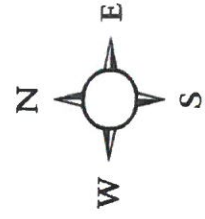
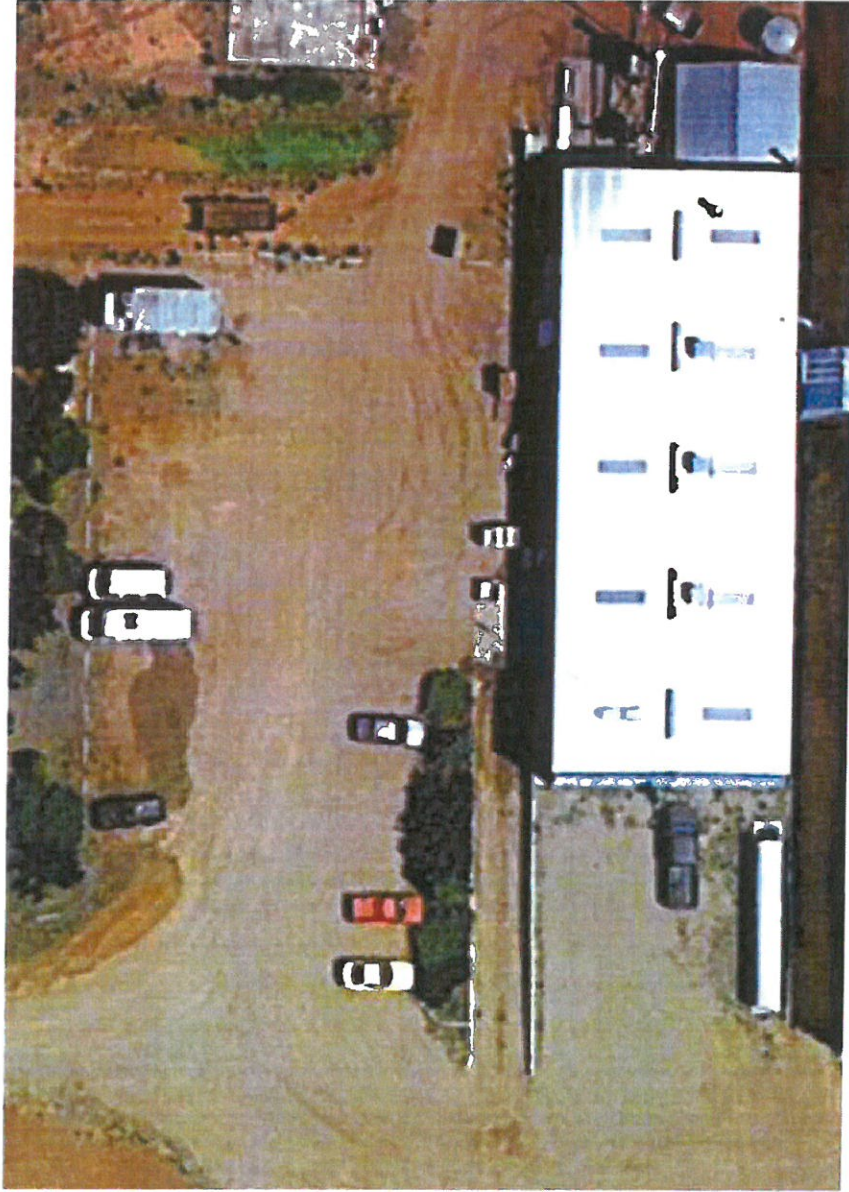


Figure #6



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Current location of on-site parking.

Located Directly North of Building "C" (Packing Warehouse)

Currently consisting of quarter minus gravel with no designated parking spaces.

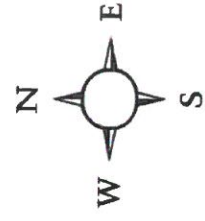
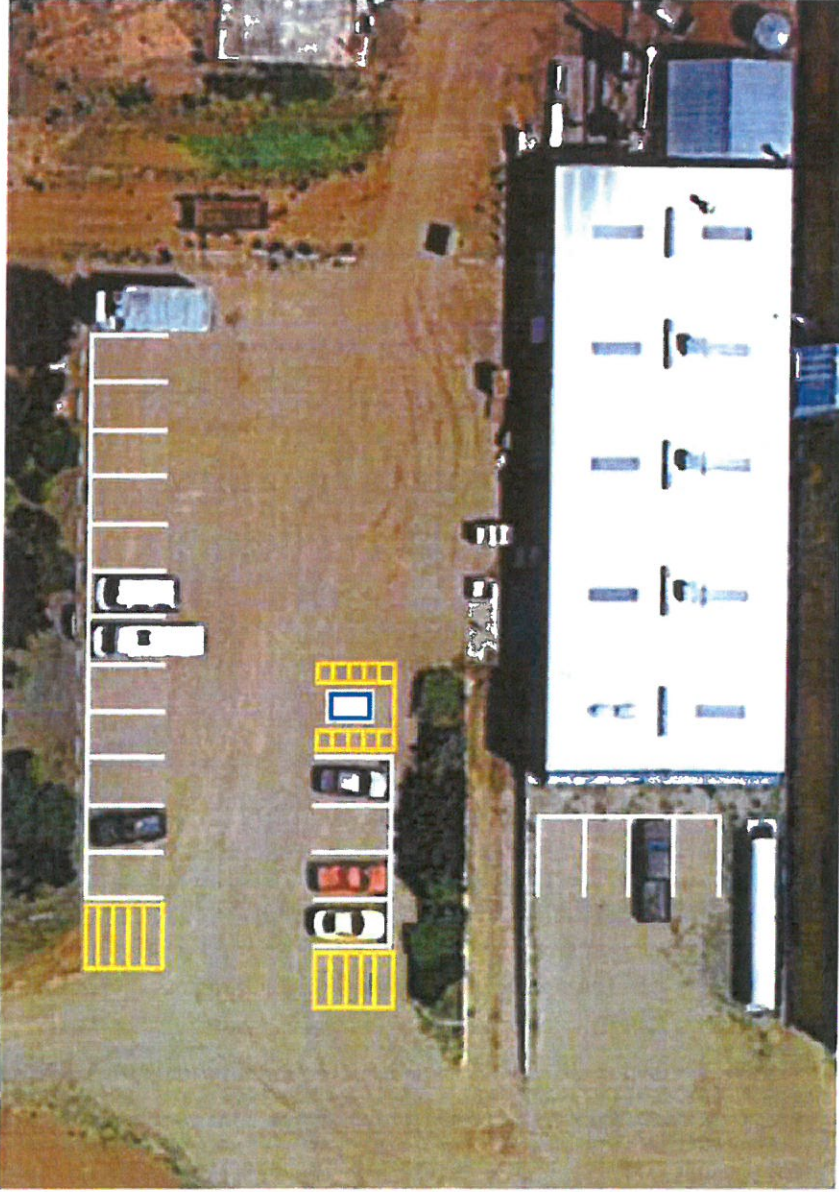


Figure #7



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Proposed location of on-site parking.

Located Directly North of Building "C" (Packing Warehouse)

Proposed to pave existing lot and add 20 general parking spaces and 1 ADA compliant space.

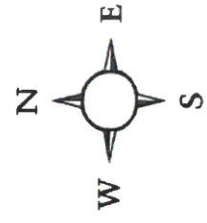


Figure #8



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Red pathway indicates on-site driveways.

All drives are quarter minus gravel/dirt and are a minimum of 15ft wide.

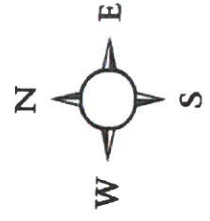


Figure #9



5655 E. Gaskill Road
Wilcox, AZ 85643

APN: 305-43-056C

Notes:

Green perimeter represents
privacy screened security
fencing enclosing the
proposed 15 acres.

Desert friendly trees/plants
are to be planted as
windbreaks.

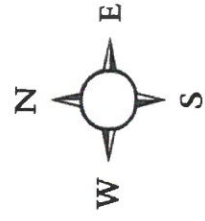
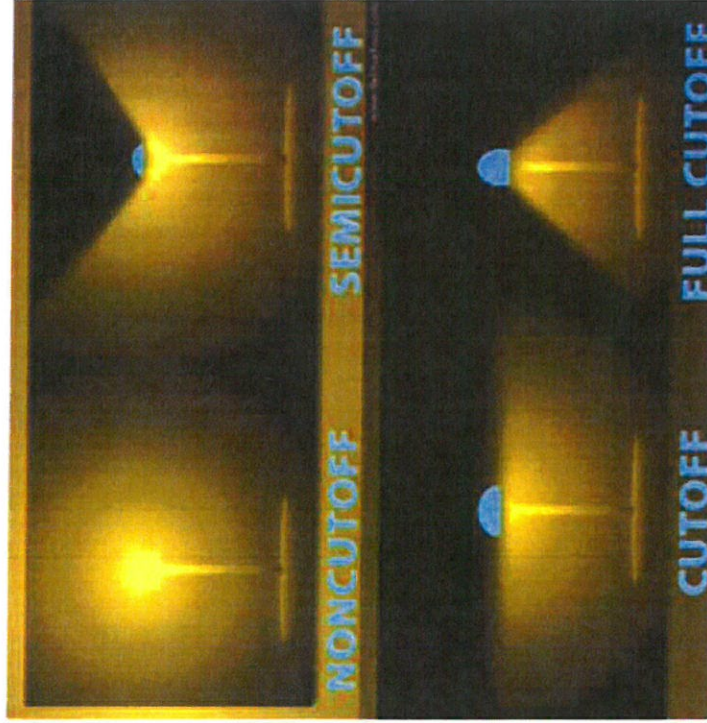


Figure #10



5655 E. Gaskill Road
Wilcox, AZ 85643

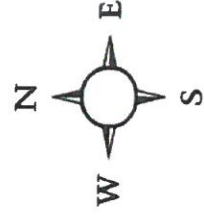
APN: 305-43-056C

Notes:

All Existing exterior lighting will be upgraded to Full Cutoff, low illumination, motion activated, night sky friendly fixtures.

All proposed lighting will Full Cutoff, low illumination, motion activated, night sky friendly fixtures.

HD Security Cameras will monitor entire site 24/7,365 both on-site and from Phoenix headquarters.





Cochise County
Community Development
Planning, Zoning and Building Safety Division

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HAZARDOUS OR POLLUTING MATERIALS ATTACHMENT

This information will help determine what provisions you may need to make to address any hazardous or polluting materials that might be associated with your proposed commercial use. All international fire and building code standards must be followed. It is highly recommended that you understand the requirements for the safe storage and transfer of hazardous materials in advance of finalizing your design plans.

APPLICANT NAME Green Desert Patient Center of Peoria, Inc.

TAX PARCEL NUMBER APN 305-43-056C

Your Facility Information

Name of your company/business: Banyan Farms, LLC

Name of responsible party (e.g., owner or operator): Kurt Merschman

Mailing address of responsible party: 8180 N. Hayden Rd., Suite D-107

City: Scottsdale State: AZ Zip: 85258

Phone/fax number(s) of responsible party: 480-999-7762

E-mail address of responsible party: kdm@banyanmanagementholdings.com

Your Materials Information

These questions do not apply to ordinary household or office products or wastes such as cleansers, waxes, or office supplies. It applies only if the hazardous or polluting materials are involved in the commercial business, or if grounds or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

1. List hazardous and polluting materials (including raw materials, products, wastes, emissions, discharges, etc.) that will be **brought to, stored, manufactured, produced, generated, processed or otherwise used at or released or transferred from the site.** Note the maximum quantities you plan to store at any given time.

Material	Quantity
----------	----------

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

Material Potassium Nitrate Quantity 2,000 pounds

Material Dipcal (Nitric acid, ammonium calcium salt) Quantity 2,000 pounds

Material Monopotassium Phosphate, Anhydrous Quantity 2,000 pounds

2. How will you store these hazardous or polluting substances? (For example, automotive batteries require impervious flooring, flammables require NFPA 30 cabinets, gas cylinders need restraints, and many chemicals have specific requirements, such as secondary containment areas for liquids. These requirements are found in the Material Safety Data Sheets (MSDS) or can be requested from ADEQ.)
These products will be stored on spill containment pallets, in a locked, climate-controlled warehouse.

Within the warehouse, products will be additionally secured in a locked cage. Access to the warehouse will be restricted.

3. What methods will you use to ensure proper containment during use or ventilation? (Include potential waste and by-products as well as the substances themselves.)

Products will be diluted with water prior to use. Concentration of the product used will not be high enough to reach exposure limits nor warrant the use of respiratory equipment. Goggles and rubber gloves will be used when handling the product.

4. How will you dispose of the waste or excess substances? (Be advised that commercial operators may not use the County transfer stations household hazardous waste program. The County's transfer stations only handle household materials and you must have an appropriate disposal method for commercial quantities and substances.)

There will be no waste of excess substances. Drainage from cultivated crops will be blended with fresh water to dilute if applied to landscaping plants.

Any commercial quantities and substances will be handled in accordance with appropriate regulations. None of our proposed products/substances for use will require special handling.

Based on your business use of hazardous materials and/or polluting materials you may be requested to provide additional information which may include Chemical Abstract Service Registry Numbers (CASRN), waste codes, Material Safety Data Sheets (MSDS) and/or various plans or permits required by federal, state or local regulations. The County's Building Official and/or Emergency Service staff may also contact you for additional information about materials referenced on this form.

By my signature below, I hereby certify that all the information presented in this form is accurate to the best of my knowledge. I understand that I may be contacted to provide additional information and may need to obtain federal, state or local permits to bring, store, manufacture, produce, generate, process or otherwise use at or release or transfer hazardous materials from my site.

Stephanie Wiegold

February 23, 2018

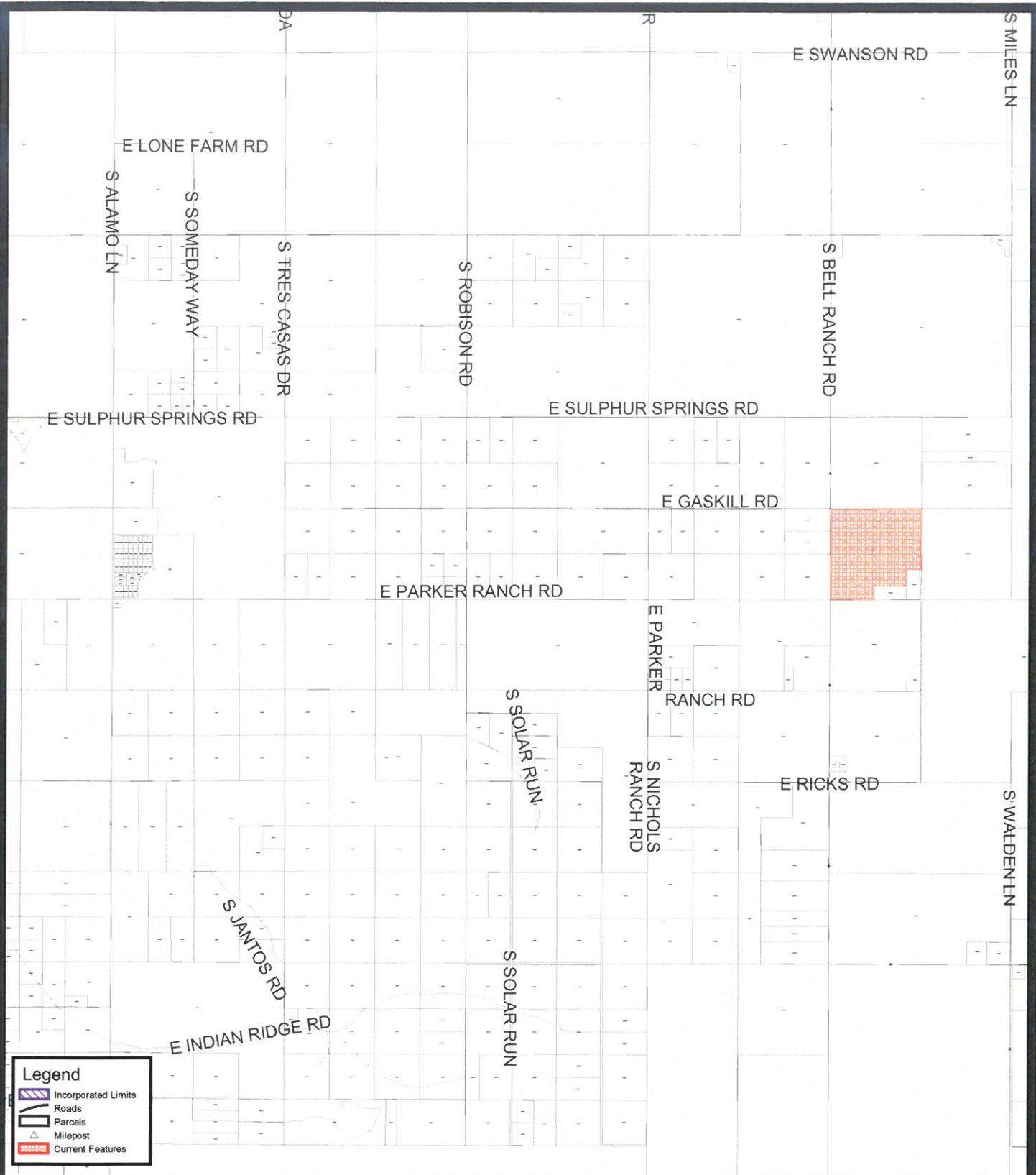
Applicant Signature

Date

Stephanie Wiegold, Director of Operations, Banyan Management Holdings, LLC

Print Name/Company

Owner Agent




Legend


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



SU-18-06

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





0' 1" = 400'

SUNIZONA GREENHOUSES, INC.
5655 E. GASKILL RD.
WILCOX, AZ 85643

December 20, 2017

Cochise County
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, AZ 85603

**RE: Property located at 5655 E. Gaskill Rd., Wilcox, AZ 85643/APN 305-43-056C
(the "Property")**

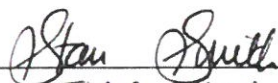
To Whom It May Concern:

Please let this letter serve as notice that Sunizona Greenhouses, Inc. (the "Company") hereby authorizes Green Desert Patient Center of Peoria, Inc. ("AZNS"), its nominee or principal(s), to file a Special Use Authorization Questionnaire and to act as the owner's representative with Cochise County, with regard to filing a Special Use Permit, for AZNS to operate a medical marijuana cultivation facility at the Property and any actions associated therewith.

Please contact the company's authorized representative Rick Frank, at (520) 403-3903, or rick45ap@vct.net, with any questions that you may have.

Sincerely,

SUNIZONA GREENHOUSES, INC.

By: 
Name: STAN SMITH
Its: DIRECTOR

Form 212

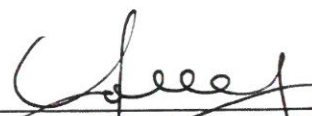
Notarial Certificate of True Copy

CANADA) TO ALL TO WHOM THESE PRESENTS MAY
)
PROVINCE OF BRITISH) COME TO BE SEEN OR KNOWN:
)
COLUMBIA TO WIT)

The foregoing letter dated December 20, 2017 was acknowledged before me this 22nd day of December, 2017, by Stan Smith, a director of SUNIZONA GREENHOUSES, INC.

Witness my hand and official seal.

DATED at Abbotsford, in the Province of British Columbia, this 22nd day of December, 2017.


A Notary Public in the Province of British
Columbia
SHERI M. YAKASHIRO
Lawyer
33695 South Fraser Way
Abbotsford, BC V2S 2C1
Tel: 604-853-0774



Special Use Docket SU-18-06 (Green Desert Patient Center)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

I have spoke with people in the area
As well as the new owner representative
And I am comfortable with their plan.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

David Peterson

SIGNATURE(S):

David Peterson

YOUR TAX PARCEL NUMBER: 30543069 (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 Wednesday, March 28, 2018 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 April 10, 2018 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 April 11, 2018**. 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

MAR 19 2018

PLANNING

Special Use Docket SU-18-06 (Green Desert Patient Center)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Medical marijuana has been accepted as an option, apparently effective, in the treatment of a variety of illnesses. This opens a new industry that is not only valuable for medical reasons, but also for investors of real estate properties. This impacts property values for property owners and government entities that could benefit from the growth of this industry. We, therefore, support the Applicant's request for a Special Use Authorization for the purposes outlined in your letter of March 5, 2018.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): Sandra Valdes, James Vasquez

SIGNATURE(S): Sandra Valdes
James R. Vasquez

YOUR TAX PARCEL NUMBER: [REDACTED] (the eight-digit identification number found on the tax statement from the Assessor's Office) 401-01-0056 7

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 Wednesday, March 28, 2018 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 April 10, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. 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-18-06 (Green Desert Patient Center)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Medical marijuana has been a Godsend to
so many. It has helped my wife with her
Emphysema it has been the only thing
that has worked for her. and its legal.

I TRULY SUPPORT THIS PROJECT!

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

HECTOR L. MALDONADO HELEN MALDONADO

SIGNATURE(S):

H. Maldonado
Helen Maldonado

YOUR TAX PARCEL NUMBER: 305-43-06805 (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 Wednesday, March 28, 2018 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 April 10, 2018 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 April 11, 2018**. 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-18-06 (Green Desert Patient Center)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

THE GREEN DESERT PATIENT CENTER WILL HELP TO SPUR ECONOMIC DEVELOPMENT IN THE KANSAS SETTLEMENT AREA. MEDICAL MARIJUANA IS REGARDED AS A SAFE AND EFFECTIVE TREATMENT FOR PAIN AND REPRESENTS A NEW AND GROWING INDUSTRY. THIS IS A MAJOR PLUS FOR THE AREA AND FOR COCHISE COUNTY IN GENERAL.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

THOMAS ZUMM FOR COCHISE PROPERTY ONE

SIGNATURE(S): Thomas Zumm

YOUR TAX PARCEL NUMBER: 305-43-053 (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 Wednesday, March 28, 2018 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 April 10, 2018 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 April 11, 2018. 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-18-06 (Green Desert Patient Center)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

THE GREEN DESERT PATIENT CENTER WILL HELP TO SPUR ECONOMIC DEVELOPMENT IN THE KANSAS SETTLEMENT AREA. MEDICAL MARIJUANA IS REGARDED AS A SAFE AND EFFECTIVE TREATMENT FOR PAIN AND REPRESENTS A NEW AND GROWING INDUSTRY. THIS IS A MAJOR PLUS FOR THE AREA AND FOR COCHISE COUNTY IN GENERAL.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

THOMAS ZUMM FOR COCHISE PROPERTY TWO

SIGNATURE(S):

Thomas Zumm

YOUR TAX PARCEL NUMBER: 305-43-054 (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 Wednesday, March 28, 2018 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 April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the public hearing on April 11, 2018. 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-18-06 (Green Desert Patient Center)

YES, I support this Request

Please state your reasons:

As a farmer and land owner in Cochise County I fully support all legal farming ventures. We have an excessive amount of government interference in all businesses today. People who own land should have a right to grow any and all legal crops. The fact that a land owner has to have his neighbors decide whether he may or may not grow some crop is ludicrous. Cochise County is losing tax money and needs all the profitable farming ventures available and the people in Cochise county need all the jobs farming ventures provide. We need government to get out of the way of business and let business operate.

Stephen Christian
Wharton Properties, LLC

Signature: _____



Your tax Parcel number 40101050E

Special Use Docket SU-18-06 (Green Desert Patient Center)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

PLANNING
MAR 12 2018
[Handwritten notes and stamps]

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

1- THE VALUE OF PROPERTY WILL DECREASE
2- MARIJUANA DO MORE DAMAGE TO PEOPLE THAN ^{THE} BENEFIT AS CLAIMED.
3- CLAIMED AS MEDICAL MARIJUANA BUT LOTS OF PEOPLE WILL BE ABLE TO USE IT (NOT FOR MEDICAL PURPOSES) AND WILL AFFECT THEIR JUDGMENT.

(Attach additional sheets, if necessary)

PRINT NAME(S): MS NS (MARK SITO)

SIGNATURE(S): [Handwritten Signature]

YOUR TAX PARCEL NUMBER: 305-43-054 B. (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 Wednesday, March 28, 2018 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 April 10, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. 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-18-06 (Green Desert Patient Center)

_____ YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

We have to ~~stop~~ stop Pot Farms in Cochise Co.
Please do NOT grant another permit for a Pot Farm

(Attach additional sheets, if necessary)

PRINT NAME(S):

Eugene T Walden

SIGNATURE(S):

Eugene T Walden

~~305-44-023 + 305-44-024~~

YOUR TAX PARCEL NUMBER: 305-44-023 + 305-44-024 (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 Wednesday, March 28, 2018 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 April 10, 2018 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 April 11, 2018**. 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-18-06 (Green Desert Patient Center)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

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

WILL NOT BRING ANYTHING POSITIVE TO THE COMMUNITY

(Attach additional sheets, if necessary)

PRINT NAME(S): JUAN CLAY RIGOS

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: 401 030 23B, 401 010 19, 40103003, 305 44025
401 030 29, 401 030 45, 401 010 20, 305 44033
(the eight-digit identification number found on the tax statement from the Assessor's Office)

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

COCHISE COUNTY
MAR 23 2018
PLANNING



Cochise County
Community Development
Highway and Floodplain Division

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

INTEROFFICE MEMO

Date: March 5, 2018
To: Peter Gardner, Planner I
From: Teresa Murphy, Right-of-Way Agent
Subject: SU-18-06 Green Desert Patient Center

Background: The applicant requests a Special Use Authorization to establish a Medical Marijuana Cultivation and Infusion Facility southeast of Kansas Settlement, per Section 607-53 & 607.56 of the Zoning Regulations. The property is zoned RU-4 (Rural; ne dwelling per 4 acres) and accommodates an existing agricultural facility including greenhouses, a warehouse and accessory structures. The 143 acres site, parcel 30543-056C, is located at 5655 E. Gaskill Road in Willcox, AZ. The Applicant is Stephanie Wiegold of Green Desert Patient Center of Peoria, Inc.

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:

- **The current owner of this parcel is Sunizona Greenhouses Inc.**
- Gaskill Road is not a County Maintained Road, however Bell Ranch Road, which borders the west side of the subject property is County Maintained (MI#70).
- Bell Ranch Road is a declared County Highway per Docket 485, page 534-535.
- Bell Ranch Road is classified as an Access road, with a right-of-way width of 80 feet per the County Standards.

Recommendation:

- Further right-of-way dedication is required for Bell Ranch Road. A Deed of Dedication will be prepared by the right-of-way department for the West 40 feet of the subject parcel.

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



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

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

MEMORANDUM

Date: March 20, 2018
To: Peter Gardner, Planner I
From: Karen L. Lamberton, AICP County Transportation Planner
Subject: Green Desert Patient Center/SU-18-06/Parcel # 305-43-056C

The applicants, Green Desert Patient Center of Peoria, Inc., are requesting a Special Use authorization to use a portion of the subject parcel for construction of facilities for the cultivation and infusion of medical marijuana. The property is zoned RU-4, Rural, and the proposed growing and infusion processes are considered a Special Use in that zone under Sections 607.53 and 607.56 of the Zoning Regulations.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions:

1. A Private Maintenance Agreement, per Zoning Code 1897.02A will need to be submitted with their first Commercial Permit application, for that segment of Gaskill Road from the Bell Ranch Rd. to their driveway entrance.
2. A commercial driveway, meeting Design Standard CC205-2, with clear zones (sight distance triangles) per Design Standard, CC300 and Zoning Code 1807.06B, should be in place in advance or concurrent with their first Commercial Permit application and shown on the submitted site plan.
3. In advance or concurrent with their first Commercial Permit application the applicant is required to obtain a Cochise County Right-of-Way/Encroachment Permit and coordinate with the Highway Dept. to provide a roadway access apron at the Gaskill Rd. intersection connection with Bell Ranch Rd. as per the County Roadway Design standard CC205-3 or as approved by the Highway Dept. County Engineer.

Background

The applicant is proposing to cultivate and infuse medical marijuana within existing greenhouses on a 143-acre site located in the Willcox area. This site is already under active agricultural use. The property is located off of Bell Ranch Rd., a rural minor access roadway that is currently a 20-foot cross-section, native surfaced roadway. Gaskill Road is a private, native surfaced roadway.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
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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

Driveway Access

A commercial driveway intersection will be required from the subject parcel onto Gaskill Road that meets or exceeds the County's Roadway Design Standards. Design standards require that driveways meet or exceed the existing roadway surface, in this case, native surface at the subject parcel connection. Standard commercial driveways for this type of use would typically be a native surfaced 24-foot wide driveway with 35-foot radii to facilitate turning movements of the larger and heavier vehicles that typically serve commercial and agricultural uses. See Design Standards CC205-2. A ROW/Encroachment Permit is not needed for the driveway improvement (if needed) as this driveway takes access onto a private roadway.

Traffic Analysis

This type of use is akin to a small-scaled agricultural use: average trip generation rates specifically for this type of growing operation have not been developed on either a national or state-level at this time. The applicant anticipates up to 20 employees, at full-build out of this project, which has the potential to generate an estimated range of 30 to 89.6 vehicle trips per day. Greenhouses tend to stabilize the typical seasonal variations inherent in open agricultural activities. The applicant is proposing a staged greenhouse development with three or five phases over time, as market demand allows.

Note: Vehicle trips are different than number of vehicles that travel to the site. Average vehicle trips per day also include incidental traffic generated due to the presence of any particular use (e.g. mail, deliveries, trash pick-up) and averages seasonal variations in trips generated.

The applicant indicates a startup operation using approximately 70,000 square feet of greenhouses. This level of light industrial agricultural activities is likely to generate an estimated range of 110 to 1,101 vehicle trips per day. The threshold for providing a more significant traffic analysis is at 100 vehicle trips per day; however, given the typical range using employee factors, and taking into account that the site has other exempt agricultural trips associated with it, and assuming no patient services per the conceptual scope of the application, and given the applicant's participation with right-of-way dedication and off-site improvements at the Gaskill Rd. intersection, no traffic report will be required.

If built out to a full residential use this 143 acre parcel would likely generate an average of 334.94 vehicle trips per day, for 35 residential units. As a growing and infusion operation only, with no dispensary operation, the requested use is not likely to change the type of use that has historically been on this site nor the type and volume of traffic associated with an agricultural greenhouse operation. It is likely that even at full build-out, as proposed by this applicant; the trip generation for this site would be less than if developed as a residential use.

Traffic Statement Requirements/Off-Site Improvements

Trip generation at this location, based on this conceptual proposal, does not appear to reach the threshold of needing a Traffic Report. Construction impacts are expected to be minimal as the site is fully developed for this type of agricultural cultivation within existing facilities. However, the applicants are advised that if this use expands in the future beyond the scope presented in this Special Use (e.g. dispensary/patient services) some level of formal traffic analysis will likely be needed.

In lieu of conducting a Traffic Statement to assess impacts, the applicant is requested to address the roadway apron connection at Bell Ranch Rd. The roadway access to this site from Kansas Settlement Road is, at this time, all native surfaced roadways. The County is undertaking in 2018 a chip-seal project to hard surface roadways in this area, including Bell Ranch Rd. to beyond Gaskill Rd. This improvement is directly serving these applicant's

subject parcel and the applicant's have agreed to provide requested right-of-way for Bell Ranch Rd. A roadway access apron per Design Standards CC205-3, or as approved by the County Engineer, is requested as a condition of this Special Use, to protect the newly paved roadway edge of pavement.

Right-of-Way/Encroachment Permit information for working within the County's Right-of-Way to construct this roadway apron is available from the Highway Dept. and can be obtained by contacting the Highway Dept. at 520-432-9300 and speaking with Francis Marinez. The typical fee for most ROW/Encroachment Highway Permits is \$100.00 and should be obtained concurrently with, or in advance of, the Commercial Permit application for this use.

Advisory Note for the Applicant

The conceptual plan is adequate for this Special Use application but will not be adequate at the Commercial Permitting stage. At the commercial permit stage additional details, including a sight distance triangle, per Zoning Regulation 1807.06 and/or Roadway Design Standards D-300, will be needed on the site plan or as a separate illustration.

Failure to provide required details on the site plan at the Commercial Permit stage may result in the application being found deficient and returned for revisions. Checklists and examples available from the Planning and Zoning Dept. office.

Should the scope or scale of operation change during the process of review by the State and Federal agencies the applicant is advised that conditions related to off-site impacts may change.

P&Z Agenda Template

6. 3.

Meeting Date: 04/11/2018

Z-18-04 (Vicencio)

Submitted By: Robert Kirschmann, Community Development

Department: Community Development

Division: Development Services

Presentation: PowerPoint

NAME Robert Kirschmann

of PRESENTER:

TITLE Planner II

of PRESENTER:

Agenda Item Text:

Z-18-04 (Vicencio) The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres) in Willcox.

Background:

The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres). The request is to facilitate the creation of up to five lots. The subject parcel totals 10 acres.

The subject parcel, APN 203-10-006C, is located on the northwest corner of West Red Rose Lane and South Taylor Road in Willcox. They are further described as being situated in Section 10 of Township 14 South, Range 24 East of the G&SRB&M, in Cochise County, Arizona. The Applicant Sylvia Vicencio.

Attachments

Staff Report

Application

Public Response

Agency Response



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: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Development Services Director
SUBJECT: Docket Z-18-04 (Vicencio)
DATE: March 29, 2018 for the April 11, 2018 Meeting

APPLICATION FOR A REZONING

The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres). The request is to facilitate the creation of up to five lots. The subject parcel totals 10 acres.

The subject parcel, APN 203-10-006C, is located on the northwest corner of West Red Rose Lane and South Taylor Road in Willcox. They are further described as being situated in Section 10 of Township 14 South, Range 24 East of the G&SRB&M, in Cochise County, Arizona. The Applicant Sylvia Vicencio.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 10.00 (435,084 sq. ft.)
 Current Zoning: RU-4 (Rural; one dwelling per 4 acres)
 Proposed Zoning: RU-2 (Rural; one dwelling per 2 acres)
 Growth Area: B
 Plan Designation: Developing
 Area Plan: None
 Existing Uses: Single family home/vacant land
 Proposed Uses: Up to 5 2 acre lots

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Single family residential/vacant land
South	GB	Single family residential/Vacant land
East	RU-4	Single family residential/Vacant land
West	R-36	Single family residential/Vacant land

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

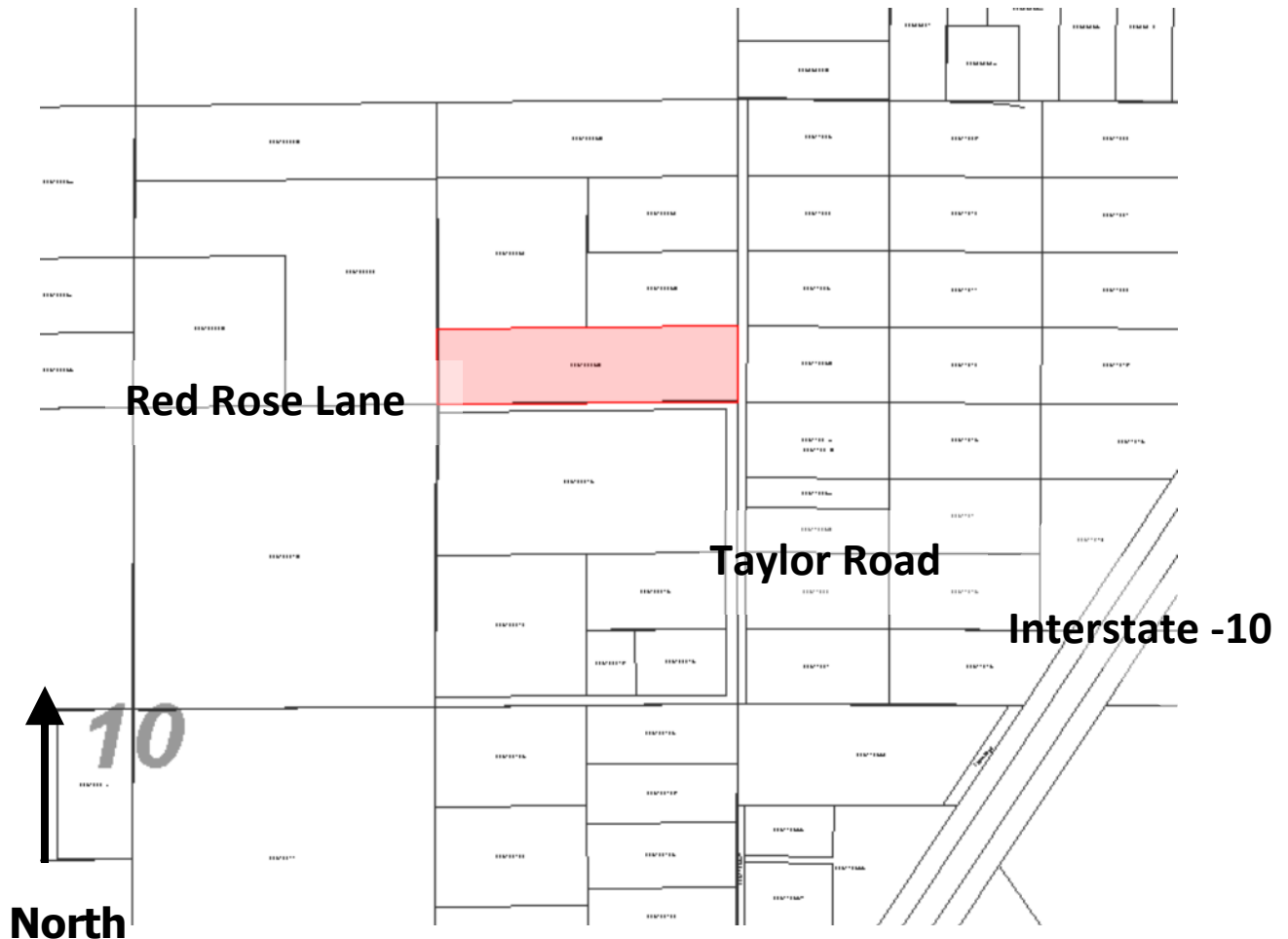
II. PARCEL HISTORY

- 2004- Replacement Single Family Home
- 2002- Replacement Manufactured Family Home
- 1998- Manufactured Home

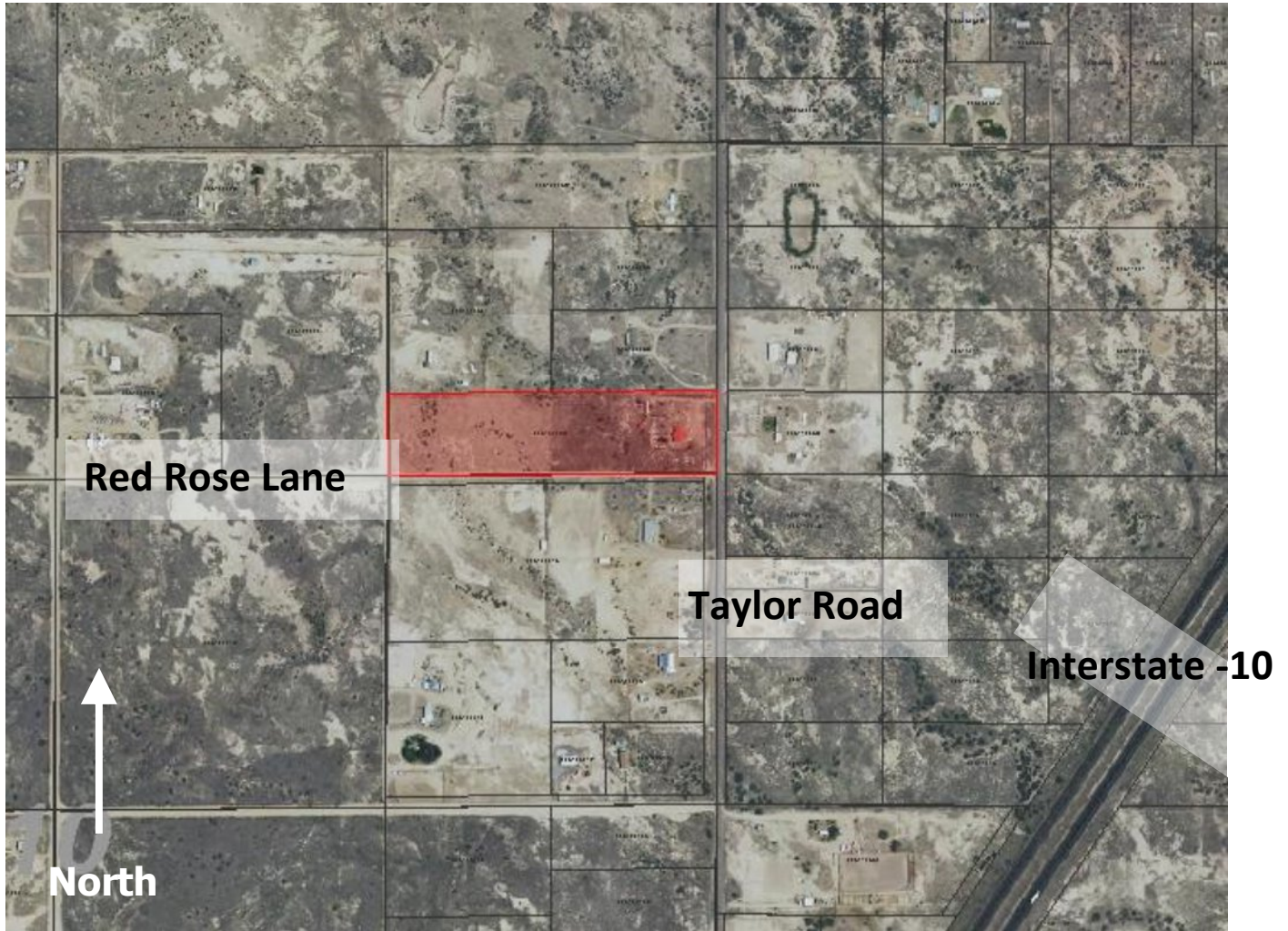
III. NATURE OF REQUEST

The Applicant is requesting to amend the zoning on a 10-acre parcel in the Willcox area from RU-4 to RU-2. This request is to facilitate splitting the parcel into lots of two acres minimum. There is an existing single-family home on the property fronting on Taylor Road. Current zoning allows the applicant to split the property into two lots today. However, the owner would like to be able to give a portion of the lot to each of her children. The applicant is only proposing to create a total of four lots, however this rezoning would allow up to a total of five lots.

The newly created lots would take access off of Red Rose Lane to Taylor Road. The zoning in the area is mixed with RU-4 (4-acre minimum lots) north and west of the parcel, R-36 (36,000 square foot lots) to the east and General Business to the South.



Location Map



Aerial

IV. 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” and is considered a “Developing” area per the Comprehensive Plan. RU-2 zoning is permitted in the Category “B,” “Developing Areas” areas, so this request to rezone 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. Eleven of the criteria are applicable to this request. Eight of the criteria are met as is, and two are met with the recommended Conditions of approval. One factor does not comply.

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

The concept plan provided by the Applicant depicts one four-acre lot (where the residence is) and three additional 2 acre lots. The three new parcels will take access from Red Rose Lane.

2. Compliance with Applicable Site Development Standards: Complies

As noted above, the 10-acre site currently has one single family home constructed on it. Up zoning to RU-2 would not negatively impact the ability of the parcel to be developed. The only site development standard that would become less stringent is the maximum density. The Applicant must remain aware that under both the current RU-4 and proposed RU-2 zonings that all structures must remain a minimum of 20 feet from all property lines and road travel ways.

3. Adjacent Districts Remain Capable of Development: Complies

The proposal would not affect the development prospects of any neighboring property. The surrounding zoning districts verify from General Business south across Red Rose to R-36 east across Taylor road and RU-4 to the north and west.

4. Limitation on Creation of Nonconforming Uses: Complies

If approved, the rezoning would not create any non-conforming land uses.

5. Compatibility with Existing Development: Complies

The surrounding area consists of single family homes, mostly on larger lots. However, there are several lots that currently are smaller than 2 acres, including one of the respondents in opposition to this request. The request will be compatible with the surrounding residential uses. While the surrounding area north and west of the parcel is zoned RU-4, the parcel immediately to the south across Red Rose Lane is designated as General Business. A wide variety of commercial business, multi family or single family with lot sizes of 3,600 square feet

6. Rezoning to More Intense Districts: Complies

As indicated above, while this request would create a higher density zoning district, the parcel to the south is designated as General Commercial and the lots to the east are all designated as R-36, much higher density than this proposal will create.

7. Adequate Services and Infrastructure: Complies with Conditions

All roadways currently exist. Taylor Road is a paved, County maintained road. However, there is only an easement in place. A condition of approval is included requiring dedication for Taylor Road in order to perfect the right-of-way. Red Rose Lane is a non-maintained dirt road with an easement currently in place.

8. Traffic Circulation Criteria: Complies

The potential additional trips generated from granting the rights up to three additional homes will not adversely impact the road network

9. Development Along Major Streets: Complies

The existing single-family home takes access off Taylor Road. No new road cuts will be required to Taylor Road. The new single-family homes would all take access of Red Rose Lane.

10. Infill: Not Applicable

This Factor applies only for rezoning requests to General Business, Light Industry or Heavy Industry.



11. Unique Topographic Features: Not Applicable

The site is flat with no significant slope.

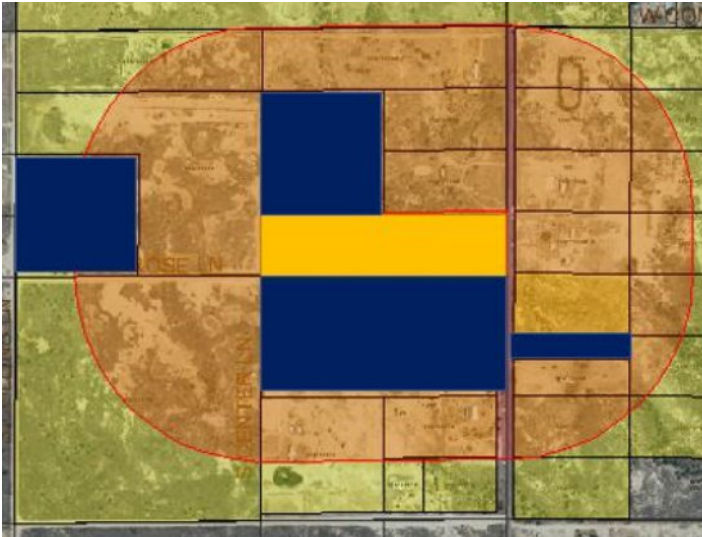
12. Water Conservation: Complies with Conditions

Upon submittal of the single-family homes, water conservation measures must be detailed.

13. Public Input: Does Not Comply



The Applicant completed a Citizen Review, and Staff mailed notices to neighboring property owners within 1,000 feet of the subject property on March 8, 2018. Staff posted the property on March 22, 2018 and published a legal notice in the *San Pedro Valley Sun-News* on March 21, 2018. Staff received four letters in opposition. One letter in opposition is directly across Red Rose Lane and is designated as General Commercial. Another was on the east side of Taylor Road, designated as R-36 and also has a parcel under 2 acres in size. The other two parcels are designated RU-4 and are located north and east of the request.



14. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

15. Compliance with Area Plan: Not Applicable

The subject property does not lie within an adopted Area Plan.

V. PUBLIC COMMENT

In response to County mailings, the Planning Department has received four responses in opposition. That opposition is mentioned in detail above.

VI. SUMMARY AND CONCLUSION

The request is for a rezoning, from to RU-4 (Rural; one dwelling per four acres), to RU-2 (Rural; one dwelling per two acres) on a 10-acre parcel located on the northwest corner of Taylor Road and Red Rose Lane. At this time, the area is characterized by open expanses, with current development occurring on a Rural scale. The Comprehensive Plan designates the site as Developing.

Factors in Favor of Approval

1. Allowing the request would be in keeping with the character of the existing development in the area and create a buffer between the General Commercial Land Use to the south and the RU-4 to the north;
2. The Comprehensive Plan policies prescribe designates this area as developing and RU-2 is a permitted zoning district;
3. The rezoning would provide a buffer between the General Commercial, R-36 and the RU-4 zoning designations.

Factors Against Approval

1. Staff has received four letters of opposition
2. The item does not comply with Public Input factor

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the request for a rezoning, from RU-4 (Rural; one dwelling per four acres) to RU-2 (Rural; one dwelling per two acres) on a 10-acre parcel located at the northwest corner of Taylor Road and Red Rose Lane 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;
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;
3. The applicant shall be required to dedicate right of way to the County prior to issuance of any permits for the parcel.

VIII. ATTACHMENTS

- A. Complete Staff Report
- B. Application
- C. Citizen Response
- D. Agency Response



**Cochise County
Community Development
Development Services**

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

REZONING APPLICATION

1. Applicant's Name: Sylvia Vicencio (Representative)

2. Mailing Address: 1209 S. Taylor Rd
Willcox AZ 85643

City

State

Zip Code

3. Telephone Number of Applicant: 207-612-1011

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

5. Email Address: vicencios@live.com

6. Assessor's Tax Parcel Number: 203-10-006C6
(Can be obtained from your County property tax statement)

7. Applicant is (check one):

- Sole owner: _____
- Joint Owner: Ruben + Sylvia Vicencio (See number 8)
- Designated Agent of Owner: _____
- If not one of the above, explain interest in rezoning: _____

a. 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): Ruben Vicencio Sr

b. 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: _____
- If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

Bisbee Office
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
1-800-762-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

8. 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: _____

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

- Yes _____ No _____

10. 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.

11. 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.

12. Indicate existing Zoning District for Property: in R4

13. Indicate proposed Zoning District for Property: R2

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

14. Comprehensive Plan Category: B-Developing (A County planner can provide this information.)

15. Comprehensive Plan Designation or Community Plan: _____
(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.

16. Describe all structures already existing on the property: House, well enclosure,

shed, tractor

17. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: Lot size change from R-4 to R-2 will propose to divide property in 2 acre lots.

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

- Yes _____ No x None known
- 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)

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

Red Rose and or

20. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? N/A

21. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? 3 or 4

22. Identify how the following services will be provided:

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

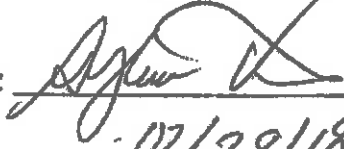
23. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional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

The reasons we would like to rezone our property is because of our children. We would like to pass down an acre for each one. This way they have the opportunity to build for their future. Thanks.

24. 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: _____



Ruben Vicencio

Date: _____

02/28/18

PHILIP S. LEIENDECKER
 COCHISE COUNTY ASSESSOR
 PO BOX 168
 BISBEE, AZ 85603
 RETURN SERVICE REQUESTED

(520) 432-8650

Re: 20310006C

VICENCIO RUBEN & SYLVIA
 93 CRESCENT ST
 SKOWHEGAN ME 04976-4953

2018 RESIDENTIAL NOTICE OF VALUE

THIS IS NOT A TAX BILL

• **Full Cash Value (FCV):** Full Cash Value is the value set by statute. If no statutory formula is prescribed, Full Cash Value is synonymous with market value; which is the estimate of value developed annually by using standard appraisal methods and techniques. The FCV will not be used to calculate primary or secondary taxes starting in Tax Year 2015.

• **Limited Property Value (LPV):** Beginning with the 2015 Tax Year, the Limited Property Value is the basis for calculating all property taxes. The LPV is determined by a statutory formula which limits the amount by which it can increase each year. The LPV can equal but cannot exceed the FCV.

• **Classification:** If the Property Class, shown on this Notice, is Property Class 3 (an owner's or a qualified family member's primary residence) or Property Class 4, Subclass 1 (a non-primary residence), and if this property is rented to any person, you must report the residential-rental use of this property to the County Assessor. Failure to report the residential-rental use may result in a civil penalty pursuant to A.R.S. § 33-1902.

Please see the back of this Notice for:

- Definitions of a "Primary Residence", "Non-Primary Residence" and "Qualified Family Member" to ensure your property is correctly classified.
- Appeal Information.

PARCEL ID NUMBER: 20310006C

NOTICE DATE: 03/01/2017

APPEAL DEADLINE: 05/01/2017

FULL CASH VALUE

LIMITED PROPERTY VALUE

	Legal Class	Assessment		Assessed Value	Legal Class	Assessment		Assessed Value
		Value	Ratio			Value	Ratio	
2018	4.2	128,220	10.0	12,822	4.2	128,220	10.0	12,822
2017	4.2	128,303	10.0	12,830	4.2	128,303	10.0	12,830

Description: SECTION: 10 TOWNSHIP: 14 RANGE: 24 ACRES: 9.99
 REP OF SURVEY BK2 PG18 S2S2 LOT 1 SEC10-14-24. 9.

Property Classification	Description	Assessment Ratio
Three (3)	Owner's or Qualified Family Member's Primary Residence	10 %
Four, Subclass One (4.1)	Owner's Non-primary Residence	10 %
Four, Subclass Two (4.2)	Residential-Rental (Not a Qualified Family Member)	10 %

SEPARATE ADDENDUM STATEMENT. Pursuant to A.R.S. § 42-15103(3), the following has been included to inform all residential use property owners that:

- If the property listed on this Notice of Value is used for residential-rental purposes as defined in A.R.S. § 42-12004 (2), but is currently classified (as shown above) as being the owner's or a "qualified family member's" primary residence (Property class 3), or as a non-primary residence (Property class 4, Subclass One), you must register the subject property with the County Assessor as being a residential-rental use property (Property Class 4, Subclass Two) pursuant to A.R.S. § 33-1902. Failure to register with the Assessor may subject you to a civil penalty.
- If this property is a residential-rental use property and if you fail to register it with the County Assessor after receiving this Notice of Value, the city or town in which your property is located may impose a civil penalty of one hundred-fifty dollars per day, payable to the city or town for each day of violation. Further, that city or town may impose "enhanced inspection and enforcement measures" on your property.
- Several Arizona cities and towns impose a "Transaction Privilege Tax" on persons engaged in the business of leasing residential use property. You may access the Model City Tax Code, Section 445, via the website <http://modelcitytaxcode.az.gov> for more information on which cities and towns impose this tax to determine if you are also required to report the residential-rental use of your property to the city or town in which the subject property is located. The website provides a telephone number to call to obtain answers to questions regarding the applicable requirements of the Transaction Privilege Tax program. Failure to pay the applicable tax could result in a penalty or fine by the city or town.
- Residential-rental use properties are required to comply with the Arizona Landlord and Tenant Law, pursuant to A.R.S. Title 33 (Property), Chapters 10 and 11.



FEE # 070413879
 OFFICIAL RECORDS
 COCHISE COUNTY
 DATE 04/23/07 HOUR 3

Recording Requested By:
 GMAC MORTGAGE, LLC

REQUEST OF
 GMAC MORTGAGE
 CHRISTINE RHODES-RECORDER
 FEE : 13.00 PAGES : 2

When Recorded Return To:

RUBEN VICENCIO
 1209 SOUTH TAYLOR RD
 WILCOX, AZ 85643

SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE

GMAC MORTGAGE, LLC #0601275744 "VICENCIO" Lender ID:20008/264500261 Cochise, Arizona PIF: 04/04/2007
 MERS #: 100637506012757440 VRU #: 1-888-678-8377

The undersigned is the present beneficiary and owner and holder of the Note and the Deed of Trust, Dated: 06/29/2005 made by RUBEN VICENCIO AND SILVIA VICENCIO as the original Grantor(s), to PIONEER TITLE AGENCY, as the original Trustee, for the benefit of NEW WEST LENDING, INC, as the original beneficiary, which Deed of Trust was recorded on 07/07/2005 as Instrument No.: 050724617, in the official records of Cochise County, Arizona

The undersigned HEREBY SUBSTITUTES EXECUTIVE TRUSTEE SERVICES, LLC, Trustee in lieu of the above named Trustee under said Deed of Trust. The Successor Trustee appointed herein qualifies as a Trustee of the Trust Deed in the Trustee's capacity as a licensed escrow agent as required by Arizona Revised Statutes section 33-803 subsection A

EXECUTIVE TRUSTEE SERVICES, LLC hereby accepts said appointments as Trustee under said Deed of Trust and, as Successor Trustee, pursuant to the request of said Owner and Holder and in accordance with the provisions of said Deed of Trust does hereby reconvey, without any covenant or warranty express or implied, to the person or persons legally entitled thereto, all of the estate held by the undersigned under said Deed of Trust.

IN WITNESS WHEREOF, the present beneficiary and EXECUTIVE TRUSTEE SERVICES, LLC have caused these presents to be executed by their duly authorized officers on the dates below written.

MORTGAGE ELECTRONIC
 REGISTRATION SYSTEMS, INC.
 ("MERS")

On April 16th, 2007

By: 
 Vickie Ingamells, Assistant Secretary

By EXECUTIVE TRUSTEE
 SERVICES, LLC as Trustee

On April 16th, 2007

By: 
 Vickie Day, LIMITED SIGNING
 OFFICER

PARCELS

ACRES

Sylvia Vicencio

PARCEL #

203-10-006C6

2 Acre

W Red Rose Ln

Entrance for the
2 acre parcels
will be from
Red Rose Lane

2 Acre

2 Acre

Rezoning Docket Z-18-04 (Vicencio)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

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

This area is zoned R14 and changing zoning will lower property values. Changing zoning will create more areas like Little Mexico. ~~Shift~~ close neighbors, we don't need more property with lower values,

(Attach additional sheets, if necessary)

PRINT NAME(S): Tony Douglas Kuhn

SIGNATURE(S): Jay Douglas Kuhn

YOUR TAX PARCEL NUMBER: 203-10-006 F3

(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 Monday, March 26, 2018** to be included in the staff report to the Commission, and by **Monday April 2, 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 Robert Kirschmann at rkirschmann@cochise.az.gov. Comments received after the March 26 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 **April 11, 2018 for the Planning and Zoning Commission and April 24, 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: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY
MAR 28 2018
PLANNING

Z-18-04 - Vicencio PRZ

Rezoning Docket SU-18-04 (Verdugo)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

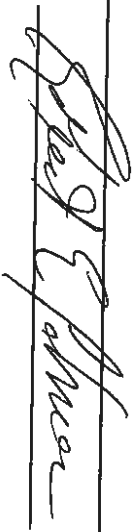
NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Too crowded, too much people, too much traffic

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: 203100099 (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 Monday, March 26, 2018** to be included in the staff report to the Commission. We cannot make exceptions to the deadline; however, if you miss the written comment deadline you may still mail or send e-mail comments to Robert Kirschmann at rkirschmann@cochise.az.gov. Comments received after the March 26 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 **April 11, 2018 for the Planning and Zoning Commission**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

MAR 27 2018

PLANNING

Rezoning Docket Z-18-04 (Vicencio)

 YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:



Please state your reasons:

We just bought our property (18.4 acres) on Dec 28, 2017. It was zoned RV4 and we liked that for privacy. The property for rezoning is all along our NW border line we are concerned if it will become rental property as she is already renting out her home on the corner of that property. If it gets rezoned there will be more well drilled and unsightly power poles. More traffic, more dust, will it lower (Attach additional sheets, if necessary) our property values?

PRINT NAME(S):

James M Neises Sileen T Neises

SIGNATURE(S):

YOUR TAX PARCEL NUMBER: 20310001M (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 Monday, March 26, 2018** to be included in the staff report to the Commission, and by **Monday April 2, 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 Robert Kirschmann at rkirschmann@cochise.az.gov. Comments received after the March 26 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 **April 11, 2018 for the Planning and Zoning Commission and April 24, 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: Robert Kirschmann, Planner II
 Cochise County Planning Department
 1415 Melody Lane, Building E
 Bisbee, AZ 85603

Rezoning Docket Z-18-04 (Vicencio)

____ YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

I don't want more traffic and more noise. I don't want having neighbors that have a lot of junk around. I would like it to stay the way it is. I already have a bad neighbor right next to me.

(Attach additional sheets, if necessary)

PRINT NAME(S):

JACINTO, VIVIANA

SIGNATURE(S):

Viviana Jacinto

YOUR TAX PARCEL NUMBER: X 2031003A

(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 Monday, March 26, 2018** to be included in the staff report to the Commission, and by **Monday April 2, 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 Robert Kirschmann at rkirschmann@cochise.az.gov. Comments received after the March 26 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 **April 11, 2018 for the Planning and Zoning Commission and April 24, 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:

Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603



Cochise County
Community Development
Highway and Floodplain Division

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

INTEROFFICE MEMO

Date: March 8, 2018
To: Robert Kirschmann, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: Z-18-04 (Vicencio)

Background: The applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres). The request is to facilitate the creation of up to five lots. The subject parcel totals 10 acres.

The subject parcel, APN 203-10-006C, is located on the northwest corner of West Red Rose Lane and Taylor Road in Willcox. They are further described as being situated in Section 10 of Township 14 South, Range 24 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona. The applicant is Sylvia Vicencio.

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 I-10 to Taylor Lane
 - Red Rose Lane
 - Not a County Maintained Road
 - South 30 feet dedicated to the Public per Docket 1189, page 480; North 30 feet roadway easement per Record of Survey Book 2, page 18
 - Taylor Road
 - County Maintained Road (MI #1000)
 - West 50 feet roadway easement per Record of Survey Book 2, page 18
 - Declared County Highway at a width of 66 feet per Resolution 84-61, August 27th, 1984
- Recommendation:**
- In order to perfect the right-of-way for Taylor Road, we request dedication at this time.

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

Kirschmann, Robert

From: McCoy, Randy
Sent: Thursday, March 08, 2018 4:35 PM
To: Kirschmann, Robert
Subject: RE: Docket Z-18-04 (Vicencio)

Robert,

Thank for the opportunity to comment on this rezoning request . At this time the Building Department has no concerns or comments on the rezoning request .

Randy McCoy
Interim Building Official
Cochise County Community Development
1415 Melody Lane , Bldg. E
Bisbee , AZ 85603
520-432-9266
520-432-9278
rmccoy@cochise.az.gov

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

From: Kirschmann, Robert
Sent: Thursday, March 08, 2018 8:09 AM
To: Garcia, Teresa M <TGarcia@cochise.az.gov>; Murphy, Teresa <TMurphy@cochise.az.gov>; McCoy, Randy <RMcCoy@cochise.az.gov>; Solis, Joaquin <JSolis@cochise.az.gov>; Simmons, Bradley A <bsimmons@cochise.az.gov>; Orduno, Eida E <EOrduno@cochise.az.gov>; Flores, Dora V <DFlores@cochise.az.gov>; jstoddard@willcoxcity.org
Cc: BOS-Supervisors <BOSSupervisors@cochise.az.gov>; PNZ-Commission <PNZCommission@cochise.az.gov>; Gardner, Peter B <PGardner@cochise.az.gov>; Esparza, Paul <PEsparza@cochise.az.gov>; Coxworth, Daniel <dcoxworth@cochise.az.gov>
Subject: Docket Z-18-04 (Vicencio)

Good morning,

Please see the attached transmittal for a rezoning near Willcox. Please have comments to me by Monday March 26, 2018 .

Thank you,

Robert Kirschmann
Planner II
Cochise County Community Development
Development Services Department
1415 Melody Lane, Building E
Bisbee, AZ 85603
520-432-9248
520-432-9278 fax

Public Programs...Personal Service

P&Z Agenda Template

6. 4.

Meeting Date: 04/11/2018

SU 18-04 (Verdugo)

Submitted By: Robert Kirschmann, Community Development

Department: Community Development

Division: Development Services

Presentation: PowerPoint

NAME Robert Kirschmann

of PRESENTER:

TITLE Planner II

of PRESENTER:

Agenda Item Text:

SU-18-04 (Verdugo) The Applicant requests Special Use Authorization to establish an event center and campground in Douglas.

Background:

The Applicant requests Special Use Authorization to establish an event center and campground. An existing 1,400 square foot residence will be converted into an event/dining hall including a commercial kitchen to accommodate weddings and similar events. One building will be converted to a portrait studio and another into an audio and video production room to support the onsite uses. Up to 30 primitive cabins/teepees and restroom/shower facilities will be provided in the future. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres). Guest lodging (607.01) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 120 acres is on multiple parcels with development focused on 403-38-041 and 042. The site is located at 510 E Globo Lane north of Douglas.

Attachments

Complete Staff Report

Complete Application

Public Comments

Agency Comments



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: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Development Director
SUBJECT: Docket SU-18-04 (Verdugo)
DATE: March 29, 2018 for the April 11, 2018 Meeting

APPLICATION FOR A SPECIAL USE AUTHORIZATION

The Applicant requests Special Use Authorization to establish an event center and campground. An existing 1,400 square foot residence will be converted into an event/dining hall including a commercial kitchen to accommodate weddings and similar events. One building will be converted to a portrait studio and another into an audio and video production room to support the onsite uses. Up to 30 primitive cabins/teepees and restroom/shower facilities will be provided in the future. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres). Guest lodging (607.01) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 120 acres is on multiple parcels with development focused on 403-38-041 and 042. The site is located at 510 E Globo Lane north of Douglas.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 120 acres
 Zoning: RU-4 (Rural; one dwelling 4 acres)
 Growth Area: Category D
 Comprehensive Plan Designation: Rural
 Area Plan: None
 Existing Uses: Rural Residential
 Proposed Uses: Event center, art studio, AV Recording studio, up to 30 primitive cabins/teepees, restroom and shower facilities and related activities

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Rural Residential/Vacant
South	RU-4	Rural Residential/Vacant
East	RU-4	Rural Residential/Vacant
West	RU-4	Rural Residential/Vacant

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 planningandzoning@cochise.az.gov

Highway and Floodplain
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 520-432-9300
 520-432-9337 fax
 1-800-752-3745
 highway@cochise.az.gov
 floodplain@cochise.az.gov

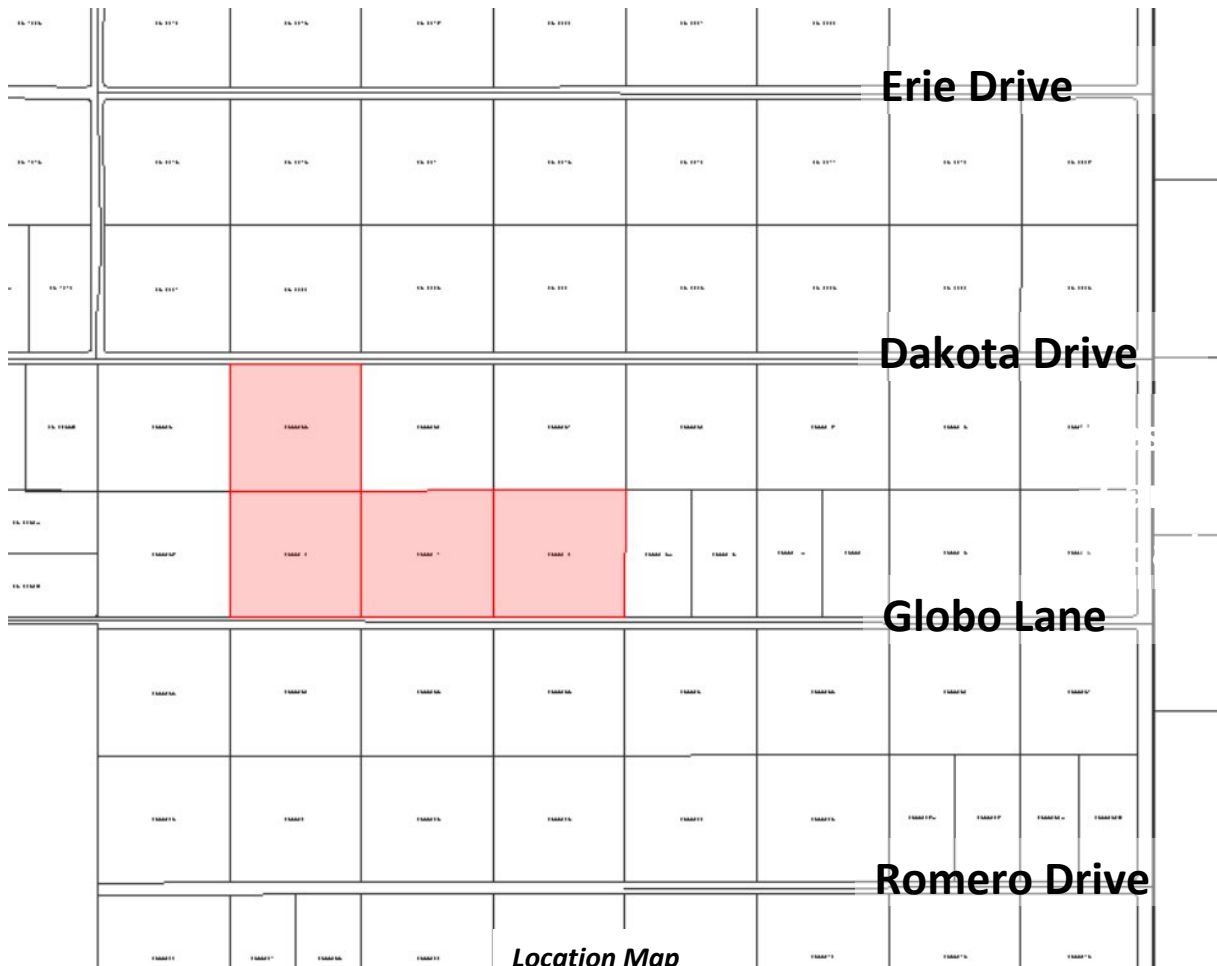
II. PARCEL HISTORY

2016 – Septic Permit Inspection
1976- Permit for Accessory Residence

There are many structures on the parcel that appear to be quite old. Limited permit data has been found for the structures. Per discussion with the applicant the site was used back in the 1980s and 1990s for gem shows. Based upon the site layout, including placement of buildings, paved driveways, trails and various parking area it does appear that some type of commercial venture was used in this location some time ago.

III. NATURE OF REQUEST

The Applicant requests Special Use Authorization to establish an event center and campground. An existing 1,400 square foot residence will be converted into an event/dining hall including a commercial kitchen to accommodate weddings and similar events. One building will be converted to a portrait studio and another into an audio and video production room to support the onsite uses. Up to 30 primitive cabins/teepees and restroom/shower facilities will be provided in the future. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres). Guest lodging (607.01) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 120 acres is on multiple parcels with development focused on 403-38-041 and 042. The site is located at 510 E Globo Lane north of Douglas.

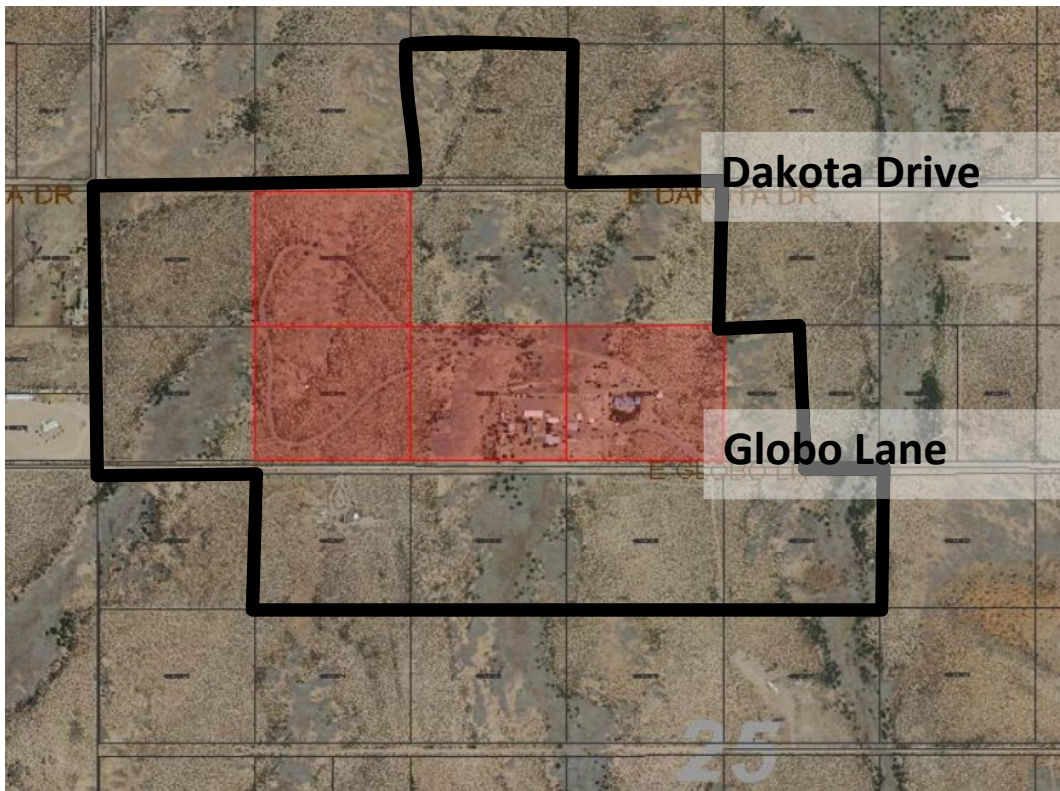


Location Map

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.

With the information provided, nine of the ten factors apply to this request. The project, as submitted, fully complies with four of the factors. With the recommended conditions and modifications, the project complies with two additional factors. The project does not comply with one factor.



A. Compliance with Duly Adopted Plans: Complies

The project site is located in Category D, Rural. These areas are specifically not designated as rural residential because of sparse population, larger lot size, and grazing. It can also include areas that have developed or undeveloped recreational resources. This area meets all of that criteria.

The proposed project is supported by Goal 1 of the Comprehensive Plan which states “Support the preservation and expansion of Cochise County’s tourism...” This project will provide a venue for people and companies to hold events and camp on the site. The camp could also provide a place for visitors to Leslie Canyon. The Comprehensive Plan goes further with policy b which states “Encourage commercial development that enhances and complements regional tourism.” The project complies with duly adopted plans.

B. Compliance with the Zoning District Purpose Statement: Complies

The purpose statement of the Rural Zoning District in Article 6 includes seven points. Section 601.02 encourages non-residential uses which serves local need or provides a service that are compatible with rural living. The camping portion of the project will partially serve a local need and is compatible with the surrounding rural neighborhood. The project will is also supported by Section 601.05 in that it will provide recreational support services, while remaining compatible with the "rural" designation of the area.

C. Development along Major Streets: Complies with conditions

The proposed use is located on Globo Trail, off of Leslie Canyon Road. Leslie Canyon Road is a paved, county-maintained road. Globo Lane is a dirt, non-county-maintained road. As is typical with non-maintained dirt roads, the applicant will be required participate with the neighbors in the maintenance of the road. A standard condition of approval requiring a private maintenance agreement is included in the recommendation.



The driveway approaches Globo Lane at an awkward angle creating visibility issues west of the entrance. There is a condition of approval included that requires this driveway to be reconfigured in conjunction with commercial permits for the commercial kitchen, art studio and/or AV studio.

There is a condition of approval included that requires this driveway to be reconfigured in conjunction with commercial permits for the commercial kitchen, art studio and/or AV studio.



Staff also has concerns with the approach where Globo Lane terminates at Leslie Canyon Road. There is currently no paved apron, only lose rock. Staff is including a condition the requires an apron to be constructed, but has deferred this improvement until after the 6th campsite is



proposed.

D. Traffic Circulation Factors: Complies with conditions

The ITE Manual does not specifically address a combined use like the one proposed by this applicant. Given the parcel size, location and proposal this could develop into a significant traffic generator (e.g. akin to a KOA campground site). However, initially virtually all the activities are limited to the site itself or trips generated by the on-site property owners. Developing gardens and renovating existing buildings is a low traffic impact use.

The 1,400 square foot recreational/event center, at peak use might range from 32 to 51 vehicle trips per day, *per the ITE Manual 9th edition*, but as the patio and outdoor spaces are built this number would likely creep upward. Trip generation, for the 30 proposed recreational campsites is estimated to range from 90 to 523 vehicle trips per day, *per the ITE Manual, 9th edition*, which reflects the variability of these types of land uses. More logically, assuming campsites are overnight stays for the event type activities, be it a family retreat, wedding or day camp, there would be combined uses with an average trip generation of about 130 vehicle trips per event day. (The threshold for Traffic Analysis Reports is typically 100 vehicle trips per day).

This site, if built out to its full residential capacity, under current zoning, would have the potential to generate an estimated 286 vehicle trips per day. As a fully built out campground, that includes RV's, the site has potential to meet or exceed this level of traffic. However, this potential appears to be slim, and certainly is far out into the future. A modification to this Special Use request would need to be made to exceed more than 30 campsite spaces, based on the proposal received.

As discussed above, the site will comply with the recommended conditions of approval.

E. Adequate Services and Infrastructure: Complies

The site is accessed via Globo lane and Leslie Canyon. The applicant will enter into a private maintenance agreement for road maintenance.

Electric is onsite and provided by APS. Water is provided by private well.

F. Significant Site Development Standards: Complies with Conditions and modifications



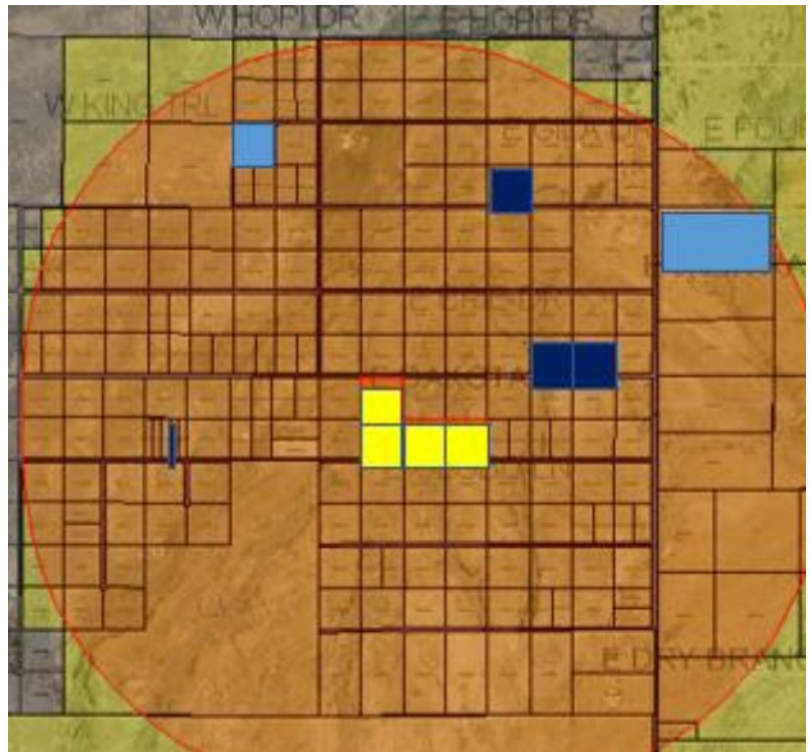


The site plan presented complies with most development standards. The reception hall, AV Studio and Art studio are screened by an existing block wall and landscaping. The area where the camping is proposed has a paved loop trail that vehicles can travel on to get to their campsite. The camp sites are far enough from the road and adjacent properties that screening would be more invasive than leaving the native vegetation. Therefore, Staff is recommending a modification to the standards, not requiring any additional walls. The majority of the driveways and parking on site are already paved. The applicant is proposing two "over flow" parking areas. Staff recommends that a wavier be approved to allow these to remain dirt. The justification is that these areas are located near

the center of the property and the project is located in an area of predominately dirt roads. The existing pavement already exceeds County requirements. The applicant is conditioned to provide a complete detailed site plan, clearly showing the parking stalls, striping, drive aisles etc. with the Commercial Permit Review.

G. Public Input: Does not Comply

The Applicant mailed letters to property owners within 1 mile of the property prior to application submittal. The Planning Department mailed letters to the same property owners within 1 mile of the subject property, published a legal ad in the *San Pedro Valley News-Sun* and posted legal notices on the property. To date, staff has received three letters of opposition from property owners within that radius and two letter of support. The concerns and objections raised by the nearby property owners include noise, lighting, traffic, commercial activity, and property values.



H. Hazardous Materials: Not applicable

There will not be any potentially hazardous materials used on the site.

I. Off-Site Impacts: Complies with Conditions

Initially there will be no new construction, only remodeling of additional structures. As money allows the applicant will add other amenities that will be required to comply with county codes, including the lighting ordinance. Parking will be onsite and screened from surrounding properties. Drainage will not be changed

as a result of the new structures, however, the applicants plan to do water harvesting for the gardens and landscaping.

J. Water Conservation: Complies

The project site is not located within the Sierra Vista Sub-Watershed. However, the applicant will be employing methods to reduce water consumption such as water harvesting.

V. PUBLIC COMMENT

Staff mailed notices to neighboring property owners within 5,280 feet of the subject property on March 8, posted the property on March 22, and published a legal notice in the *San Pedro Valley News-Sun* on March 21, 2018. In response to applicant and County mailings, the Planning Department received three letters of opposition from property owners within the notification radius, two letters of support.

VI. SUMMARY AND CONCLUSION

The Applicant requests Special Use Authorization to establish an event center and campground. An existing 1,400 square foot residence will be converted into an event/dining hall including a commercial kitchen to accommodate weddings and similar events. One building will be converted to a portrait studio and another into an audio and video production room to support the onsite uses. Up to 30 primitive cabins/teepees and restroom/shower facilities will be provided in the future. The site was clearly used for commercial purposes in the past. The event center, art studio, and AV studio will all utilize existing buildings on the property. The applicant will obtain the necessary commercial permits for these conversion. The site is adequate for the uses proposed. Should any expansions or significant changes take place in the future a modification to the Special Use is required.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use would comply with nine of the ten applicable Special Use factors used by staff to analyze this request;
2. The Comprehensive Plan Economic Development and Rural Character Elements are achieved by this proposal;
3. The proposal as submitted meets the zoning purpose statement;
4. The proposal would have minimal negative impacts to the surrounding area or county roadways;
5. The Applicant received two letter of support for the project.

Factors Against Allowing the Special Use

1. The Planning Department has received three letters in opposition to the request from neighboring property owners;
2. The project does not comply with one of the ten Special Use Factors.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use

request, subject to the following Conditions:

1. The Applicant shall provide the County 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 properties within thirty (30) days of approval of the Special Use Permit. Prior to permit issuance, the Applicant shall submit and obtain building/use permits within 12 months of approval, including a completed joint permit application. The building/use permit(s) shall include a site plan in conformance with this approval and meeting all site development standards (except those specifically waived or modified by the Planning Commission as part of this approval), the completed Special Use Permit questionnaire, and appropriate fees. A permit must be issued within 18 months of approval, otherwise the approval may be deemed void upon 30-day notification to the Applicant;
2. At the Commercial Permit phase, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for that segment of roadway from their driveway to Leslie Canyon Drive.
3. At the Commercial Permit phase, the applicants are requested to provide a detailed phasing plan for their proposed land use in lieu of a Traffic Report, Statement or Analysis.
4. In conjunction with the commercial permit related to the commercial kitchens and media studio's (First Phase), the applicants will be required to reconfigure their entrance driveway. Please work with the Transportation department for appropriate corrections.
5. At the final phase developing the cabins and teepees, with facilities, the applicant will be required to coordinate with the Public Works/Highway Dept. to construct under a Right-of-Way/Encroachment Permit a roadway access apron from Globo Lane onto Leslie Canyon Rd. when more than **five** campsites are being constructed.
6. In conjunction with the Commercial Permit Submittal, the Applicant shall provide a clear site plan demonstrating that adequate parking and circulation is provided.
7. At the first Commercial Permit application, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for that segment of roadway from their driveway to Leslie Canyon Rd.
8. It is the Applicant's responsibility to obtain any additional permits or meet additional conditions, if any, that may be applicable to the proposed activities pursuant to other federal, state, or local laws or regulations; and
9. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission.

Sample Motion: *Mr. Chairman, I move to approve Special Use Docket SU-18-05, with the Conditions of Approval and Modifications recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

VIII. ATTACHMENTS

- A. Complete Staff Report

- B. Application, including public outreach response
- C. Public Response
- D. Agency Response



Cochise County
Community Development
Development Services Department
Public Programs... Personal Service
www.cochise.az.gov

Docket No. 2018-0410
Date Received 2/22/18
Receipt No. 2018-0001218

SPECIAL USE AUTHORIZATION QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER/APN 405 38041, 405 38 012

APPLICANT DAVID VERDUGO AND ANASTACIA LAKE-VERDUGO

PHYSICAL ADDRESS OF THE PROPERTY 510 E GLOBO LANE
DOUGLAS AZ 85607

CONTACT TELEPHONE NUMBER 707-798-0447

EMAIL ADDRESS: DAVID@WINDSONGAZ.COM

PROPERTY OWNER (IF OTHER THAN APPLICANT) _____

PROPERTY OWNER'S MAILING ADDRESS 510 E GLOBO LANE
DOUGLAS AZ 85607

REQUIRED SUBMITTALS

- Questionnaire with all questions completely answered (attached).
- A Concept Plan or Preliminary Site Plan in 8 1/2" x 11" or 11" x 17" hard copy, or electronic in jpg or pdf format. Please note that if a Concept Plan is submitted for the Special Use Authorization, a complete Site Plan will be required when submitting the Non-Residential permit application.
- If the applicant is not the property owner, provide a notarized letter from the property owner granting permission to the applicant to apply for the Special Use Authorization and to act as the owner's representative.
- Any other Attachments or Information required to adequately analyze your request.
- Applicant's Certification and Acknowledgement

Bisbee Office
1415 Melody Lane, Building E
Bisbee, Arizona 85603
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highway@cochise.az.gov
floodplain@cochise.az.gov

- Fees (\$300.00)
- Other Submittals as required based on the type, scope, and location of the proposed project
 - Hazardous or Polluting Materials Report
 - Off-site Improvement Plans
 - Soils Engineering Report
 - Landscape Plan
 - Hydrology/Hydraulic Report
 - Traffic Impact Analysis (TIA), Traffic Impact Statement (TIA), or Traffic Report (TR):
 - Outdoor Lighting Plan including lumen count

The Planner will advise you if and when any of the above attachments are required.

Project Description

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 delay in analyzing the request.

Describe the existing uses and structures on the property.

1400 SQFT / 1 BDRM HOUSE 1000 SQFT / 1 BDRM HOUSE
 GREENHOUSE/STUDIO, 2 25'X25' METAL STORAGE SHED,
 2 20'X40 STUDIOS/WORKSHOPS, SEVERAL VARIOUS SMALL SHEDS,
 PROPERTY WAS BEING USED TO HOST GEM + MINERAL SHOWS
 IN THE 1980'S AND 1990'S. NO PRESENT COMMERCIAL USE.

Describe the proposed uses, structures, and activities.

CONVERT 1 BDRM 1400 SQFT HOUSE TO EVENT/DINING HALL. WITH
 COMMERCIAL KITCHEN. THIS WOULD BE USED FOR HOSTING WEDDINGS,
 COMMUNITY EVENTS AND SIMILAR ACTIVITIES. ONE OF THE STUDIOS
 WOULD BE USED AS A PORTRAIT STUDIO, GREENHOUSE WOULD
 BE USED FOR AUDIO + VIDEO PRODUCTION. WE WOULD ALSO LIKE
 TO BUILD UP TO 30 PRIMITIVE CABINS/TEPALS WITH TOILET AND SHOWERS.

Describe all the products and services that will be produced or sold.

PROPERTY WOULD BE USED TO HOST PRIVATE EVENTS (WEDDINGS,
 CORPORATE RETREATS, FAMILY REUNIONS), PUBLIC EVENTS (SUMMER CAMPS,
 COMMUNITY EVENTS). OUR MEDIA CREATION STUDIO WOULD BE
 FOCUSED ON CREATING CONTENT BASED ON ACTIVITIES OF THE PROPERTY.
 FOOD WOULD BE SERVED FROM THE COMMERCIAL KITCHEN, AND A
 NUMBER OF HANDMADE CRAFTS WOULD BE AVAILABLE FOR SALE.
 CAMPING FOR 50-75 PEOPLE

What is the proposed time frame for construction and operation, including phasing if applicable?

EVENTS AND MEDIA STUDIO CAN BE READY TO LAUNCH BY
 SUMMER 2018. CAMPGROUND + CABINS WOULD BE BUILT OVER
 THE NEXT 5 YEARS

Provide the following information (when applicable):

Days and hours of operation: Days: 7 Hours (from 8 AM to 10 PM) (CAMPING WOULD BE 24 HOURS.)

Number of employees: Initially: 2 Future: 10

Number per shift Seasonal changes _____

Total truck traffic, including deliveries and shipment (e.g., by type, number of wheels, or weight)

MINIMAL TO NO BIG TRUCKS EXPECTED. SUPPLIES CAN BE PICKED UP IN OUR FORD RANGER

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

PEAK TRAFFIC WOULD BE BEFORE AND AFTER A WEDDING. APPROX 2pm + 10pm

Describe the physical access to your site.

PAVED ROAD GOES TO WITHIN 3/4 OF A MILE. GLOBE LN IS DIRT, NON-COUNTY MAINTAINED. I HAVE SPENT MANY HOURS REPAIRING IT BY HAND, AND IT IS NOW A DECENT ROAD. OUR PROPERTY HAS PAVED STREETS AND SIDEWALKS. ALL LEVEL GROUND

Identify how the following services are or will be provided:

	Existing Utility Company/Service Provider	Proposed provisions to be made if services are not currently on site
Water	WELL	
Sewer/Septic	SEPTIC	
Electricity	APS	
Natural Gas	N/A	
Fire Protection	SUNNYSIDE FD	

Describe all outdoor storage and activities.

PERSONAL OUTDOOR ACTIVITIES WOULD INCLUDE GARDENING

OUTDOOR ACTIVITIES RELATED TO THE BUSINESS: PICNICS, CAMPING, BBQ (PRE-APPROVED LOCATION ONLY! NO OPEN FIRES ALLOWED), CLASSES ON GARDENING, AND VARIOUS COMMUNITY FUNCTIONS

What noise, vibrations, dust, smoke, or odors will be produced that can be detected on neighboring properties? How will they be mitigated, controlled, or reduced?

WE BELIEVE THE IMPACT TO OUR NEIGHBORS WILL BE MINIMAL, BUT WILL BE TAKING THE FOLLOWING PRECAUTIONS:
ALL ACTIVITY WILL BE CONDUCTED 1000' OR MORE FROM EXISTING NEIGHBORS. QUIET TIME FROM 10PM - 8AM WILL BE STRICTLY ENFORCED. WE WILL PLANT A WALL OF TREES BETWEEN US AND OUR NEIGHBORS.

If any activities will attract pests, what measures will be taken to control them?

I DON'T BELIEVE IT WOULD BE AN ISSUE, BUT IF IT WAS, WE WOULD CALL AN EXTERMINATOR FIRST, THEN ADDRESS THE UNDERLYING CAUSES (POSS TRASH MANAGEMENT ETC)

What screening, if any is proposed?

ALTHOUGH NOT REQUIRED, WE PLAN TO PLANT PINE/SUNNERS AROUND THE BORDER OF OUR PROPERTY (ETA 2 YRS)

Describe all outdoor lighting, including lighted signs.

OUTDOOR LIGHTING WILL BE ACCOMPLISHED WITH BISTRO STYLE STRING LIGHTS AND LOCALIZED FLOOD LIGHTS IN PARKING AREA AND NEAR RESTROOMS, SHOWERS, ETC

Describe the locations and dimensions of all existing and proposed signs, including any attached to a building.

5' x 4' sign out front at driveway. We will use small (2' x 4') portable signs to indicate where guests shall park.

Is there any regulated flood plain on the property?

Yes ___ No

Are there any washes within 300 feet of the property? (not within 300ft of used property.)

Yes ___ No

NEARBY SEASONAL WASH IS ABOUT 450 FT AWAY)

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

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.

Show dimensions, locations, and materials of parking areas (including ADA parking), loading areas, and driveways.

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.

* EXCEPT I WILL CONTINUE TO WORK ON THE ROAD

How many acres will be cleared? 5 ACRES

If more than one acre is to be cleared, describe the proposed dust and erosion control measures to be used.

What specific measures will be taken to conserve water on-site? 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.

WE WILL BE DIGGING RAINWATER HARVESTING SWALES AROUND OUR TREES, AND CHOOSING WATER-WISE PLANTS.

Describe proposed landscaping, including what plants and materials are proposed.

ORNAMENTAL CACTUS, SUCCULENTS, AND SIMILAR WILL BE PLANTED THROUGHOUT THE PROPERTY. JUNIPER, PINE TREES WILL BE PLANTED NEAR PROPERTY LINES.

Does the proposed use involve hazardous materials?

No Yes If yes, complete the attached Hazardous Materials attachment.

Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, any required attachments, and on the concept plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Special Use Authorization.

Applicant's Signature  

Print Applicant's Name DAVID VERDUGO ANASTASIA LAKE VERDUGO

Date signed 2/20/18

February 23, 2018

Re: 510 E Globo Lane Special Use Application

On February 8, 2018, we mailed out letters to 150 of our neighbors. We described our event center + campground project. We let them know that we wanted to hear from them, especially if they had any concerns about the project.

As of today, 2/23, we have heard from seven of our neighbors, two of whom we had never spoken to before. All have voiced overwhelming support for our projects; two offered to let us use their land in any way that would benefit the project. We have received no neutral or negative feedback about our project.

I hope this assists in the permitting process.

Signed,

A handwritten signature in black ink, appearing to read 'David Verdugo', written in a cursive style.

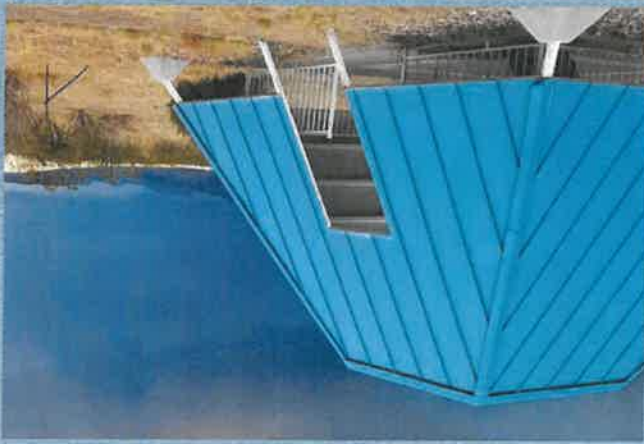
David Verdugo

Windsong, Arizona

*Community Events, Camping, and Private Functions
In the heart of Cochise County, Arizona*

Concept Plan & Permit Application

What is Windsong?



The Basics

- ◆ Existing Property: 120 acres, 10 miles north of Douglas, AZ. Multiple brick buildings with a ranch style feel.

- ◆ Property was used for hosting gem and mineral shows in the 1980's and 1990's.



Our Goals for the Property

We plan to host private events, such as weddings, quinceañeras, and corporate retreats. Our unique location mixed with the services and accommodations we can offer will attract a variety of clients from Tucson, Phoenix, and more distant markets.

We intend to use our facilities to host community-enriching courses, events and gatherings, such as a free summer camp for the children of McNeal, Elfrida, Double Adobe, and Douglas.

We plan to have an onsite portrait studio, as well as an online media (audio+video) studio which will be used to produce content based on the events we are hosting, such as photography and videography for a wedding.

Our goal is to turn our property into a high end
(but not high traffic) destination, while simultaneously
benefitting our community and neighbors.

Development Needs & Plans

The building we want to use to host events is an existing house (1400sqft, 1 bedroom). It has a room that is 20'x50' that would make a perfect dining/events hall.

There is an aging kitchen, which we would like to remove and replace with stainless steel sinks and counters. Our goal is to build the kitchen to meet the codes necessary to offer catering services.

The house is in need of some cosmetic repairs (old linoleum, chipped paint), and we would like to add a larger patio, but is otherwise well suited for this purpose. It makes the perfect place to host small to medium sized events. We know — we hosted 65 of our family and friends for our wedding in 2017, and the space worked beautifully.



Google

Outdoor Patio

20x50

Commercial Kitchen - Reception Hall

Parking



Development Needs & Plans

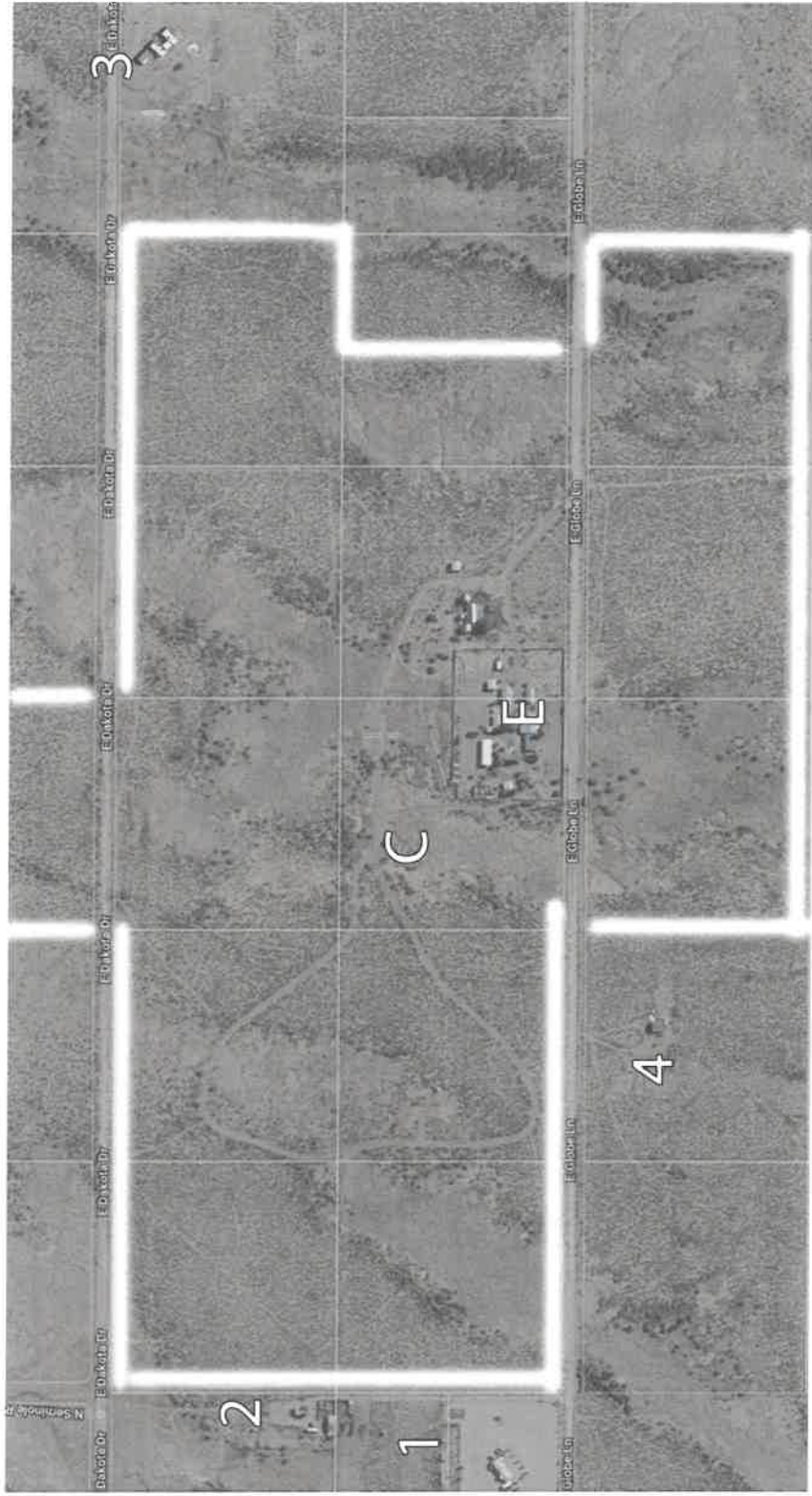
We also plan to use an existing building as a portrait studio, and another building as a media studio (audio and video) that creates online content. Both existing structures are well suited to this purpose and need no development.

Once these wings of the business are underway, we want to build a campground. This will allow us to offer our property as a place to host corporate retreats and similar events. We would like to eventually build a picnic & grilling area, 2 showers, 4 toilets, tent camping spaces, RV parking spaces, and 25-30 'microcabins' (primitive buildings such as teepees or adobe that are small and have no electricity or water). We anticipate this will take several years to complete.

Project: 510 E Globo Lane -- Special Use Permit Application -- Events & Camping

LOCATION OF PROJECT

Property is 9 miles north of Douglas, near the Bisbee-Douglas International Airport



Our property boundaries - 13 parcels, 120 acres

E = where events will occur C = where camping will occur

Nearest neighbors are marked above:

- 1: 1200 ft from where events would occur, 1000ft from camping, no visual access
- 2: 1200 ft from events, 1000ft from camping. No visual access
- 3: 1400 ft from events & camping. No visual access
- 4: This property is abandoned/dilapidated

Project: 510 E Globo Lane Special Use Permit

Adding a wall of pine/juniper trees to minimize neighbor disturbance by 2019



Project: 510 E Globo Lane -- Special Use Permit Application PARKING PLAN

For small events (less than 25 people), guests can park in existing paved area.

To accomodate larger events, we will clear and compact a 800sqft area to the north



Project: 510 E Globo Lane -- Special Use Permit Application --

Existing structure will be spruced up. Aged kitchen to be replaced with s. Steel fixtures to offer catering services. Projected date of completion: June 2018

Portrait Studio & office - To be opened late 2018



Project: 510 E Globo Lane – Special Use Permit Application

For the eastern portion of our property, we plan to build a sculpture garden, and use an existing structure as a media studio. We will build a gravel parking lot if needed.



Project: 510 E Globo Lane -- Special Use Permit Application. Location of campground + existing drainage pattern

Campground, including:

8-12 tent camping sites (No open fires)

20-30 primitive style cabins (adobe, teepee, tent cabins) 150-175 sq ft, no electrical or mechanical.

5-10 RV parking spots.

Ticnic tables & grill area, toilets, and showers.



Rezoning Docket SU-18-04 (Verdugo)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

This is a residential area and I would like it to remain as is. Bringing commercial into the area will force change the landscape of the area and ultimately affect property values.

(Attach additional sheets, if necessary)

PRINT NAME(S): CATHERINE T. McE. Hough

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: 4054 0029 (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 Monday, March 26, 2018** to be included in the staff report to the Commission. We cannot make exceptions to the deadline; however, if you miss the written comment deadline you may still mail or send e-mail comments to Robert Kirschmann at rkirschmann@cochise.az.gov. Comments received after the March 26 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 April 11, 2018 for the Planning and Zoning Commission. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meetings; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

MAR 23 2018

PLANNING

Rezoning Docket SU-18-04 (Verdugo)

____ YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

People will not build homes near a camping ground. Businesses will not build near a camping ground. They do not want R.V. or tent around.

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S): *Shanda Matamoros*

YOUR TAX PARCEL NUMBER: 405-42-031 6 (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 Monday, March 26, 2018** to be included in the staff report to the Commission. We cannot make exceptions to the deadline; however, if you miss the written comment deadline you may still mail or send e-mail comments to Robert Kirschmann at rkirschmann@cochise.az.gov. Comments received after the March 26 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 **April 11, 2018 for the Planning and Zoning Commission**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

March 19, 2018

Cochise County Planning and Zoning Commission
1415 Melody Lane, Building E
Bisbee, AZ 85603

Dear Mr. Gardner and Mr. Kirschmann:

Thank you on behalf of the Trust to allow us to voice our opposition for this special use request. We are unable to be present for the hearing on that date. The land off N. Leslie Canyon Road and Dakota Drive was in the Bluth family and then put in this trust more than 40 years ago. We have watched as development has occurred and it appears that prior to this request, the main usage model is residential. We recognize that there are many visions that may be employed, but we don't see that a commercial plan to bring ~75 non-residents staying on the property as one of them.

We contacted various real estate companies and could find no evidence of commercial development in the area at this time.

After speaking with Mr. Gardner, we understand that this is the beginning of the process and that the staff recommendation will be available in two weeks. However, our belief is that this use will severely impact the parcels in the Trust. This is due to it limiting the types of development that can go on around it. This usage requires greater environmental needs for the property based on its commercial plan for campers, visitors, and others coming on to the property for short durations. In addition, staff to run these various businesses will also add to the number of people going off and on the property. Water, traffic, parking, lighting and noise levels will increase, which is not optimal for others whether it is residential or limited commercial and severely limits what can be developed near it.

The Trust's parcels are 40542006 and 40542007. Although we would love to see greater development in this area, these parcels would be negatively impacted by this change and we urge you to vote No. We thank you again for allowing us to respond.

Sincerely,


M. Hudson, TTEE

Toby S. Bluth Trust
5959 E San Marino
Tucson, AZ. 85715

Rezoning Docket SU-18-04 (Verdugo)

MAR 19 2018

PLANNING



YES, I SUPPORT THIS REQUEST

Please state your reasons:

good for the community unique place and self sustaining
a some resources. Cost addit to see what lies ahead

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Duan Lee Lacey Carder

SIGNATURE(S):

[Handwritten Signature]

YOUR TAX PARCEL NUMBER: 405-75-013 (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 Monday, March 26, 2018 to be included in the staff report to the Commission. We cannot make exceptions to the deadline; however, if you miss the written comment deadline you may still mail or send e-mail comments to Robert Kirschmann at rkirschmann@cochise.az.gov. Comments received after the March 26 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 April 11, 2018 for the Planning and Zoning Commission. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603



Cochise County
Community Development
Highway and Floodplain Division

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

MEMORANDUM

Date: March 20, 2018
To: Robert Kirschmann, Planner II
From: Karen L. Lambertson, AICP County Transportation Planner
Subject: Windsong Campground/SU-18-04/Parcel # 405-38-041 & 042

The applicants, David and Anastacia Verdugo, are requesting a Special Use authorization to establish an event center with a campground on a 120-acre site. The property is zoned RU-4, Rural Growth Area D and the proposed uses fall under guest lodging and recreational services.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions:

1. At the Commercial Permit phase, the applicants are requested to provide a phasing plan for their proposed land use in lieu of a Traffic Report, Statement or Analysis.
2. At the first Commercial Permit application, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for that segment of roadway from their driveway to Leslie Canyon Rd.
3. At later phases related to the commercial kitchens and media studio's, the applicants will be required to reconfigure their entrance driveway.
4. At the final phase developing the cabins and teepees, with facilities, the applicant will be required to coordinate with the Public Works/Highway Dept. to construct under a Right-of-Way/Encroachment Permit a roadway access apron from Globo Lane onto Leslie Canyon Rd. when more than five campsites are being constructed.

Background

The applicant is applying for a Special Use Authorization to develop their site as an event center providing an area for weddings, or other similar type events. The applicants envision a full-service event center with a portrait and studio studios, commercial kitchen facilities, outdoor event spaces with picnic benches and barbeques, gardens and medicative spaces. Final phases of development include overnight camping and RV locations.

It appears from the Special Use Application and Concept Plan that the applicants are in the very beginning stages of developing out this site. Historically, a large number of buildings were constructed on this site, apparently 40 or some years ago. Initial activities appear to be

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

renovations, developing gardens, planting tree buffers, restoring outdoor spaces for event use. Then more significant renovations are planned, including commercial kitchens, conversion of existing spaces into portrait studios, and audio and video production studios. Eventually campground and cabins would be added along with summer camp or retreat activities.

Access to the site is from Globo Lane, a private, native-surfaced roadway. This road accesses Leslie Canyon Rd, a county-maintained rural minor collector, chip-sealed with a 24-foot cross-section. The roadway pavement is currently in deteriorating condition, especially along edges where drivers frequently pull off (e.g. at mailbox locations). This roadway is identified in the 2040 Long-Range Transportation Plan for future improvements to add shoulders, improve drainage and/or to repair/replace roadway surface treatment. To the north, drivers can access Davis Road and Highway 191 and to the south, drivers can access the City of Douglas and Highway 80.

Traffic Analysis

The ITE Manual does not specifically address a combined use like the one proposed by this applicant. Given the parcel size, location and proposal this could develop into a significant traffic generator (e.g. akin to a KOA campground site). However, initially virtually all the activities are limited to the site itself or trips generated by the on-site property owners. Developing gardens and renovating existing buildings is a low traffic impact use.

The 1,400 square foot recreational/event center, at peak use might range from 32 to 51 vehicle trips per day, *per the ITE Manual 9th edition*, but as the patio and outdoor spaces are built this number would likely creep upward. Trip generation, for the 30 proposed recreational campsites is estimated to range from 90 to 523 vehicle trips per day, *per the ITE Manual, 9th edition*, which reflects the variability of these types of land uses. More logically, assuming campsites are overnight stays for the event type activities, be it a family retreat, wedding or day camp, there would be combined uses with an average trip generation of about 130 vehicle trips per event day. (The threshold for Traffic Analysis Reports is typically 100 vehicle trips per day).

This site, if built out to its full residential capacity, under current zoning, would have the potential to generate an estimated 286 vehicle trips per day. As a fully built out campground, that includes RV's, the site has potential to meet or exceed this level of traffic. However, this potential appears to be slim, and certainly is far out into the future. A modification to this Special Use request would need to be made to exceed more than 30 campsite spaces, based on the proposal received.

The applicants did an excellent job presenting their conceptual plan. That phasing is intended is clear. It is not clear of when exactly the threshold for traffic generation would trigger improvements beyond what might be needed for a large ranch residential use. It seems premature to request full build out improvements when the next few years appear to be on-site renovations. However, at full build-out, an off-site improvement to the access apron onto Leslie Canyon Rd. will be needed.

Given the remoteness of the site, the size of the parcel, the primary use of private and internal roads for access, the intermittent nature of the use until fully developed, the ranges of potential vehicle trips that are at the tipping point for requiring Traffic Analysis Reports, it is recommended that in lieu of requesting a Traffic Report, Statement or Analysis that the applicants provide a phasing plan for improvements at the time of their first Commercial Permit. This phasing plan should set out anticipated Commercial Permit requests, with tentative timelines (and it understood these are contingent on a number of factors outside the applicants control and unknown at this time).

For example, as understood by the conceptual report, phasing might look like the following:

1. Initial renovations: gardens; tree buffers; restoring outdoor spaces for event use.
 - **Private Maintenance Agreement Required**
2. Significant renovations: commercial kitchens; conversion of existing spaces into portrait studios, and audio and video production studios.
 - **Reconstruction of Driveway Entrance to Commercial Driveway Standards**
3. Campground and cabins would be added.
 - Up to five primitive campsites – **define and provide appropriate surfacing for internal roadways**
 - **Over five campsites developed – under a Right-of-Way/Encroachment Permit construct a roadway apron as per Design Standard CC 205-3 or as approved by the County Engineer.**
 - **Over 30 campsites developed – obtain a modification to Special Use; Traffic Statement required; Improvement to Globo Lane to meet a minimum unpaved dirt road standard (CC015 or CC016 depending on existing and projected traffic volumes of expanded use).**

A Private Maintenance Agreement, per Zoning Code 1807.02A, will need to be submitted with the first Commercial Permit application.

Reconstruction of the Driveway Entrance will need to be completed along with the commercial kitchen and media studios.

Off-Site improvement to the Globo Lane access to Leslie Canyon Rd. will need to be completed with the development of more than five campsite locations.

Driveway Access

Commercial uses typically require a commercial driveway apron allowing for two-way traffic (minimum 24 feet per Design Standard CC2015-2). Because access is from a private roadway, no Right-of-Way/Encroachment Permit is required. The existing driveway configuration will need to be addressed before the campsite uses are developed. Theoretically, the existing driveway could work as currently constructed for the initial renovation of the site and for intermittent small events. However, it does not meet either a residential or commercial design standard at this time.

One option for the applicants to consider is reconfiguring their gated entrance to become their fully developed driveway access at 24-feet in width, and continuing to use the smaller, adjacent driveway with the cattle-guard as their own entrance when events or recreational guests are not expected. Alternatively, a full cattle-guard, if needed for on-site livestock or to prevent hoofed wildlife from coming onto the site, could be installed to create a single entrance, removing the existing posts in the middle of the driveway entrance. Designing and constructing an entrance should be in place before major events are held on the site.

Applicant Guidance

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

- The site plan is adequate to illustrate the concept for this Special Use authorization request. It will not be adequate at the Commercial Permit phase. Please add an illustration of the configured driveway entrance onto Globo Lane, with the sight distance

- triangles illustrated. Please ensure that no fixed objects, including signs, mailboxes or vegetation, interfere with the clear zones.
- This analysis is based on the conceptual plan. If the scope changes over time, a modification to the special use would be required and potentially a more detailed traffic report and/or off-site mitigation will be needed. E.g. campsite or RV spaces increase, frequency of events occur every week, multiple organized retreats for multiple participants. These types of changes would likely trigger a request for a more detailed Traffic Analysis and off-site mitigation. It is acknowledged to develop the site beyond the conceptual scope presented the applicants would likely voluntarily improve Globo Lane without it being a condition of any future permit in order to facilitate access to their site.
 - Right-of-Way/Encroachment Permit information for working within the County's Right-of-Way to construct this roadway apron is available from the Public Works/ Highway Dept. and can be obtained by contacting the Highway Dept. at 520-432-9300 and speaking with Francis Marinez. The typical fee for most ROW/Encroachment Highway Permits is \$100.00 and should be obtained concurrently with, or in advance of, the Commercial Permit requiring the off-site improvement.
 - Your trip generation is likely to trigger a request for a Traffic Analysis Attachment during one or more of your Commercial Permit phase. Note on your Commercial Permit application on that section that per the County Transportation Planner a formal Traffic Report was waived. The need for the off-site improvements on the roadway apron onto Leslie Canyon Road is clear without requiring the additional burden of providing a full Traffic Analysis (costs of such an analysis would likely run half or more of the costs to construct the off-site improvement).
 - If you have any questions during the Commercial Permitting process regarding the conditions of this Special Use Authorization, please contact the County Transportation Planner for assistance.



**Cochise County
Community Development**

Planning, Zoning and Building Safety Division

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www.cochise.az.gov

**PRIVATE MAINTENANCE AGREEMENT
GLOBO LANE
SU-18-04 (WINDSONG CAMPGROUND)**

David and Anastacia Verdugo, owners of parcel 405-38-041 and 042, located on East Globo Lane north of the Douglas area; agree to participate with other property owners to maintain East Globo Lane from the driveway of my parcel to the intersection with Leslie Canyon Road, where county-maintenance begins, in a passable condition for the duration of my permitted commercial land use.

I acknowledge that the Cochise County Community Development, Public Works Department does not, and will not, maintain the access roadway to my parcel.

I acknowledge that the primary access roadways to my parcel are not currently built to a county design standard for native surfaced roadways.

I acknowledge that all-weather access is not assured to my parcel nor are any improvements planned by the Cochise County to improve wash crossings in the foreseeable future.

Signature(s)

Date

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



Cochise Health & Social Services

Carrie Langley, Director

"Building a Healthier Future"

TO: Robert Kirschmann, Planner II,
Cochise County Planning Department

FROM: Carl Hooper Environmental Health Specialist,
Cochise County Health Department

DATE: March 7, 2018

PERMIT #: SU-18-04

PARCEL #: 403-38-041 and 042

I have reviewed the documentation provided dated 10/13/2017.

Cochise County Environmental Health has the following questions.

1. The submission packet states there are plans up to 30 primitive, 8-12 camping sites, and 5-10 RV parking spots. Please clarify the intended consideration for bathroom and shower facilities (i.e communal bathroom building to be shared by occupants, communal shower building or individual shower bath at each cabin or some combination of these scenarios). Where will those structures be located?
2. Is the proposed special use site service by a public water utility or private well?

Cochise County Environmental Health has the following comments.

1. A complete plan check application must be submitted for approval of the commercial kitchen. The packet must be complete to include a set of design drawings, equipment submittals, a proposed menu, and plan review fee.
2. If the site is served by a private well, submission of fresh water quality laboratory test results will be required prior to the issuance of a permit for the commercial kitchen, or the water system permitted by ADEQ.

Your County Questions Answered: www.cochise.az.gov

Email: health@cochise.az.gov

Main: 1415 Melody Lane, Bldg. A, Bisbee, AZ 85603
Benson: 126 W. 5th Street, Benson, AZ 85602
Douglas: 1012 N. G. Avenue, Suite 101, Douglas, AZ 85607
Sierra Vista: 4115 E. Foothills Drive, Sierra Vista, AZ 85635
Willcox: 450 S. Haskell Avenue, Willcox, AZ 85643

Phone: 520-432-9400 **Fax:** 520-432-9480
Phone: 520-586-8200 **Fax:** 520-586-2051
Phone: 520-364-5600 **Fax:** 520-364-5453
Phone: 520-803-3900 **Fax:** 520-459-8195
Phone: 520-384-7100 **Fax:** 520-384-0309



Cochise Health & Social Services

Carrie Langley, Director

"Building a Healthier Future"

3. A revised site plan which indicates the locations for current proposed and future shower and toilet buildings (if any) is required.
4. A revised septic system plan application is required. Include as part of this plan:
 - a. A revised septic system design package must be completed. Indicating all new and existing connections to the septic system for all new and existing facilities to include outfall lines from the new commercial kitchen, outfall lines from all toilet and shower buildings, and all service connection points for RV units to the septic system such as a dump station or individual site connection. Be advised that RV's with chemicals in their holding tanks may not meet the definition of "typical sewage" and may need to be permitted by ADEQ.
 - b. Consideration for ADEQ and Cochise County Environmental Health's grease interceptor requirements as per Tile 18 Chapter 9
5. An Application for Commercial Food Establishment permit will be required.
6. An Application for Permit for an RV/MH Park or Campground will be required.
7. The applicant should contact Arizona Department of Environmental Quality in regard to the fresh water distribution system for the proposed special use. It appears that it may have 15 or more service connections (hook-ups) or serve 25 or more people, which would require compliance with ADEQ's Public water system requirements.

If you have any questions or require further information from this department, please contact us.

CH:mm

Your County Questions Answered: www.cochise.az.gov

Email: health@cochise.az.gov

Main: 1415 Melody Lane, Bldg. A, Bisbee, AZ 85603
Benson: 126 W. 5th Street, Benson, AZ 85602
Douglas: 1012 N. G. Avenue, Suite 101, Douglas, AZ 85607
Sierra Vista: 4115 E. Foothills Drive, Sierra Vista, AZ 85635
Willcox: 450 S. Haskell Avenue, Willcox, AZ 85643

Phone: 520-432-9400
Phone: 520-586-8200
Phone: 520-364-5600
Phone: 520-803-3900
Phone: 520-384-7100

Fax: 520-432-9480
Fax: 520-586-2051
Fax: 520-364-5453
Fax: 520-459-8195
Fax: 520-384-0309



Cochise County
Community Development
Highway and Floodplain Division

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INTEROFFICE MEMO

Date: March 6, 2018
To: Robert Kirschmann, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: **SU-18-04 (Verdugo)**

Background: The applicant requests Special Use Authorization to establish an event center and campground. An existing 1,400 square foot residence will be converted into an event/dining hall including a commercial kitchen to accommodate weddings and similar events. One building will be converted to a portrait studio and another into an audio and video production room to support the onsite uses. Up to 30 primitive cabins/teepees and restroom/shower facilities will be provided in the future. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres). Guest lodging (607.01) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use Request. The 120 acres is on multiple parcels with development focused on 405-38-041 & 042. The site is located at 510 E. Globo Land, north of Douglas and is more particularly described as being a portion of Section 25 Township 22 South, Range 27 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona. The applicant is David Verdugo and Anastacia Lake-Verdugo.

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 Leslie Canyon Road, west on Globo Lane.
- Globo Lane is not a County Maintained Road.
- Globo Lane is dedicated to the public per Valley Springs Estates No 1, Book 4 of Maps and Plats, Page 13 & 14, at a width of 60 feet.

Recommendation:

- Further right-of-way dedication is not required for Globo Lane at this time.

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

P&Z Agenda Template

6. 5.

Meeting Date: 04/11/2018

SU-18-05 (Campos)

Submitted By: Robert Kirschmann, Community Development

Department: Community Development

Division: Development Services

Presentation: PowerPoint

NAME Robert Kirschmann

of PRESENTER:

TITLE Planner II

of PRESENTER:

Agenda Item Text:

SU-18-05 (Campos)The Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities in Palominas.

Background:

The Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities. The concept plan includes three tents and two earthbag domes (each less than 200 square feet), Restroom/shower building, a 2,500 square foot Yoga/meditation/retreat room, Art studio, chicken coop, greenhouse, and a single family home. Guest lodging (607.01), Personal/Professional Services (607.26) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 20 acre site is on parcel 104-84-028B on E Javelina Drive, west of Paloma Trail.

Attachments

Complete Staff Report

Application and Outreach

Public Response

Agency Response



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Community Development
 Planning, Zoning and Building Safety Division

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Development Director
SUBJECT: Docket SU-18-05 (Campos)
DATE: March 28, 2018 for the April 11, 2018 Meeting

APPLICATION FOR A SPECIAL USE AUTHORIZATION

The Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities. The concept plan includes three tents and two earthbag domes (each less than 200 square feet), Restroom/shower building, a 2,500 square foot Yoga/meditation/retreat room, Art studio, chicken coop, greenhouse and a single family home. Guest lodging (607.01), Personal/Professional Services (607.26) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 20 acre site is on parcel 104-84-028B on E Javelina Trail, west of Paloma Trail.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 20 acres
 Zoning: R-U (Rural; one dwelling 4 acres)
 Growth Area: Category D
 Comprehensive Plan Designation: Rural Density Residential
 Area Plan: Southern San Pedro Valley Area Plan
 Existing Uses: Rural Residential
 Proposed Uses: Single family home, Five tents, yoga studio and related activities

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Rural Residential/Vacant
South	RU-4	Rural Residential/Vacant
East	RU-4	Rural Residential/Vacant
West	RU-4	Rural Residential/Vacant

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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

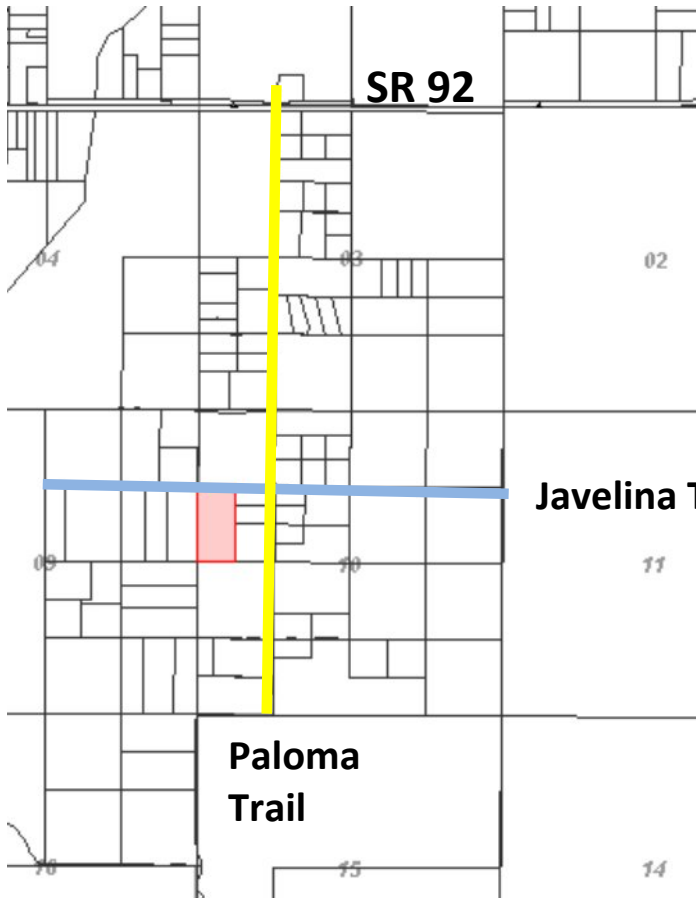
II. PARCEL HISTORY

2018 – Single Family Home Permit issued

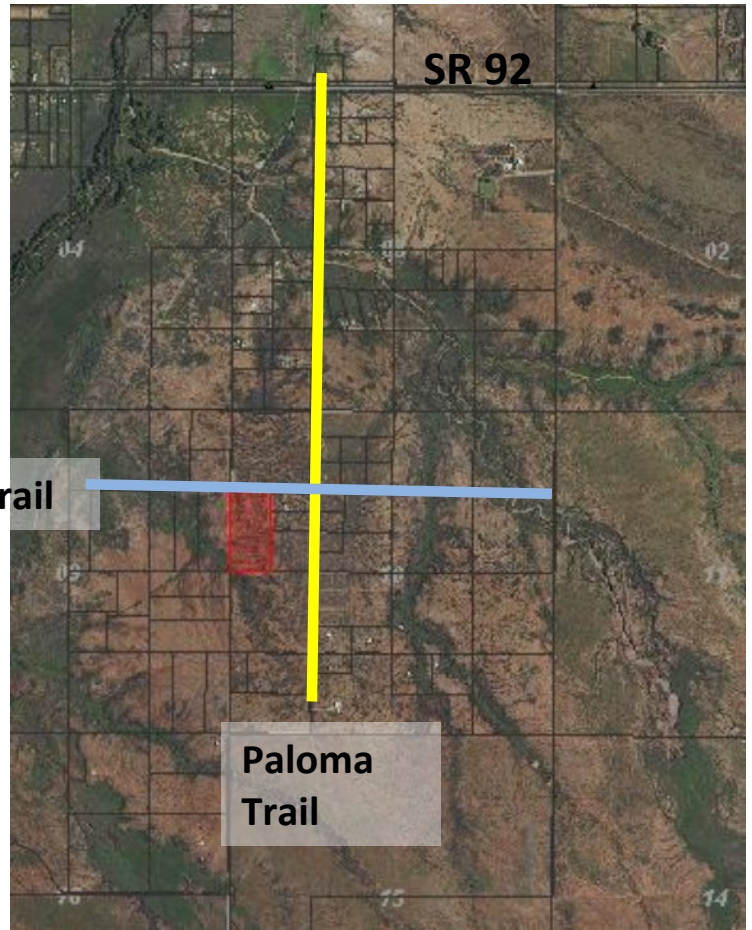
III. NATURE OF REQUEST

The Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities. The concept plan includes three tents and two earthbag domes (each less than 200 square feet), Restroom/shower building, a 2,500 square foot Yoga/meditation/retreat room, Art studio, chicken coop, greenhouse and a single family home. Guest lodging (607.01), Personal/Professional Services (607.26) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 20 acre site is on parcel 104-84-028B on E Javelina Trail, west of Paloma Trail.

The applicant has obtained a permit to construct her personal residence and intends to live on the site with the proposed use.



Location Map



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.

With the information provided, eight of the ten factors apply to this request. The project, as submitted, fully complies with two of the factors, and partially complies with two others. With the recommended conditions and modifications, the project complies with two additional factors. The project does not comply with the two factors.

A. Compliance with Duly Adopted Plans: Does Not Comply

The project site is located in Category D, Rural Density Residential area. The Rural Residential describes areas the a definite pattern of residential development on lots two acres of greater. The Comprehensive Plan goes on to State "Due to well-established residential character of these areas, rezonings or ***Special Uses*** to allow more intensive developments that do not directly serve the residents of the area are ***not generally appropriate***". The project proposes to invite folks from areas outside of the neighborhood to camp or participate in Yoga or other activities and therefore would not comply.

The project site is also located within the Southern San Pedro Valley Area Plan. The Business and Industry Goal states "New non-residential development should complement the rural, small town, recreational and ranching character of the valley". There are 5 Policies within the Plan used to implement the goal.

Policy 1: The first policy wishes to maintain existing development patterns by directing business to areas that are already developed. The request does not comply with this policy, as the Yoga Studio could be located in an existing business designated area and not located within the residential area.

Policy 2: Does not apply as a rezoning is not requested or required for the proposed project.

Policy 3: Does not apply as there are no existing commercial uses on the site.

Policy 4: Policy four states that Special Uses are acceptable if they have no off-site negative impacts. The policy goes on to further describe the types of special uses considered appropriate in the Plan Area. These include resorts, guest ranches, and group camps, rural density RV parks/campgrounds and recreational uses designed to primarily serve the plan area. The applicant is proposing a low density campground which would comply, however personal and professional services (Yoga studio open to the general public) are not listed as an appropriate use.

B. Compliance with the Zoning District Purpose Statement: Partially Complies

The purpose statement of the Rural Zoning District in Article 6 includes seven points. Section 601.02 encourages non-residential uses which serves local need or provides a service that are compatible with rural living. The camping portion of the project will partially serve a local need, and at the scale proposed it would be compatible with the rural area. The yoga studio could provide a local service, however there are more appropriate areas located in closer proximity to Highway 92.

C. Development along Major Streets: Not Applicable

The proposed use is located on Javelina Trail, Off of Paloma Trail over a mile from State Route 92. Both roads are not County Maintained. Only one access is proposed on Javelina Trail.

D. Traffic Circulation Factors: Complies

The parcel is designated as RU-4, which allows one home per four acres. Trip generation, for no more than 5 recreational campsites, combined with the primary residential unit, is estimated to be 26.54 vehicle trips per day, per the *ITE Manual, 9th edition*,

which is just slightly higher than the high end of one single family residential use. The yoga/meditation center, at peak use might range from 57 to 91 vehicle trips per day, *per the ITE Manual 9th edition*, but as this proposal leans towards individual use or combined with the tent camping use, is likely to be on the low end of that range and not likely every day. This use is likely to increase the trip generation from this parcel slightly beyond that of the high end of the range for a single residential unit but not during peak hours and would be intermittent in nature. Total site trip generation is likely to range from 9 to 20 vehicle trips on any given day.

This site, if built out to its full residential capacity, under current zoning, would have the potential to generate a range of 47 to 110 vehicle trips per day. This proposal is unlikely to exceed the threshold of expected vehicle trips under a residential use.

E. Adequate Services and Infrastructure: Partially Complies

The site is accessed via E. Javelina Trail and S. Paloma Trail from State Route 92. The parcel is over one mile south of State Route 92 on non-county maintained roads. The citizens in the area have an informal group that pulls funds to have the road periodically graded. There are several washes that Paloma Trail crosses, one being significant. During rain events it is not uncommon for access in the area to be cut off until the rain recedes, and road is repaired. The applicant identified this as a concern and will close her business during monsoon season. However, it rains at other times of the year which could result in guests being trapped at the location. Staff received input from the Cochise County Sherriff and Bisbee EMS. Both agencies acknowledged that during certain times the area is not accessible.

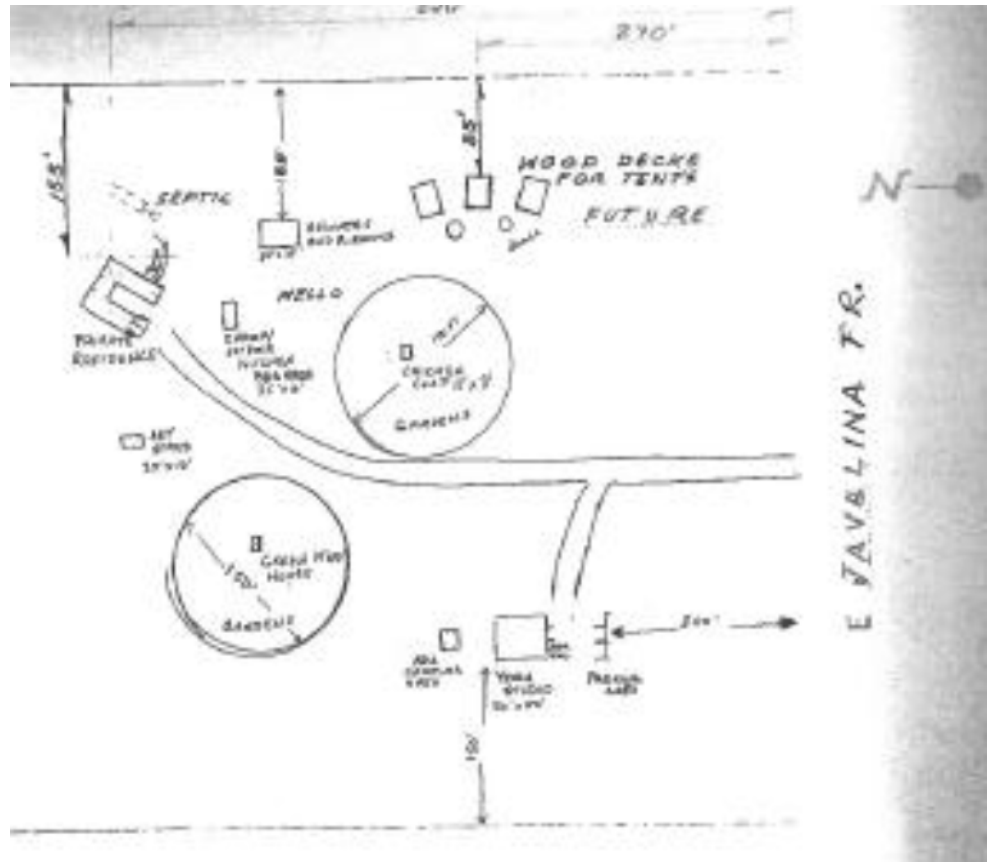
Should the Planning Commission approve the request, Staff would recommend a condition of approval, that would require the applicant to contribute to the local road improvement group an amount equal to five single family residences.

The applicant will be off-grid and provide water through a well, solar electric and a septic system.



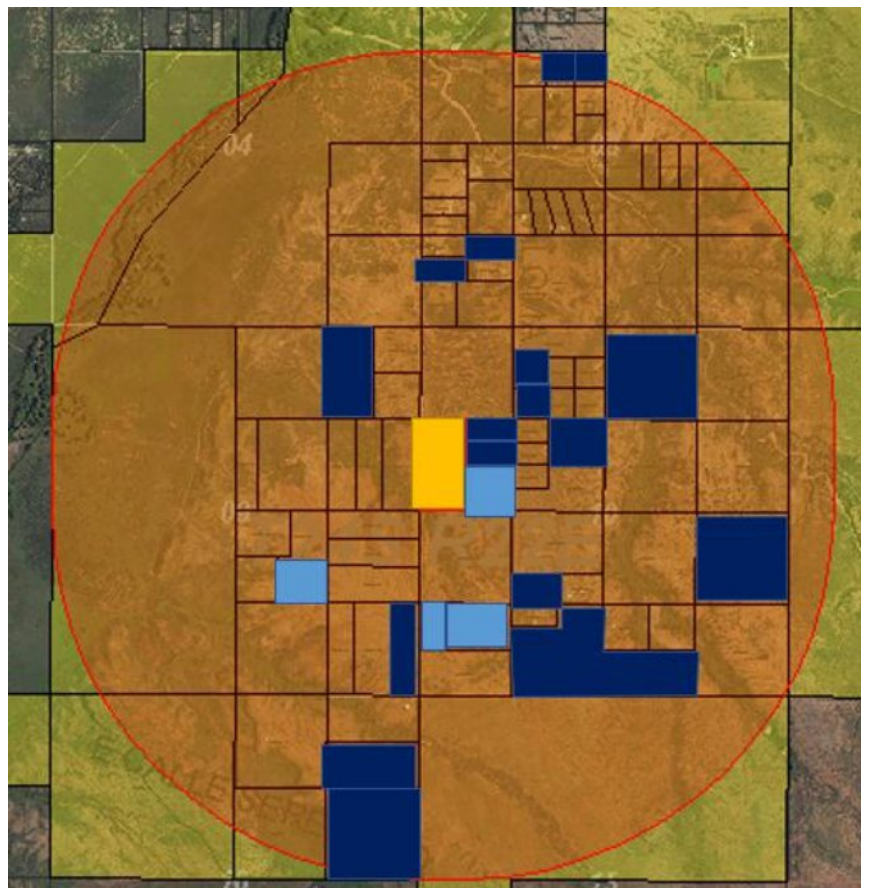
F. Significant Site Development Standards: Complies with Conditions and modification

The site plan presented complies with most development standards. The structures are no closer than 85 feet to any property line, the proposed parking will be gravel and includes a paved accessible parking space. If, the Commission approves this Docket, staff is recommending a modification to the screening requirement. A six foot tall solid screen would be more obtrusive than the use itself. The native landscaping and the large setbacks provide adequate screening. The applicant is conditioned to provide a site plan, clearly showing the parking with the Commercial Permit Review.



G. Public Input: Does not Comply

The Applicant mailed letters to property owners within 1 mile of the property prior to application submittal. The Applicant received three emails in support (One has reversed support) and one phone call in support. The Planning Department mailed letters to the same property owners within 1 mile of the subject property, published a legal ad in the *San Pedro Valley News-Sun* and posted legal notices on the property. To date, staff has received eleven letters of opposition from property owners within that radius. Four letters of support have been received by property owners within the radius and one from Saint David. The concerns and objections raised by the nearby property owners include noise, access, traffic, participation in the road improvements, customers with PTSD, and credentials of the applicant.



H. Hazardous Materials: Not applicable

There will not be any potentially hazardous materials used on the site.

I. Off-Site Impacts: Complies with Conditions

The closest structure will be at least 85 feet from the property line, limiting visual impacts to the surrounding neighborhoods. The applicant is proposing water harvesting to help water the proposed gardens. No outdoor lighting is shown, however the project is required to comply with the County's Outdoor Lighting Ordinance. There will be occasional noise from campers and visitors to the Yoga Studio, however the activities are located away from adjacent properties and would be akin to family gatherings. The traffic impact would be similar to that of 5 single family homes being constructed on the lot, which the zoning permits. To help mitigate the concern of maintenance of the roads, a condition has been included which requires the applicant to pay into the local road improvement group in an amount equal to five single family homes.

J. Water Conservation: Complies

The project site is located within the Sierra Vista Sub-Watershed. If approved, the Applicant would be required to demonstrate compliance with applicable water conservation policies at the commercial permit phase for any new construction.

V. PUBLIC COMMENT

Staff mailed notices to neighboring property owners within 5,280 feet of the subject property on March 8, posted the property on March 22, and published a legal notice in the *San Pedro Valley News-Sun* on March 21, 2018. In response to applicant and County mailings, the Planning Department received eleven letters of opposition from property owners within the notification radius, four letters of support from surrounding property owners and another from Saint David.

VI. SUMMARY AND CONCLUSION

The Applicant requests Special Use approval to authorize Guest Lodging, professional services and recreational facilities. Although staff applauds the goals of the request. Due to the large public response in opposition, access to the site and compliance with adopted plans staff does not believe the use is appropriate at this location.

If the Commission wishes to approved the item, Staff has included recommended conditions of approval to minimize impacts.

Factors in Favor of Approving the Special Use

1. The traffic generated by the use would be similar to the applicant constructing five single family homes on the site;
2. The Yoga studio would provide a service to the area that does not currently exist;

Factors Against Allowing the Special Use

1. The Planning Department has received eleven letters in opposition to the request from neighboring property owners;
2. During rain events Paloma Trail is not accessible and guest would be stranded until water recedes;
3. During rain events it will be difficult or impossible for emergency services to reach the location;
4. The request does not fully comply with the Southern San Pedro Valley Area Plan;
5. Since the use it not primarily serving the local residents it does not fully comply with the Comprehensive Plan.
6. The project does not comply with five of the Special Use Factors.

VII. RECOMMENDATION

Based on the factors **not** in favor of approval, Staff recommends **Denial** of the Special Use request.

Should the Commission approve the Application, staff recommends the following Conditions:

1. The Applicant shall provide the County 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 properties within thirty (30) days of approval of the Special Use Permit. Prior to permit issuance, the Applicant shall submit and obtain building/use permits within 12 months of approval, including a completed joint permit application. The building/use permit(s) shall include a site plan in conformance with this approval and meeting all site development standards (except those specifically waived or modified by the Planning Commission as part of this approval), the completed Special Use Permit questionnaire, and appropriate fees. A permit must be issued within 18 months of approval, otherwise the approval may be deemed void upon 30-day notification to the Applicant;
2. At the Commercial Permit phase, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for that segment of roadway from their driveway to Highway 92 via S. Paloma Trail and E. Javelina Trail.
3. The Applicant shall be responsible to contribute funds to the local road improvement group equal to that of five single family homes.
4. In conjunction with the Commercial Permit Submittal, the Applicant shall provide a clear site plan demonstrating that adequate parking and circulation is provided.
5. The applicant shall provide a signed road maintenance agreement;
6. It is the Applicant's responsibility to obtain any additional permits or meet additional conditions, if any, that may be applicable to the proposed activities pursuant to other federal, state, or local laws or regulations; and
7. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission.

Sample Motions:

Mr. Chairman, I move to Deny Special Use Docket SU-18-05, the Factors Against Approval constituting the Findings of Fact.

Mr. Chairman, I move to approve Special Use Docket SU-18-05, with the Conditions of Approval and Modifications recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

VIII. ATTACHMENTS

- A. Complete Staff Report
- B. Application, including public outreach response
- C. Public Response
- D. Agency Response



Cochise County
Community Development
Planning, Zoning and Building Safety Division
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Docket No. SU-18-05
Date Received 02/23/18
Receipt No. 1222

SPECIAL USE AUTHORIZATION QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER/APN _____ Parcel# 10484028B

APPLICANT _____ Julie A. Campos

PHYSICAL ADDRESS OF THE PROPERTY _____ E. Javelina Drive, south west of S. Paloma Trail

CONTACT TELEPHONE NUMBER _____ 520-353-5492

EMAIL ADDRESS: _____ bienestar oasis@gmail.com or campos.julie923@gmail.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) _____ Michael E. Richardson

PROPERTY OWNER'S MAILING ADDRESS _____ 1545 NW Market St., #300, Seattle, WA 98107

REQUIRED SUBMITTALS

- Questionnaire with all questions completely answered (attached).
- A Concept Plan or Preliminary Site Plan in 8 1/2 " x 11" or 11" x 17" hard copy, or electronic in jpg or pdf format. Please note that if a Concept Plan is submitted for the Special Use Authorization, a complete Site Plan will be required when submitting the Non-Residential permit application.
- If the applicant is not the property owner, provide a notarized letter from the property owner granting permission to the applicant to apply for the Special Use Authorization and to act as the owner's representative.
- Any other Attachments or Information required to adequately analyze your request.
- Applicant's Certification and Acknowledgement

Planning, Zoning and Building Safety

1415 Melody Lane, Building E
Bisbee, Arizona 85603
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highway@cochise.az.gov
floodplain@cochise.az.gov

- Fees (\$300.00)
- Other Submittals as required based on the type, scope, and location of the proposed project
 - Hazardous or Polluting Materials Report
 - Off-site Improvement Plans
 - Soils Engineering Report
 - Landscape Plan
 - Hydrology/Hydraulic Report
 - Traffic Impact Analysis (TIA), Traffic Impact Statement (TIA), or Traffic Report (TR):
 - Outdoor Lighting Plan including lumen count

The Planner will advise you if and when any of the above attachments are required.

Project Description

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 delay in analyzing the request.

Describe the existing uses and structures on the property.

There are no existing structures on the property.

DESCRIBED THE PROPOSED USES, STRUCTURES & ACTIVITIES:

- *Camping areas consisting of 3 tents and 2 earthbag domes (less than 200 sq ft each) -example photo attached
- *Toilet / shower block for campers (3 toilets & 3 showers)
- *Small outdoor/indoor kitchen with sink, barbeque, counter-top workspace, picnic tables & benches
- *Permaculture organic gardens
- *Yoga/meditation/retreat multi-use building space, approx. 2500 sq ft of open space.
- *Art Studio
- *Green house & chicken coop
- *5 parking spaces
- *2 employees

I plan to be off-grid with the property, relying on a solar energy system, propane, rain water reclamation and reuse, and grey water filtration and reuse. The property and business will be as environmentally friendly as possible with as little impact on the land and surrounding areas as possible while regenerating the soil using permaculture design and practices. We aim to provide a quiet, peaceful space for our clients, no motorized recreation vehicles or the like will be in use. One of the main goals of the business is to provide meditation and stress relief sessions and workshops to active-duty and retired military, first responders, law enforcement, border patrol agents and others in high-stress jobs and sufferers of PTSD. We plan to use regenerative principals in all areas of our residence and business on the property, living in harmony with the land and our neighbors. Whenever possible, I plan to plant trees to create a natural screen between our property and that of our neighbors so that others' views of the beautiful landscape is not interrupted by our house or other structures.

Describe all the products and services that will be produced or sold.

Products: fruit, vegetables grown in the garden, yoga products such as mats, bolsters & blankets, _____
 artwork produced on site _____

Services: camping areas & overnight accommodation in tents, yoga, meditation workshops & classes, _____
 art lessons and workshops, gardening workshops _____

What is the proposed time frame for construction and operation, including phasing if applicable?

Once permits and approval granted, 1) septic system to be installed, followed by 2) private residence constructed, 3) camping areas constructed and tents erected, 4) gardens laid out and developed. When budget, time and approvals available, yoga studio to be constructed.

Provide the following information (when applicable):

Days and hours of operation: Days: Tues-Sun Hours (from 7am AM to 8pm PM) with the exception of campers. Camping areas open 24/7. Closed during monsoon season

Number of employees: Initially: 0 Future: 2

Number per shift Seasonal changes business to be closed during monsoon season _____

Total truck traffic, including deliveries and shipment (e.g., by type, number of wheels, or weight) _____

_____ No regular truck shipments anticipated

At what time of day, day of week and season (if applicable) is traffic the heaviest?
weekends, 10am-3pm, Sept-May _____

Describe the physical access to your site.

E. Javelina Trail is a graded, unpaved road, current gate to property is 10 ft wide and will be expanded to 16 ft. wide gate. Driveway is graded, gravel-topped drive

Identify how the following services are or will be provided:

	Existing Utility Company/Service Provider	Proposed provisions to be made if services are not currently on site
Water	water provided by rainwater capture & filtration, existing well and grey water capture and filtration (for trees on site)	
Sewer/Septic		septic system (already county approved) to be installed
Electricity		solar energy system to be installed upon permit approval
Natural Gas		none
Fire Protection		Palominas fire department, dry brush clearing, fire extinguishers to be on site

Describe all outdoor storage and activities.

Outdoor activities: nature walks, gardening, yoga practice, games such as corn hole, volleyball and/or badminton
Storage: storage space will be incorporated into the indoor/outdoor kitchen, the yoga studio, and the greenhouse as well as our private residence

What noise, vibrations, dust, smoke, or odors will be produced that can be detected on neighboring properties? How will they be mitigated, controlled, or reduced?
none except for the occasional sound of a generator. We will use the quietest generators on the market

If any activities will attract pests, what measures will be taken to control them?

None. All gardening, composting, etc. will be done using Permaculture design and principles. Therefore we grow plants that will attract beneficial insects and repel harmful insects. Fencing and bordering will aim to deter javelina and other destructive wildlife while maintaining a natural balance

What screening, if any is proposed?

Trees such as figs, pomegranates, date palms, ponciana, loquat and mulberry will be used around the property, particularly along driveway(s) and buildings to screen any traffic and buildings

Describe all outdoor lighting, including lighted signs.

All outdoor lighting (along walkways and driveways) will be solar powered with low lumen to reduce and avoid light pollution
Light fixtures to be placed only where light is needed and use full cut-off fixtures to direct light downward where needed

Describe the locations and dimensions of all existing and proposed signs, including any attached to a building.

Currently there are no existing signs. Proposed signs will be on the front gate/fence of the property no larger than 10' x 10'
Signs on buildings will be limited to directing clients to specific areas (toilets, showers, kitchen, exit, entrance, fire extinguishers, etc)

Is there any regulated flood plain on the property?

Yes ___ No

Are there any washes within 300 feet of the property?

Yes No ___

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

Yes No ___

See septic site plan attached

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.

Show dimensions, locations, and materials of parking areas (including ADA parking), loading areas, and driveways. ADA parking spot (*) will be located adjacent to Yoga Studio and will comply with US federal regulations and guidelines

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.

How many acres will be cleared? approx. 5 acres for residence, camping areas, gardens and yoga studio / outdoor spaces
If more than one acre is to be cleared, describe the proposed dust and erosion control measures to be used.

Dust and erosion to be controlled with addition of trees, plants, and mulch (garden areas) trees and gravel _____
(driveways, walkways), concrete foundations (residence, shower/toilet block, outdoor/indoor kitchen) and _____
addition of trees and shrubs and mulch (camping areas) _____

What specific measures will be taken to conserve water on-site? 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.

All faucets, shower heads and toilets will be low-flow and water saving. Camping showers and faucets will be on timers. _____
An extensive rainwater capture, filtration and re-use system will be in place, a greywater filtration and re-use system _____
will be in place to feed the trees. All cleaning products will be biodegradable and grey-water friendly. _____

Describe proposed landscaping, including what plants and materials are proposed.

In addition to the trees listed page 4 under the "screening" question, a variety of vegetables, beans, edible flowers and cacti _____
will be planted in order to create a "food forest" on the property. An extensive amount of mulch, organic compost, and worm castings _____
will be used to regenerate the soil and feed the food forest. _____

Does the proposed use involve hazardous materials?
No Yes If yes, complete the attached Hazardous Materials attachment.

Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, any required attachments, and on the concept plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Special Use Authorization.

Applicant's Signature _____

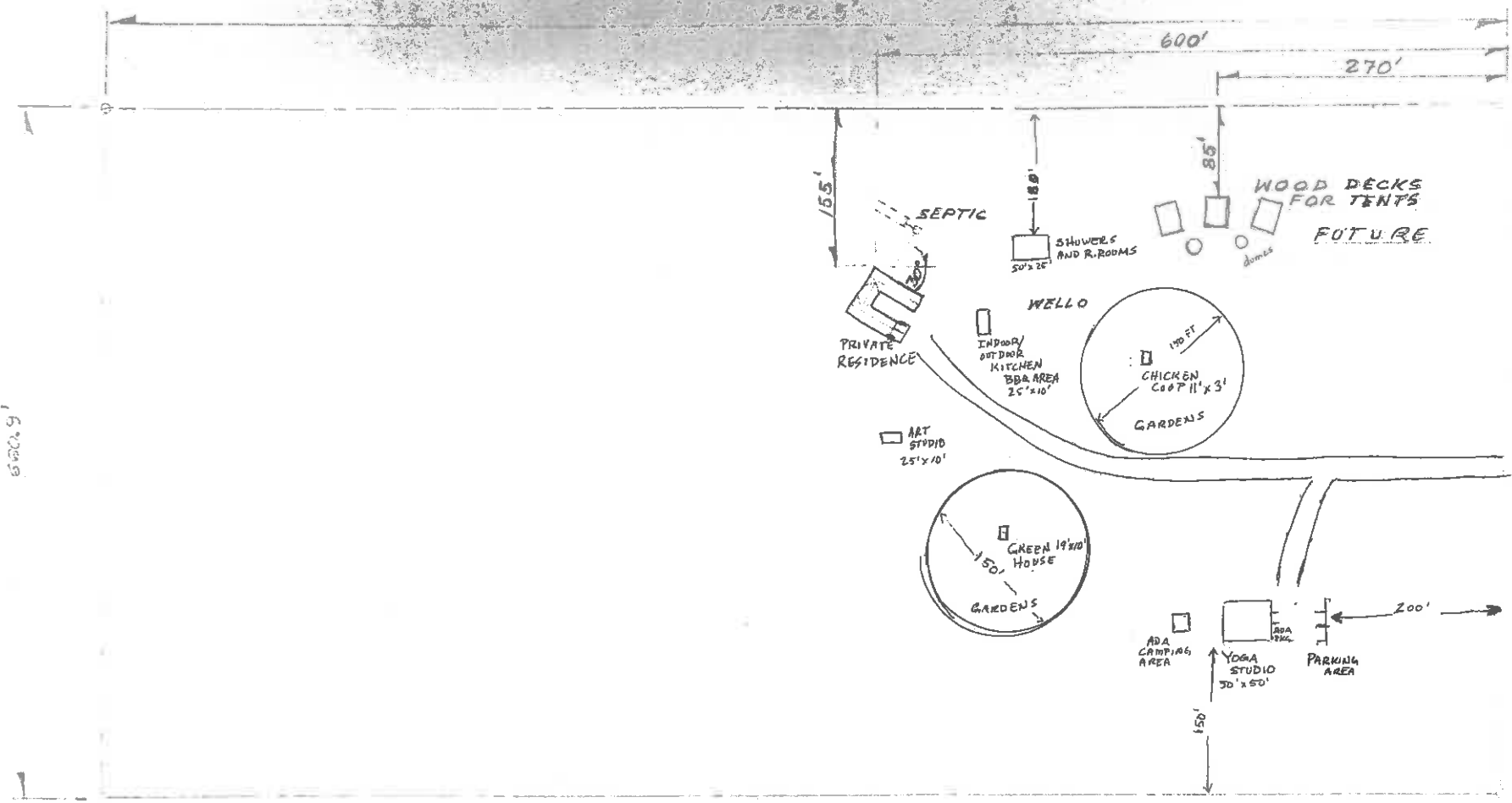


Print Applicant's Name _____

Julie A. Campos

Date signed _____

18 February 2018



E JAVALINA FR.

SITE PLAN

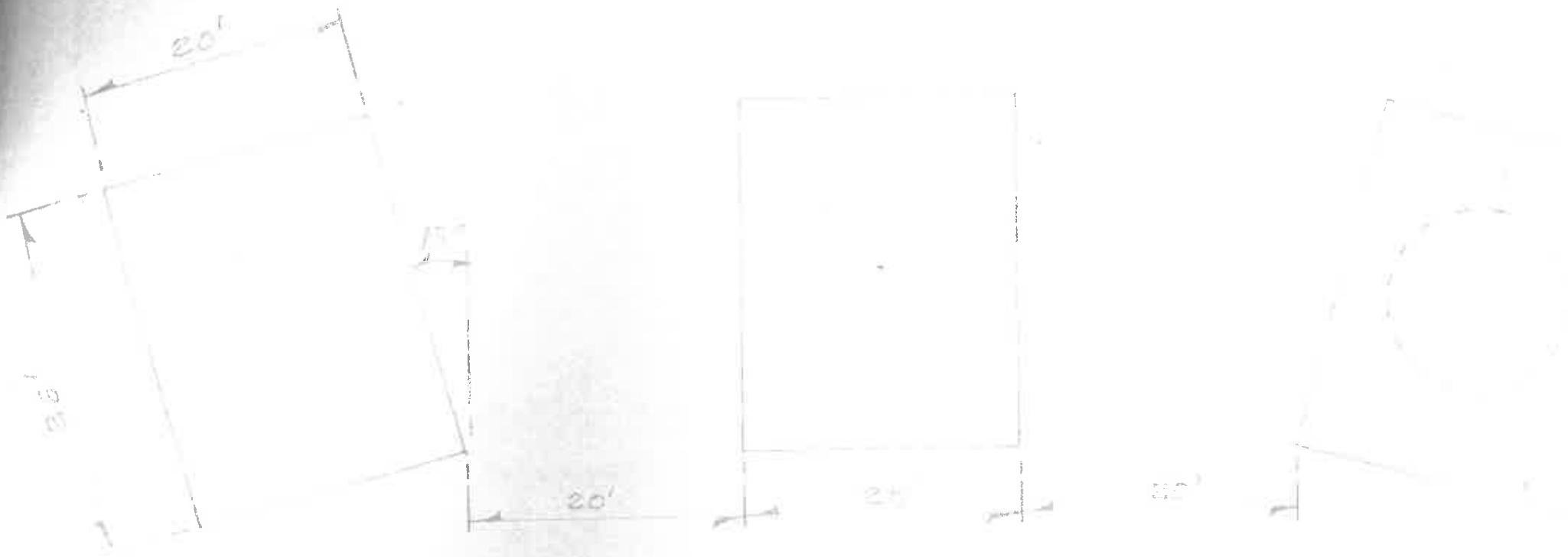
SCALE: 1" = 10'



Figure 1 Camping Tent – example



Figure 2 Earthbag Domes - example



FUTURE WOOD DECKS
FOR TENTS.

$3/16'' = 1' - 2''$

Michael E. Richardson
1545 NW Market St., #300
Seattle, WA 98107

17 February 2018

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

RE: Permission for non-owner of property to apply for Special Use Permit

I, Michael E. Richardson, property owner of parcel number 10484028B, E. Javelina Trail, Hereford, Arizona 85615, grant permission to Julie A. Campos to apply for the Special Use Authorization and to act as my representative for this parcel of land. Should you have any questions regarding this permission, please contact me at the address, phone number or email address above.

Signed,



Michael E. Richardson

Notary Public see attached notary paperwork

Date _____

CERTIFYING OR ATTESTING A DOCUMENT: LETTER REGARDING SPECIAL
USE PERMIT

STATE OF WASHINGTON
COUNTY OF KING

On this day personally appeared before me MICHAEL RICHARDSON, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

Signature of individual(s) *Michael Richardson*

Date 2/19/2018

Given under my hand and seal of office this 19TH day of FEBRUARY, 2018.

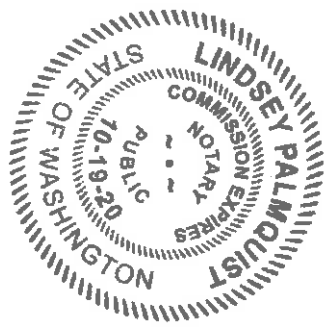
Notary Signature *Lindsey Palmquist*

Notary Public residing at 1752 NW MARKET ST, SEATTLE, WA 98107

Printed Name: LINDSEY PALMQUIST

My Commission Expires:

10/19/2020

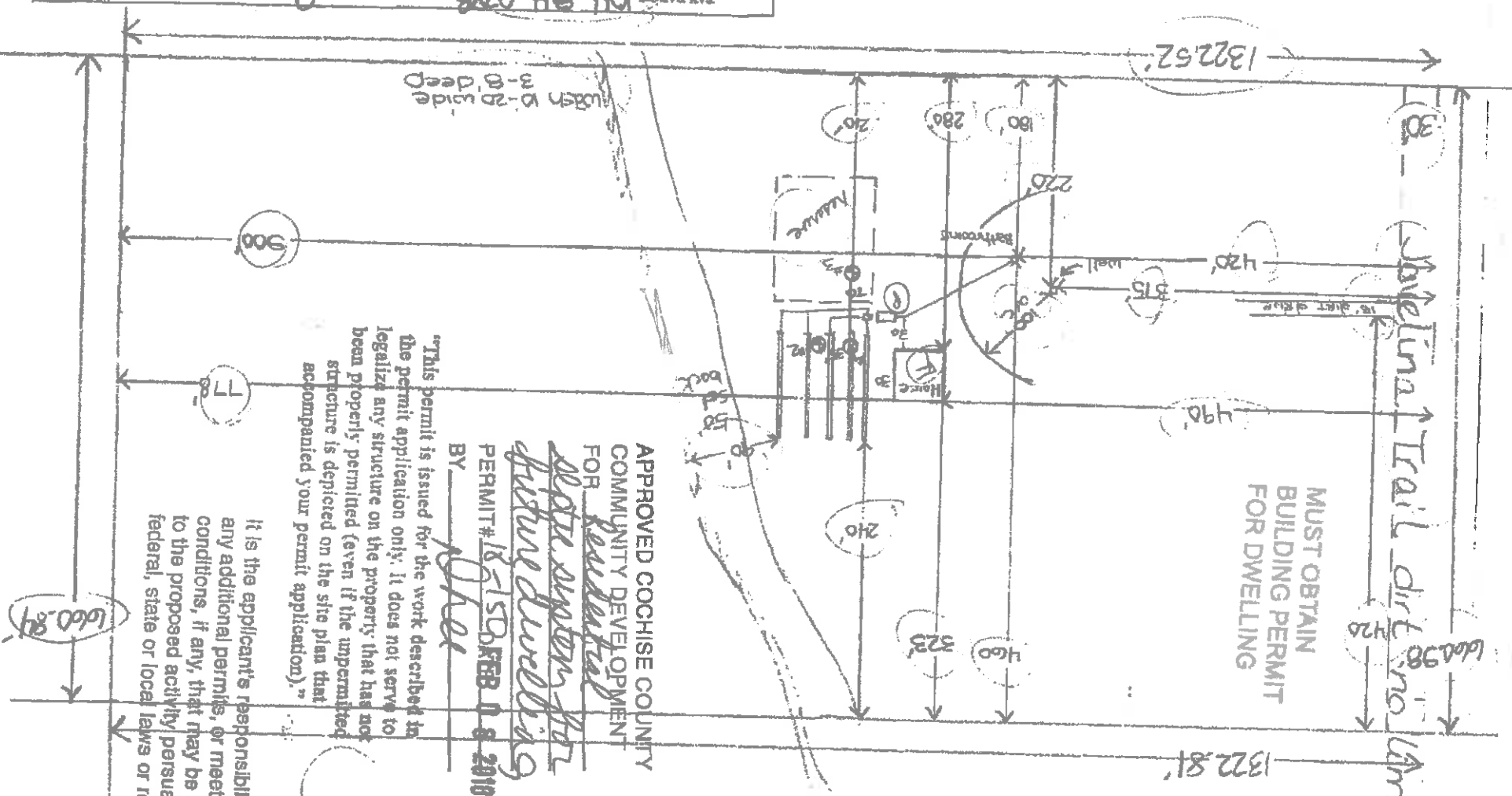


If any changes need to be made to this approved site plan due to conflicting requirements from any other County department, this site plan must be re-approved by the Planning Department BEFORE any construction begins.

No structure/use permitted herein shall limit the rights of the owner of any underlying easements which burden a particular site from utilizing their easement

MUST OBTAIN BUILDING PERMIT FOR DWELLING

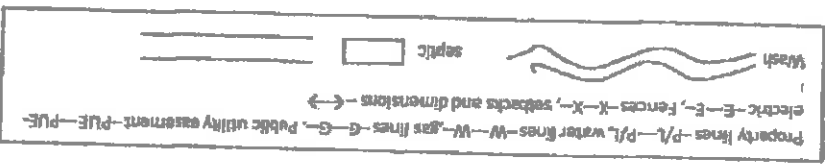
30' Final Trail dirt no limit 420'



APPROVED COCHISE COUNTY
COMMUNITY DEVELOPMENT
FOR residential
septic system for
future dwelling
PERMIT # 18-150 FEB. 18 2018
BY W. H. Lee

"This permit is issued for the work described in the permit application only. It does not serve to legalize any structure on the property that has not been properly permitted (even if the unpermitted structure is depicted on the site plan that accompanied your permit application)."

It is the applicant's responsibility to obtain any additional permits, or meet any additional conditions, if any, that may be applicable to the proposed activity pursuant to other federal, state or local laws or regulations.



TAX PARCEL: 04 84 028 APPLICANT'S NAME: Campos
I certify that this plan indicates all structures, correct property and building dimensions, setback distances, access and easements, road cuts, wells and or watercourse on or within 300' of the property, to the best of my knowledge. I also certify that I have been to the site to confirm contours and accuracy of my proposed plans.
Designer's Name: D. Davis date: 1/24/2018
DAVE ECKHARTING AND COMPANY LLC 515 S. AVENUE DE ANIMA WITH A2 800 808-1234 dave@ecdc.com



Bienestar Oasis

Wellness * Permaculture * Yoga * Art * Sustainability
Herford, Arizona, USA

E. Javelina Trail
520-353-5492
bienestaroasis@gmail.com

16 Feb 2018

Mailed to
list on
17 Feb 2018

Dear Friends and Neighbors,

My name is Julie Campos and I represent my new business Bienestar Oasis, which I am looking to establish on our family's 20 acres of land at E. Javelina Trail (Parcel # 104840288) where my husband and I will also be building our residence. The business will involve the following:

- Camping areas consisting of 3 tents and 2 earthbag domes (less than 200 sq ft each) -example photo attached
- Permaculture organic gardens
- Yoga/meditation/retreat multi-use building space, approx. 2500 sq ft of open space.
- Art Studio
- 5 parking spaces
- 2 employees

I plan to be off-grid with the property, relying on a solar energy system, propane, rain water reclamation and reuse, and grey water filtration and reuse. The property and business will be as environmentally friendly as possible with as little impact on the land and surrounding areas as possible while regenerating the soil using permaculture design and practices. We aim to provide a quiet, peaceful space for our clients, no motorized recreation vehicles or the like will be in use.

One of the main goals of the business is to provide meditation and stress relief sessions and workshops to active-duty and retired military, first responders, law enforcement, border patrol agents and others in high-stress jobs and sufferers of PTSD.

We plan to use regenerative principals in all areas of our residence and business on the property, living in harmony with the land and our neighbors. Whenever possible, I plan to plant trees to create a natural screen between our property and that of our neighbors so that others' views of the beautiful landscape is not marred by our house or other structures.

The county requires us to go through the zoning process of acquiring a special use authorization. Part of that process includes getting feedback from you, our neighbors.

You will also be receiving a letter from the county, with contact information in case of objections to the project. If you have any concerns, questions or objections, I humbly ask and encourage you to contact me first. I am happy to address them, and it may be something I haven't thought of that will make the project that much better. I would like this to be a win-win for us, our clients, and for you as our neighbors and community.

Thank you for your time and consideration. Please find my contact information above.

Sincerely,

Julie A. Campos

BAKER FRED
PO BOX 150
DEER LODGE MT 59722

FABIAN RICHARD L & ELAINE HALLGA
PO BOX 56
HANOVER NM 88041

MUTCHLER JACK COOPER JR
11432 S TRIPLE R RANCH RD
HEREFORD AZ 85615

BAUMBERGER JOHN H REVOCABLE TR
PO BOX 2548
SILVER CITY NM 88062

GOFF MICHAEL BRENNAN
49 TERRA DR
SIERRA VISTA AZ 85635

PAUL SOCORRO O
8951 E HAWTHORN LANE
HEREFORD AZ 85615

BENITES PETE E
PO BOX 1202
BISBEE AZ 85603

GRINSTEAD PAT W & JANET A
423 N HUACHUCA BLVD STE B
HUACHUCA CITY AZ 85616

PLH INVESTMENTS LLC
6719 E MALCOMB DR
PARADISE VALLE AZ 85253

BERRY BYRON L & FAYE K
305 14TH TERRACE
BISBEE AZ 85603

HALLGARTH ELAINE F & RICK L FABIA
PO BOX 56 - 118 ORTIZ RD
HANOVER NM 88041

RITTS BRIAN
9811 111TH AVE NE
KIRKLAND WA 98033

COTTON NANCY LYNN
PO BOX 4114
SIERRA VISTA AZ 85636

HOPPER LIV TRUST
2405 MCKINLEY AVE APT E10
EL PASO TX 79930

RYNES RAYMOND
5126 W REDFIELD RD
GLENDALE AZ 85306

DASH MAJID
1611 IRONMASTER ST
SIERRA VISTA AZ 85635

JEAN SANDRA
10946 E JAVELINA TRL
HEREFORD AZ 85615

SPEER RICHARD
PO BOX 1793
ORACLE AZ 85623

DE ANDA EDWARD & CONNIE
991 E HUNT RD
HUACHUCA CITY AZ 85616

LIZZARD LLC
PO BOX 2727
SIERRA VISTA AZ 85636

STONER MICHAEL
10263 S HONEYSUCKLE DR
HEREFORD AZ 85615

DEMARCO RONALD P & LINDA B
10923 S PALOMA TRL
HEREFORD AZ 85615

LUCIBELLO DONOVAN & CHARLA A
1619 KNIGHT ST
HELENA MT 59601

WILCOX DENNIS J JR
PO BOX 3712
SIERRA VISTA AZ 85636

DONALDY JAMES MAXWELL
PO BOX 13334
FRITZCREEK AK 99603

LUNA DAVID
603 PECOS AVE
SANTA ROSA NM 88435

WOOD ROBIN P
28545 PLEASANT MOON
SILVERADO CA 92676

ESCAMILLA JESUS & ANA
11288 S LOGANS RUN
HEREFORD AZ 85615

MCNAB WILLIAM A & CORREEN J
11017 CALLE GAVILAN
HEREFORD AZ 85615

**Record of Feedback for Application for Special Use Permit
for Bienestar Oasis, Parcel # 10484028B**

- Prior to purchasing the property, I had email correspondence (beginning 29 September 2017, attached) with Sandra Jean, the immediate neighbor to the east of the property to gauge her feelings about having this commercial property next to hers. Her response was very favorable.
- I corresponded with Peter Gardener and Mike Izzo (beginning 28 September 2017) regarding rules and regulations for having a property like this. My correspondence (attached) with Mr. Izzo and Mr. Gardner were also prior to purchasing the property.
- I mailed 23 copies of letter (attached) on 16 February 2018 notifying neighbors of my intentions with my business, Bienestar Oasis.
 - I received 2 letters back as 'undeliverable'
 - I received 3 email messages (attached) in response to the letters and 1 phone call as detailed below
 - Email messages (attached) received from:
 - 1) Linda deMarco on 5 March 2018
 - Replies (attached) sent on 7 March 2018, 16 March 2018, and 19 March 2018
 - 2) Kerry Hopper on 22 February 2018 – in support of project
 - Reply (attached) sent on 22 February 2018
 - 2) Faye Douglas and Byron Berry on 20 March 2018 - in support of project
 - (no reply sent as I saw them within 24 hours of receipt of email message)
 - Phone call in support of project
 - From Donovan Lucibello on 26 February 2018 at 5:28pm



Julie Campos Farmer <campos.julie923@gmail.com>

Contact information and more

3 messages

Gardner, Peter B <PGardner@cochise.az.gov>

To: "campos.julie923@gmail.com" <campos.julie923@gmail.com>

Thu, Sep 28, 2017 at 8:48 AM

Julie,

Here is the contact information, along with a letter template and the Application packet for when you're ready. Please let me know how I may be of further assistance. Thanks 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

3 attachments

 **SKM_224e17092807540.pdf**
51K

 **Draft Neighborhood Notification Template.docx**
22K

 **Special Use Application 05172016.pdf**
310K

Julie Campos Farmer <campos.julie923@gmail.com>
To: "Gardner, Peter B" <PGardner@cochise.az.gov>

Mon, Oct 9, 2017 at 10:27 PM

Hi Peter,

Thank you for the forms, addresses, and draft letter.

If all goes according to the current timeline, I will officially own the parcel on 26 October so I plan to send the letters and submit the special use application after that date.

I think you mentioned that once I send the letters and submit the special use application, there is a county meeting where residents have the opportunity to voice their opinions/concerns, etc? I believe you said that the next one is 15 December but I will not be back in the USA until mid January. Please can you tell me when the next meeting is after 15 December?

Thank you,

Julie Campos

[Quoted text hidden]

Gardner, Peter B <PGardner@cochise.az.gov>

To: Julie Campos Farmer <campos.julie923@gmail.com>

Tue, Oct 10, 2017 at 1:35 PM

Julie,

The meetings are always the second Wednesday of the month. The first meeting of the new year in January 10. The official submittal deadline for that meeting is November 24, but we can usually accommodate a few days into the next week, particularly because that Friday the County will be closed for the holiday.

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

From: Julie Campos Farmer [mailto:campos.julie923@gmail.com]

Sent: Monday, October 09, 2017 10:27 PM

To: Gardner, Peter B <PGardner@cochise.az.gov>

Subject: Re: Contact information and more

[Quoted text hidden]



Julie Campos Farmer <campos.julie923@gmail.com>

Gray water/Composting toilet

3 messages

Izzo, Michael D <Mizzo@cochise.az.gov>

Thu, Sep 28, 2017 at 9:25 AM

To: "campos.julie923@gmail.com" <campos.julie923@gmail.com>
Cc: "Gardner, Peter B" <PGardner@cochise.az.gov>, "Vincent, Jennifer M" <JVincent@cochise.az.gov>

Per our today's telephone conversation with Peter Gardner and your request I'm clearing up the confusion on design considerations for gray water and kitchen ww following GP 4.03. Please see the options below:

1. If gray water (GW) is separated from kitchen waste water (KWW) - a separate storage tank should be designed for GW and an interceptor for KWW should be designed per R18-9-E303(F).
2. If GW and KWW are combined, the interceptor should be designed for the total design flow of GW and KWW.
3. The disposal system should be designed for total design flow in both cases (1 &2) stated above.

What this means is that you still need a septic system designed for all receptacles or two separate systems designed for separation uses. Bottom line is you still need a septic system. Composting toilets are approved for residential use only and must be counted in your fixture unit count when designing your septic system.

My plan is to:

1. build a private residence from shipping containers based on architect's Benjamin Garcia Saxe's Containers of Hope Design<<https://www.architectural.com/benjamin-garcia-saxe-architecture-containers-of-hope/>>. In fact, I have already purchased the architectural plans and designs from Mr. Garcia Shipping Saxe's firm.

containers are approved however the plans must be drawn by an Arizona licensed registrant.

- b) Have permaculture organic gardens and hopefully sell some of the produce. A Peter Gardner question
- c) Have camping/glamping areas (4 tents maximum) Sounds like a "special use" again see Peter Gardner.
- d) all grey water to filter & be naturally treated through purpose built wetland filtration system using gravel, sand and reed beds/ponds.(based on Art Ludwig's Create an Oasis with Greywater<https://www.amazon.com/New-Create-Oasis-Greywater-6th/dp/0964343339/ref=sr_1_1?ie=UTF8&qid=1506579938&sr=8-1&keywords=creating+an+oasis+with+grey+water->) I'm not familiar with this book however keep in mind gray water can not be used as a watering source for food products.
- e) eventually build a yoga/meditation/retreat space (approx 2000-3000 square feet) made of strawbale construction. Strawbale construction is restricted to residential use only.

From the beginning I plan to be off-grid with the property, relying on solar energy, propane, rain water reclamation, grey water filtration, and the registered well already on the property. I also plan to have a composting toilet system, based on Joseph Jenkins' research and information.

My questions for you are these: Is it a requirement to have a septic system if I am using composting toilets? Based on the information I have provided, do you see anything that would not be permitted by Cochise County Planning & Zoning? (realizing that you don't have enough information at this time to give an official stamp of approval but does anything stand out as glaringly illegal or impermissible?)

Please let me know if you have any question.

Thanks. Mike

Michael Izzo
Michael Izzo C.B.O. C.B.C.O.
Building and Fire Official
Cochise County Community Development
Planning, Zoning and Building Safety Division
4115 E. Foothills Dr.
Sierra Vista, AZ 85635
520-803-3960 phone
520-439-9178 fax

Sent from Mail<<https://go.microsoft.com/fwlink/?LinkId=550986>> for Windows 10

Julie Campos Farmer <campos.julie923@gmail.com>

To: "Izzo, Michael D" <Mizzo@cochise.az.gov>

Thu, Sep 28, 2017 at 11:28 AM

Cc: "Gardner, Peter B" <PGardner@cochise.az.gov>, "Vincent, Jennifer M" <JVincent@cochise.az.gov>

Dear Mr. Izzo,

Thank you for your time and the valuable information. Thanks also for getting back to me so quickly.

I'm curious, why is strawbale only for residential use? Just thinking that a building is either safe or not so if strawbale is safe for residential, what about it makes it unacceptable for a business? Any chance that a person like me with a project like mine could be a catalyst for positive change in the building code?

Another question, is there a maximum size that a building can be before it needs to be approved? For example, I thought I had read about some small earthbag construction and alrcrete structures in Cochise County that were exempt from requiring approval because they were under 10'x10' in area.

Thanks again for your time and the information.

Julie Campos

[Quoted text hidden]

Izzo, Michael D <Mizzo@cochise.az.gov>

To: Julie Campos Farmer <campos.julie923@gmail.com>

Fri, Sep 29, 2017 at 7:44 AM

Good morning Julie. This sounds like a cool project and I'm looking forward to working with you to achieve your goal. I attempted to answer your questions highlighted below. If I can be of any help please let me know. Thank you Mike

Michael Izzo

Michael Izzo C.B.O. C.B.C.O.

Building and Fire Official

Cochise County Community Development

Planning, Zoning and Building Safety Division

4115 E. Foothills Dr.

Sierra Vista, AZ 85635

520-803-3960 phone

520-439-9178 fax

From: Julie Campos Farmer [mailto:campos.julie923@gmail.com]

Sent: Thursday, September 28, 2017 11:29 AM

To: Izzo, Michael D <MIzzo@cochise.az.gov>

Cc: Gardner, Peter B <PGardner@cochise.az.gov>; Vincent, Jennifer M <JVincent@cochise.az.gov>

Subject: Re: Gray water/Composting toilet

Dear Mr. Izzo,

Thank you for your time and the valuable information. Thanks also for getting back to me so quickly.

I'm curious, why is strawbale only for residential use? Just thinking that a building is either safe or not so if strawbale is safe for residential, what about it makes it unacceptable for a business? Any chance that a person like me with a project like mine could be a catalyst for positive change in the building code? The process of changing or adopting new codes is a lengthy one. The place to start is with the International Code Counsel. Type ICCsafe.org... in your browser and look for the "Code & Tech Support" button the dropdown box has a "Code development" box if you open it you will see the process for adding/ deleting or changing a code. Just an FYI the process takes about 3 years.

Another question, is there a maximum size that a building can be before it needs to be approved? For example, I thought I had read about some small earthbag construction and alrcrete structures in Cochise County that were exempt from requiring approval because they were under 10x10' in area. The building code allows you to build a building up to 200 square foot without any utilities without going through the building permit process. You do still need to apply for a Zoning permit.

[Quoted text hidden]

[Quoted text hidden]



Julie Campos Farmer <campos.julie923@gmail.com>

Your new neighbor?

11 messages

Julie Campos Farmer <campos.julie923@gmail.com>
To: rewwoman88@gmail.com

Fri, Sep 29, 2017 at 8:54 PM

Hello,

My name is Julie Campos and Faye Douglas (who owns the land across from you) gave me your contact information.

I am considering buying the land to the west of yours that is currently owned by Franklin Todd (parcel# 10484028B). I'm doing the final research to get as much information from Cochise County and from neighbors to make the final decision about the purchase. I was wondering if you wouldn't mind me asking you some questions and getting a bit of feedback from your perspective on the area, building a strawbale house, etc.?

My plan is to:

- a) build a private residence from shipping containers based on architect's [Benjamin Garcia Saxe's Containers of Hope Design](#). In fact, I have already purchased the architectural plans and designs from Mr. Garcia Saxe's firm.
- b) Have permaculture organic gardens and hopefully sell some of the produce - although I have zero experience with growing produce so we'll see what the gardens yield. :-)
- c) Have camping/glamping areas (4-6 tents maximum)
- d) all grey water to filter & be naturally treated through built wetland filtration system using gravel, sand and reed beds/ponds. (based on Art Ludwig's [Create an Oasis with Greywater](#))
- e) eventually build a yoga/meditation/treat space made of strawbale construction (I have now learned from the building & planning Dept at Cochise County that strawbale can only be used for residential - so it's back to the drawing board with this plan - might do a barnstyle wood-framed building)

From the beginning I plan to be off-grid with the property, relying on solar energy, propane, rain water reclamation, grey water filtration, and the registered well already on the property. I also plan to have a composting toilet system, based on Joseph Jenkins' research and information.

Basically, I want to use regenerative principals in all areas of the residence and any business that is developed there, living in harmony with the land and my neighbors. Whenever possible, I plan to plant trees to create a natural screen between your property and my buildings so that your west side view of the beautiful landscape is not marred by the house or other structure.

My questions for you are these:

- a) Would you have any general or specific objections to any of the plans outlined above? I prefer to start out on a good foot as far as cooperating with my neighbors and taking their opinions into consideration.
- b) How often are you 'stranded' or need help from county officials crossing the deep, wide arroyo on Paloma Trail, due to rains, snow or other issue?
- c) In regard to constructing your house, getting solar out there etc, how difficult was it for heavy equipment to access the land? (I'm thinking of the shipping containers being delivered)
- d) I'm not sure if you are willing to share this info but, what was the general cost of your solar energy system and installation and does it provide enough energy for your house 24 hours/day?
- e) The county has stated that I must have a septic system - any info regarding general cost of your system and issues with installation would be most appreciated.
- f) A friend in the Sheriff's dept mentioned that there is some drug cartel and illegal immigrant activity in the area - mostly people crossing through. Have you found this to be any problem on your property?

Basically, I am a novice but I'm passionate about this project so I'm eager to get as much information from you as you are willing to offer.

I apologize for the long message and the many questions. I currently live overseas but I plan to move back in early to mid January 2018 to start the project. I grew up in Bisbee and I went to high school with Faye's three children so my connection to Bisbee and its surrounding areas runs deep.

Thank you in advance for the information.

Very kind regards,
Julie

Sandra Jean <rewoman88@gmail.com>
To: Julie Campos Farmer <campos.julie923@gmail.com>

Fri, Sep 29, 2017 at 11:50 PM

Julie~~

I just noticed this email as I was heading for bed. I'll read it tomorrow and answer your questions.

Sandra Jean
[Quoted text hidden]

Life is *GOOD*; let's live it *WELL*!
Rev. *Sandra Jean* (retired)

Julie Campos Farmer <campos.julie923@gmail.com>
To: Sandra Jean <rewoman88@gmail.com>

Sat, Sep 30, 2017 at 7:31 PM

Dear Sandra Jean,
Thanks so much for replying. I'm looking forward to hearing your thoughts about my project and about any potential issues I might face.
Very kind regards,
Julie

[Quoted text hidden]

Sandra Jean <rewoman88@gmail.com>
To: Julie Campos Farmer <campos.julie923@gmail.com>

Sun, Oct 1, 2017 at 9:57 AM

JULIE~~

You are so much more knowledgeable about all this GREEN living. I love my straw bale home, and living off grid. I have live here for 17-1/2 years. County didn't accommodate greywater when we built so it's not feasible to do it with 2' thick walls after-the-fact. Let me know when you are going to be out in the area and you can come see my home and solar setup.

a) Would I love to have 4-6 tents of people virtually in my side yard--no--AND I wouldn't do anything to stop it. I love the quiet and my privacy (like going out in my nightie to weed because I can).

Trust the county will let you know what they feel is flood plain issues (or not) on your property because not all of it is flat. I am probably on the very top part of this area, and the rain runs off my land and down Javelina Trail to the west.

b) Usually people who work & need to get out during the rains keep a vehicle on both sides of the wash. It rains most often in the afternoon & evenings. This is the first year I personally have had to wait it out trying to come in one afternoon/evening. I was there for 3-1/2 hours waiting to cross. It is about 3-4 feet high, running at a good clip. At least it isn't 10-12' high and as wide as bank to bank. No help from Sheriff, Fire, Border Patrol--it isn't a county road. We are on our own. The years it was flowing high and wide, we couldn't get out that way so John/Jack Ladd opened up their gates so we could go out to the border road (by the WALL we already have), drive into Nacco, U.S. and then on to wherever. We have a road fund set

up to maintain it a couple times/summer and fix the wash if it goes awry. Anywhere from \$120/year OR MORE. Even land owners who don't live here have helped with this. Our account is at American SW Credit Union. I am one of the people who can take money out. It is easy to put money in because I give you the account number and you put it in. It seems to be working well over the last 3-4 years.

For your info, the Ladd family owns land along the border almost to Bisbee--cattle ranchers, but very cognizant of the well-being of the land. When their family is no longer on the land it goes into Nature Conservancy.

c) All kinds of heavy equipment has come out here. Ladd's just pioneered at project called the Horseshoe Project (I'll give you the website so you can see what it is), and they hauled everything imaginable out to that project (south and east of us).

d) I don't have a running total on my solar but I am estimating that over 17 years I have about \$40,000 into it. I am on my third set of batteries and in 2013 I added another set of panels (\$6,000 installed). JC just had solar put in and he can give you a more current \$amount. He put it in a new system because he is on oxygen 24-7. He was running a generator all night. I have a generator to equalize my batteries when there has been a lot of cloud cover. I also have a solar well pump because my well is about 200'. Yours must be about the same--considered shallow wells. Your is probably registered with the county--I can give you further info to check that out, and if you purchase it you can have it transferred to your name.

e) I would hope you would have a septic system with all you want to do. ?!?! I can't begin to give you a cost for the septic because again it has been 17+ years since I put it in. If you are going to do a business with other people on your property, it will need to be a larger system. When you build a home, I think the size is determined by the amount of bedrooms. I have the smallest tank and don't remember how many gallons that is. It has to be a certain number of feet away from your well. Because we don't have caliche out here (natural rock that is like concrete--lots of it in Bisbee), it should be less costly. It needs to be maintained on a regular basis--can give you more info re that.

f) We used to have major border crossers here years ago but there is so much Border Patrol presence that you rarely see anyone. But they do get over THE WALL somehow. I've heard that drugs can be catapulted over the wall. None of this is a worry to me personally because the immigrants want only to get further into the US (they are told the lights they see are Phoenix??). The druggers have many means once their bounty gets over/through the wall. I think there is probably more activity down near the river--not so much up here where we all live.

OTHER STUFF: We have deer, javelina, rabbits, etc. so growing on the ground (raised beds work best), unprotected (wire, tenting, etc) is virtually impossible. It is a free range according to all these critters. Javelina like to tear off the drain spout ends from my rain drains.

MAIL--I used to have my mailbox by Paloma Trail on Hwy 92, but it makes it hard for ADOT to work by them after major rains bring mud into that area(they'd like them all gone). So, I get my mail down across the river by the Morning Star Cafe (across from the school). They have mail boxes and pkg boxes. No charge. I haven't found it terribly out of the way (except since they have the light by the bridge) and the mail is probably safer than in my old box. UPS, FED-X, DHL all know where we are out here, and they do a great job.

Jehova's Witnesses and LDS can find you--even out here. How I do not know because we aren't on water, electric or phone rolls.

CELL SERVICE & LAND LINES--we do have land lines. I used to have a landline number but see no reason to do that anymore. Sprint cell service is terrible so I had to switch to Verizon. That works well out here. Others do too, I just don't know who has which cell service others have.

INTERNET PROVIDER--A lot of us have CIS Broadband out of Sierra Vista. I have been extremely pleased for about 15 years now. \$49.95/mo for their least amount of power--which is plenty for me. They have increased that amount two or three times over the years but have never raised the rates.

TRASH--we do have trash pick up out here, two different companies, but it is quite expensive. I have friends who have property out here but live on property down off Smith Road in Palominas. I take my trash there once/mo. I recycle everything I can (glass, tin & alum cans, catalogs/magazines, paper, plastic). I have compost bins for the fruit/veggie stuff. Anything I can't compost (meat products, etc.) I freeze and dispose of it when I take my bag to Ana and Jesse's).

I love being out here without all the busy-ness of town/city living. We don't have barking dogs, or dirt bikes, or 4-wheelers on a regular basis. We all value our quiet neighborhoods and lack of traffic. And it isn't always easy living out here on wells and off-grid and a wash that runs during July--Sept--BUT I dread when I get to the point I need to live in a town again (I am 75+).

Trust I've given you a taste of what I know about building and living out here.

Sandra Jean (520-266-0007)

[Quoted text hidden]

Julie Campos Farmer <campos.julie923@gmail.com>
To: Sandra Jean <rewwoman88@gmail.com>

Mon, Oct 2, 2017 at 12:55 PM

Dear Sandra Jean,
Thank you so much for the information! Everything that you mention is very helpful to me.
I've decided to go forward with my formal offer on the property, so who knows? Hopefully you and I will be neighbors soon.

I'm curious, when you built your strawbale house, did a contractor help you or did you do it yourself?

Julie

[Quoted text hidden]

Sandra Jean <rewwoman88@gmail.com>
To: Julie Campos Farmer <campos.julie923@gmail.com>

Mon, Oct 2, 2017 at 3:22 PM

Steve Kimble & a crew did the straw bale. Had a general contractor do everything but the indoor & outdoor coatings on the walls.

SJ

Sent from my iPhone
[Quoted text hidden]

Julie Campos Farmer <campos.julie923@gmail.com>
To: Sandra Jean <rewwoman88@gmail.com>

Fri, Oct 13, 2017 at 10:39 PM

Hello again Sandra Jean,
Thanks again for the information that you have sent. It has been so helpful.
I have another question. I have to install a septic system and I'm looking for a reputable company in the area. Is there one that you would recommend? Or perhaps more importantly, one that you would *not* recommend?
Any information in regard to companies who deal with or install septic systems would be most welcomed.
Many thanks!

Julie

[Quoted text hidden]

Sandra Jean <rewwoman88@gmail.com>
To: Julie Campos Farmer <campos.julie923@gmail.com>

Fri, Oct 13, 2017 at 11:54 PM

I would go on-line to see who does that. The company that did mine is long gone. Then I can tell you if Zi know anything about them. If I can find out anything I will also get back to you.

SJ

Sent from my iPhone

[Quoted text hidden]

Julie Campos Farmer <campos.julie923@gmail.com>
To: Sandra Jean <rewwoman88@gmail.com>

Wed, Nov 29, 2017 at 8:36 PM

Hi Sandra Jean,
How are you? Just wanted to update you to let you know that I bought the property next to you on Javelina Trail and I have just arrived back in the USA with my 2 dogs. I'll be in Arizona late Friday afternoon and I'd love to stop by and meet you face to face over the weekend, if you're available.
My plan is to dry camp on the property (as soon as I find an RV) while I get the building permits, install septic, get the land surveyed and build the house, etc. Two friends will be joining me to help with the build. They've got their own RV.
I look forward to meeting you and being your neighbor!
Warmly,
Julie [+ Leo the Poodle and Leila the Saluki - both of questionable heritage :-)]

On Fri, Sep 29, 2017 at 8:54 PM, Julie Campos Farmer <campos.julie923@gmail.com> wrote:
[Quoted text hidden]

Sandra Jean <rewwoman88@gmail.com>
To: Julie Campos Farmer <campos.julie923@gmail.com>

Wed, Nov 29, 2017 at 8:45 PM

I will be in & out this weekend. My phone (520) 266-0007.

Sandra J

Sent from my iPhone

[Quoted text hidden]

Sandra Jean <rewwoman88@gmail.com>
To: Julie Campos Farmer <campos.julie923@gmail.com>

Wed, Jan 17, 2018 at 3:14 PM

I thought I made up your original desires for developing your property. Since I repeated the 'clamping' & most neighbors were distressed. So I went through my trash and found your original email (above).
WHEW! I didn't make up what I thought you said. Original email is above this--I am actually responding to that email. So glad this isn't one of the ideas (glamping) you are going to develop.

Sandra Jean

On Fri, Sep 29, 2017 at 8:54 PM, Julie Campos Farmer <campos.julie923@gmail.com> wrote:
[Quoted text hidden]

Life is GOOD; let's live it WELL!
Rev. Sandra Jean (retired)



Bienestar Oasis
Wellness * Permaculture * Yoga * Art * Sustainability
Hereford, Arizona, USA

E. Jovelina Trail
520-353-5492
bienestaroasis@gmail.com

16 Feb 2018

Dear Friends and Neighbors,

My name is Julie Campos and I represent my new business Bienestar Oasis, which I am looking to establish on our family's 20 acres of land at E. Jovelina Trail (Parcel # 10484028B) where my husband and I will also be building our residence. The business will involve the following:

- Camping areas consisting of 3 tents and 2 earthbag domes (less than 200 sq ft each) -example photo attached
- Permaculture organic gardens
- Yoga/meditation/retreat multi-use building space, approx. 2500 sq ft of open space.
- Art Studio
- 5 parking spaces
- 2 employees

I plan to be off-grid with the property, relying on a solar energy system, propane, rain water reclamation and reuse, and grey water filtration and reuse. The property and business will be as environmentally friendly as possible with as little impact on the land and surrounding areas as possible while regenerating the soil using permaculture design and practices. We aim to provide a quiet, peaceful space for our clients. no motorized recreation vehicles or the like will be in use.

One of the main goals of the business is to provide meditation and stress relief sessions and workshops to active-duty and retired military, first responders, law enforcement, border patrol agents and others in high-stress jobs and sufferers of PTSD.

We plan to use regenerative principals in all areas of our residence and business on the property, living in harmony with the land and our neighbors. Whenever possible, I plan to plant trees to create a natural screen between our property and that of our neighbors so that others' views of the beautiful landscape is not marred by our house or other structures.

The county requires us to go through the zoning process of acquiring a special use authorization. Part of that process includes getting feedback from you, our neighbors.

You will also be receiving a letter from the county, with contact information in case of objections to the project. If you have any concerns, questions or objections, I humbly ask and encourage you to contact me first. I am happy to address them, and it may be something I haven't thought of that will make the project that much better. I would like this to be a win-win for us, our clients, and for you as our neighbors and community.

Thank you for your time and consideration. Please find my contact information above.

Sincerely,

Julie A. Campos

BAKER FRED
PO BOX 150
DEER LODGE MT 59722

FABIAN RICHARD L & ELAINE HALLGA
PO BOX 56
HANOVER NM 88041

MUTCHLER JACK COOPER JR
11432 S TRIPLE R RANCH RD
HEREFORD AZ 85615

BAUMBERGER JOHN H REVOCABLE TR
PO BOX 2548
SILVER CITY NM 88062

GOFF MICHAEL BRENNAN
49 TERRA DR
SIERRA VISTA AZ 85635

PAUL SOCORRO O
8951 E HAWTHORN LANE
HEREFORD AZ 85615

BENITES PETE E
PO BOX 1202
BISBEE AZ 85603

GRINSTEAD PAT W & JANET A
423 N HUACHUCA BLVD STE B
HUACHUCA CITY AZ 85616

PLH INVESTMENTS LLC
6719 E MALCOMB DR
PARADISE VALLE AZ 85253

BERRY BYRON L & FAYE K
305 14TH TERRACE
BISBEE AZ 85603

HALLGARTH ELAINE F & RICK L FABIA
PO BOX 56 - 118 ORTIZ RD
HANOVER NM 88041

RITTS BRIAN
9811 111TH AVE NE
KIRKLAND WA 98033

COTTON NANCY LYNN
PO BOX 4114
SIERRA VISTA AZ 85636

HOPPER LIV TRUST
2405 MCKINLEY AVE APT E10
EL PASO TX 79930

RYNES RAYMOND
5126 W REDFIELD RD
GLENDALE AZ 85306

DASH MAJID
1611 IRONMASTER ST
SIERRA VISTA AZ 85635

JEAN SANDRA
10946 E JAVELINA TRL
HEREFORD AZ 85615

SPEER RICHARD
PO BOX 1793
ORACLE AZ 85623

DE ANDA EDWARD & CONNIE
991 E HUNT RD
HUACHUCA CITY AZ 85616

LIZZARD LLC
PO BOX 2727
SIERRA VISTA AZ 85636

STONER MICHAEL
10263 S HONEYSUCKLE DR
HEREFORD AZ 85615

DEMARCO RONALD P & LINDA B
10923 S PALOMA TRL
HEREFORD AZ 85615

LUCIBELLO DONOVAN & CHARLA A
1619 KNIGHT ST
HELENA MT 59601

WILCOX DENNIS J JR
PO BOX 3712
SIERRA VISTA AZ 85636

DONALDY JAMES MAXWELL
PO BOX 15334
FRITZCREEK AK 99603

LUNA DAVID
603 PECOS AVE
SANTA ROSA NM 88435

WOOD ROBIN P
28545 PLEASANT MOON
SILVERADO CA 92676

ESCAMILLA JESUS & ANA
11288 S LOGANS RUN
HEREFORD AZ 85615

MCNAB WILLIAM A & CORREEN J
11017 CALLE GAVILAN
HEREFORD AZ 85615



Julie Campos <bienestaroasis@gmail.com>

Your Zoning Request for Special Use Permit

Linda DeMarco <iride@hughes.net>
To: Julie Campos <bienestaroasis@gmail.com>

Tue, Mar 20, 2018 at 8:14 PM

This is the first response I have received from you. Thank you.

----- Forwarded message -----

From: Julie Campos <bienestaroasis@gmail.com>
To: Linda DeMarco <iride@hughes.net>

Cc:

Bcc:

Date: Tue, 20 Mar 2018 01:10:09 +0000

Subject: Re: Your Zoning Request for Special Use Permit

Hi again Linda,

I hope this message finds you well. If possible, could you confirm that you have received my reply to your original email message? I received a phone call this afternoon from the folks at the county saying that some folks have tried to get in touch regarding the special permit that I've requested but have not received a reply. So far yours is the only email message that I've received and I want to be sure that you have received my reply.

Very kind regards,
Julie Campos

On Fri, Mar 16, 2018, 2:03 PM Julie Campos <bienestaroasis@gmail.com> wrote:

Dear Linda,

Thank you for your message and for the interest in the property. I will attempt to answer your questions below in blue. I'm sorry that it has taken me over a week to reply. My internet access has been spotty. If you have any other questions, please get in contact.

Kind regards,

Julie Campos
520-353-5492
PO Box 1127
Bisbee AZ 85603

1) Exactly what zoning classification are you requesting?

I am not requesting a re-zoning. I am only requesting a special use permit within the zone (RU4) that already exists.

2) What credentials do you have for dealing with people with PTSD? Are you a psychologist? If not, will you be hiring one?

I am certified as a yoga and meditation teacher through Warriors at Ease (<http://warriorsat ease.org/>) which is an organization that designs classes and sessions for active duty and military vets. I am not offering psychological or psychiatric services. I am only offering yoga and meditation and will cater some classes to those who have high stress jobs or have been through experiences in which trauma has been a result of or part of those experiences. My classes are not a substitute for psychiatric or psychological help or services.

I also hold 200 hr and 300 hr (advanced) yoga teacher certifications in addition to pre/post-natal yoga certification, Yin Yoga certification, Swing Yoga certification and Meditation teacher certification. I was a teacher in international schools for almost 20 years and I hold a Bachelor of Arts in Spanish and Secondary Education and Master of Arts in Applied Linguistics.

3) What qualifications will you or your employees have for conducting stress relief sessions for possibly volatile personalities of your clients?

Anyone on the property who offers stress relief, meditation, or yoga for those who have suffered PTSD or trauma will have gone through the same or similar training that I have gone through. Let me be clear on this, I am not offering mental health services. This is simply another means of offering stress relief for those who have dealt with or deal with high stress in daily situations. This will not be a mental health hospital or anything of the sort. It is more of a place for people to get away from their daily lives, camp in a peaceful setting, walk around the gardens and in addition to that, enjoy meditation and/or yoga sessions with me. Additionally, the meditation and stress relief classes are only part of what I plan to offer in regard to yoga and meditation. I am also hope to offer pre- & post-natal yoga, Yin yoga, Hatha Yoga and Swing/Anti-gravity yoga

4) How do you propose to screen your clients as to their mental stability before allowing them to camp in our neighborhood?

The camping/glamping areas will be open to the public and are not exclusive to the yoga clients who will come here. As for screening, the screening would be the same as it would be for campers going to any other campground or yoga retreat.

5) You say you will only have 5 parking spaces. If you have 2 employees, how many more people do you expect to attend your proposed workshops? Only 3 at a time?

I will start out with 0 employees and will run the business myself. Depending on the success of the camp sites, I will employ one or 2 people to help clean, garden etc. (3 campsites, 1 parking space for each campsite, 1 parking space per employee) After I sent the letter out, I learned that I would also need a parking space for disabled customers/campers. We may need a few more spaces over time if the business is successful and I would comply with county regulations and requirements in regard to the parking spaces.

6) You mention 2500 sq. ft. of "open space", yet refer to multi-use building space. Is this in fact open space or a 2500 sq. ft. building?

That should have read 2500 sq ft of open-plan space. (similar to a dance studio or dance hall or barn with a wood floor) It would be a 2500 sq ft building.

7) What other businesses will occupy this 2500 sq. ft.?
No other businesses will occupy this space.

8) As you know our road is in very fragile condition currently being used by a sparse number of residents living on the south end of Paloma Trail. How much more traffic will your proposed project, along with any other businesses occupying your building space, generate? How many people do you propose to "treat" at one time? Each day/week?

I will not be 'treating' clients as I am not a doctor. I will be offering individual, small group (up to 10 people) and (occasionally) larger group (up to 30 participants) yoga and meditation sessions. As for traffic, there would be a minimal increase in the current traffic and I will pay the same amount as other property owners into the road fund that Sandra Jean manages.

9) Will your organic gardens be open to the public? Do you plan to sell produce from them?

The gardens will be open to the guests staying in the tents and open to the yoga students who come to my classes. (neighbors are welcome to stop by!) Ideally I would love to sell produce that is grown on the property. I have no idea how much my gardens will produce but I have in mind to sell at farmer's markets in Bisbee and Sierra Vista if I am fortunate enough to grow a surplus of fruits and vegetables.

If I think of anything else, I'll be in further touch.

Please do! Thanks again for getting in touch.

I hope this information has been helpful.



Julie Campos <bianestaroasis@gmail.com>

Special Use Permit

1 message

Julie Campos <bianestaroasis@gmail.com>

To: iride@hughes.net

Wed, Mar 7, 2018 at 7:59 PM

Hello Linda,

Thank you for your email message. I'm working on a reply but I have limited internet access at the moment.

I will get back to you with answers to your questions ASAP.

Very kind regards,

Julie Campos



Julie Campos <bienestaroasis@gmail.com>

FW: Your Property

Kerry Hopper <kpcomm@gmail.com>
To: Julie Campos <bienestaroasis@gmail.com>

Thu, Feb 22, 2018 at 8:12 PM

Hi Julie! Thanks for your reply. Would love to come by one of these months and have you show me around. Thanks for your phone number and for clarifying your location. We are neighbors, in a way. Best wishes and don't work too hard.

Take care, Kerry

Ps. We will gladly look at any offers. Would it be possible for them to share a well with you? Supposedly we will know more about the well situation after the court date in April.

On Feb 22, 2018, at 7:02 PM, Julie Campos <bienestaroasis@gmail.com> wrote:

Hi Kerry,

Thank you so much for the message. My parcel is on the west side of Sandra Jean, she's my neighbor! I access my property directly via E. Javelina Trail. (second gate on the left once you leave S. Paloma Trail).

We have a registered well and plan to have an extensive rain water capture and filtration system. So if the worst happens and for some reason someone in the government says that I can't use my own well, then at least I have that one alternative. I know a guy in Marana who has no other source of water except rain water and they seem to do ok but I'll need plenty of big tanks and roof space to capture the valuable water. It would be great to meet. I'm on the property most days and my phone number is 520-353-5492. Feel free to stop by anytime.

I have some friends here who are looking to buy a bit of property. If you guys are interested in selling, they might be potential buyers.

Anyway, please feel free to stop by when you're in the area, I'd love to show you around.

Kind regards,
Julie

On Thu, Feb 22, 2018 at 1:24 PM Kerry P. Hopper <kpcomm@gmail.com> wrote:

Whoops! Got your address wrong the first time. K

From: Kerry P. Hopper [mailto:kpcomm@gmail.com]
Sent: Thursday, February 22, 2018 11:57 AM
To: bienestaroasis@gmail.com
Subject: Your Property

Hi Julie!

So, welcome to the neighborhood! We wish you success in your worthy endeavor. I'm not sure which 20 A. is yours. I know there is a 20 A. parcel just west of our 10 A. on Paloma trail. It is adjacent to Sandra Dean's property. I have no objections but am just curious which parcel it is and how you are going to access it. My other big curiosity is do you have a well permit? As you know, there is a big BLM lawsuit in Cochise County regarding wells that isn't resolved yet as far as I can tell from here. If the suit succeeds it would wipe out much of the population in the county. How could they do that? Please let me know what you've discovered.

As for our 10 A.—I bought it many years ago—in the 90's-- but life has taken me in a different direction. So, we just pay taxes on it and let it sit. Too bad! We've been offered \$1500 for it and I almost wish we'd taken it! My husband says no.

Just wanted to check in with you and Hopefully someday meet!

All the best,

Kerry Hopper

104-84-028D



Julie Campos <hinnestorham@gmail.com>

Forward: Your project south of the Bright Spot

From: Faye Douglas <fayekadouglas@gmail.com>
To: Julie Campos <hinnestorham@gmail.com>

Wed, Mar 21, 2018 at 8:55 AM

Sent from my iPhone

Begin forwarded message:

From: Faye Douglas <fayekadouglas@gmail.com>
Date: March 20, 2018 at 8:47:51 PM MST
To: Julie Campos <hinnestorham@gmail.com>
Subject: **Your project south of the Bright**

My husband Byron and I are writing in support of your proposed home and business. Our property is located directly across East Javelina Trail from yours, and we look on this venture as a real plus to this area.

We've known you for over 35 years since you were in school with our children. We're proud of your professional accomplishments as an international teacher and of your personal successes having earned 2 college degrees and raised your son, Michael.

Most importantly,

we trust your judgment as well as Patrick's, your husband, in planning and executing a business that will blend into the beauty and solitude of Paloma Ranches.

We wish you well!

Sincerely,
Faye Douglas and Byron Berry

Sent from my iPhone

Special Use Docket SU-18-05 (Campos)

____ YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

See Attached

(Attach additional sheets, if necessary)

PRINT NAME(S):

Row & Linda De Marco

SIGNATURE(S):

Linda De Marco

YOUR TAX PARCEL NUMBER: 02 104840222 (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 March 26, 2018 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 Robert Kirschmann at the contact information listed on page one by April 10, 2018 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 April 11, 2018**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO:

Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Remarks in Opposition to Docket SU-18-05 (Campos)
Ronald & Linda DeMarco, 10923 S. Paloma Trail, Parcel No. 02 10484022L

Applicant Julie A. Campos proposes to open a campground along with a 2500 sq. ft. building in which to conduct yoga and meditation sessions as well as an art studio and organic gardens in the RU4 zoning district.

OBJECTIONS to granting a Special Use Permit on Parcel #10484028B

1. A BUSINESS of this nature is not compatible with the surrounding rural properties.
2. Excessive traffic will disturb and disrupt the peace and tranquility of the current residents and introduce an element of unrest because of the number of persons to be attracted to the area.
3. This type of business has the potential to grow and expand which will have an extremely deleterious effect on our already fragile road conditions and furthermore impinge on the privacy of current residents. (As Ms. Campos noted in her response to questions, she already anticipates possibly between 10 and 30 participants in her yoga classes.)
4. There is no need for a campground or classroom in this area because similar services are available nearby.*
5. Paloma Trail is the only access road to the subject property and is not a county-maintained road, which becomes impassible during monsoon season and at other times of prolonged rain. Additional traffic generated by a campground and yoga and meditation classes will cause further deterioration of road conditions creating additional hardship of ingress and egress for the existing residents.
6. Road conditions on Paloma Trail are not optimal for timely response in emergency situations, putting campers at this location at risk if such services are needed.
7. If indoor meal prep is not provided (i.e. kitchen facilities) or included in the services offered, outdoor grilling or fire pits used by campers will increase the risk of fire in an area of existing dry grassland, where brush fires are not uncommon.
8. Approval of this Special Use Permit will set a precedent for other businesses wishing to locate in this area.

*The type of training Ms. Campos has through the Warriors at Ease organization would be better served in a controlled environment such as Ft. Huachuca which would be a more suitable and accessible location for active military and veterans suffering from PTSD, as well as others in high stress occupations. *Ms. Campos already has an existing location in Bisbee where she currently conducts such classes.*

Also, there are a number of nearby commercial properties much more suitable and accessible to a business of this nature, for example, the acreage on paved Hwy. 92 north of the San Pedro Riparian Area which has been for sale for a number of years and already has existing structures on the property with plenty of room for gardens and campsites. This parcel also has access to the riparian area that offers the same, if not better, tranquil environment, without encroaching on adjacent private properties.

Kirschmann, Robert

From: Linda DeMarco <lrde@hughes.net>
Sent: Tuesday, March 20, 2018 10:21 PM
To: Kirschmann, Robert
Subject: Docket SU-18-05 (Campos)
Attachments: Your Zoning Request for Special Use Permit

Mr. Kirschmann:

Attached is the letter I sent to Julie Campos and her reply. It appears her intention is to operate a campground and yoga studio on said property which is totally incompatible with the current usage of surrounding properties in the area. She will be introducing a business venture, which conceivably will grow in volume, to a predominantly rural *residential* community. There are certainly more appropriate locations available within Cochise County for this type of business, in particular the property on Hwy 92, directly north of the San Pedro Riparian Conservation Area, which has been available for sale for several years.

Unfortunately her response to my letter raises even more concerns than I had originally. This business will cater to a segment of the general population, inviting unknown elements into an area chosen by the current residents for its serenity and isolation from the congestion that exists in more populated areas. We residents are a close-knit community who know and look out for each other's property. A good number of us travel extensively and our homes are often vacant for a number of months at a time. This business will bring strangers into our community and increase our anxiety while home and even more so while away. Particularly because of the possible volatile nature of individuals with PTSD and others in high-stress occupations, we, frankly, will fear for our safety if this request is granted.

P.S. My computer will not allow me to attach the reply from Ms. Campos so I will have to send it to you separately. Sorry

Kirschmann, Robert

From: Linda DeMarco <lrde@hughes.net>
Sent: Monday, March 05, 2018 10:38 PM
To: Julie Campos
Subject: Your Zoning Request for Special Use Permit

Dear Julie,

First off, welcome to the neighborhood! I'm sorry we haven't had a chance to meet personally yet but I appreciate your letter giving us a heads-up as to your proposed use of your property. I must say offhand I would not be in favor of setting a precedent for conducting a business in a predominantly residential district. However, I do believe people should be allowed the use of their land as they see fit as long as it does not encroach on the peace and tranquility of the surrounding neighborhood. You seem to have taken that into consideration and I'm sure have all the good intentions of following through with this promise.

I do have a number of questions:

- 1) Exactly what zoning classification are you requesting?
- 2) What credentials do you have for dealing with people with PTSD? Are you a psychologist? If not, will you be hiring one?
- 3) What qualifications will you or your employees have for conducting stress relief sessions for possibly volatile personalities of your clients?
- 4) How do you propose to screen your clients as to their mental stability before allowing them to camp in our neighborhood?
- 5) You say you will only have 5 parking spaces. If you have 2 employees, how many more people do you expect to attend your proposed workshops? Only 3 at a time?
- 6) You mention 2500 sq. ft. of "open space", yet refer to multi-use building space. Is this in fact open space or a 2500 sq. ft. building?
- 7) What other businesses will occupy this 2500 sq. ft.?
- 8) As you know our road is in very fragile condition currently being used by a sparse number of residents living on the south end of Paloma Trail. How much more traffic will your proposed project, along with any other businesses occupying your building space, generate? How many people do you propose to "treat" at one time? Each day/week?
- 9) Will your organic gardens be open to the public? Do you plan to sell produce from them?

If I think of anything else, I'll be in further touch.

I am anxious to hear from you in the hope that your response will allay some of my concerns.
Thanks.

Linda

Kirschmann, Robert

From: Julie Campos <bienestarobasis@gmail.com>
Sent: Friday, March 16, 2018 2:04 PM
To: Linda DeMarco
Subject: Re: Your Zoning Request for Special Use Permit

Dear Linda,

Thank you for your message and for the interest in the property. I will attempt to answer your questions below in blue. I'm sorry that it has taken me over a week to reply. My internet access has been spotty.

If you have any other questions, please get in contact.

Kind regards,
Julie Campos
520-353-5492
PO Box 1127
Bisbee AZ 85603

1) Exactly what zoning classification are you requesting?

I am not requesting a re-zoning. I am only requesting a special use permit within the zone (RU4) that already exists.

2) What credentials do you have for dealing with people with PTSD? Are you a psychologist? If not, will you be hiring one?

I am certified as a yoga and meditation teacher through Warriors at Ease (<http://warriorsatease.org/>) which is an organization that designs classes and sessions for active duty and military vets. I am not offering psychological or psychiatric services. I am only offering yoga and meditation and will cater some classes to those who have high stress jobs or have been through experiences in which trauma has been a result of or part of those experiences. My classes are not a substitute for psychiatric or psychological help or services.

I also hold 200 hr and 300 hr (advanced) yoga teacher certifications in addition to pre/post-natal yoga certification, Yin Yoga certification, Swing Yoga certification and Meditation teacher certification. I was a teacher in international schools for almost 20 years and I hold a Bachelor of Arts in Spanish and Secondary Education and Master of Arts in Applied Linguistics.

3) What qualifications will you or your employees have for conducting stress relief sessions for possibly volatile personalities of your clients?

Anyone on the property who offers stress relief, meditation, or yoga for those who have suffered PTSD or trauma will have gone through the same or similar training that I have gone through. Let me be clear on this, I am not offering mental health services. This is simply another means of offering stress relief for those who have dealt with or deal with high stress in daily situations. This will not be a mental health hospital or anything of the sort. It is more of a place for people to get away from their daily lives, camp in a peaceful setting, walk around the gardens and in addition to that, enjoy meditation and/or yoga sessions with me. Additionally, the meditation and stress relief classes are only part of what I plan to offer in regard to yoga and meditation. I am also hope to offer pre- & post-natal yoga, Yin yoga, Hatha Yoga and Swing/Anti-gravity yoga

4) How do you propose to screen your clients as to their mental stability before allowing them to camp in our neighborhood?

The camping/glamping areas will be open to the public and are not exclusive to the yoga clients who will come here. As for screening, the screening would be the same as it would be for campers going to any other campground or yoga retreat.

5) You say you will only have 5 parking spaces. If you have 2 employees, how many more people do you expect to attend your proposed workshops? Only 3 at a time?

I will start out with 0 employees and will run the business myself. Depending on the success of the camp sites, I will employ one or 2 people to help clean, garden etc. (3 campsites, 1 parking space for each campsite, 1 parking space per employee) After I sent the letter out, I learned that I would also need a parking space for

disabled customers/campers. We may need a few more spaces over time if the business is successful and I would comply with county regulations and requirements in regard to the parking spaces.

6) You mention 2500 sq. ft. of "open space", yet refer to multi-use building space. Is this in fact open space or a 2500 sq. ft. building?

That should have read 2500 sq ft of open-plan space. (similar to a dance studio or dance hall or barn with a wood floor) it would be a 2500 sq ft building.

7) What other businesses will occupy this 2500 sq. ft. ?

No other businesses will occupy this space.

8) As you know our road is in very fragile condition currently being used by a sparse number of residents living on the south end of Paloma Trail. How much more traffic will your proposed project, along with any other businesses occupying your building space, generate? How many people do you propose to "treat" at one time? Each day/week?

I will not be 'treating' clients as I am not a doctor. I will be offering individual, small group (up to 10 people) and (occasionally) larger group (up to 30 participants) yoga and meditation sessions. As for traffic, there would be a minimal increase in the current traffic and I will pay the same amount as other property owners into the road fund that Sandra Jean manages.

9) Will your organic gardens be open to the public? Do you plan to sell produce from them?

The gardens will be open to the guests staying in the tents and open to the yoga students who come to my classes. (neighbors are welcome to stop by!)

Ideally I would love to sell produce that is grown on the property. I have no idea how much my gardens will produce but I have in mind to sell at farmer's markets in Bisbee and Sierra Vista if I am fortunate enough to grow a surplus of fruits and vegetables.

If I think of anything else, I'll be in further touch.

Please do! Thanks again for getting in touch.

I hope this information has been helpful.



Fwd: Your Zoning Request for Special Use Permit

Linda DeMarco <lrde@hughes.net>
To: Sandi <revwoman88@gmail.com>, saghuaro52@yahoo.com

Tue, Mar 20, 2018 at 8:18 PM

----- Forwarded message -----

From: Julie Campos <bienestaroasis@gmail.com>
To: Linda DeMarco <lrde@hughes.net>

Cc:

Bcc:

Date: Tue, 20 Mar 2018 01:10:09 +0000

Subject: Re: Your Zoning Request for Special Use Permit

Hi again Linda,

I hope this message finds you well. If possible, could you confirm that you have received my reply to your original email message? I received a phone call this afternoon from the folks at the county saying that some folks have tried to get in touch regarding the special permit that I've requested but have not received a reply. So far yours is the only email message that I've received and I want to be sure that you have received my reply.

Very kind regards,

Julie Campos

On Fri, Mar 16, 2018, 2:03 PM Julie Campos <bienestaroasis@gmail.com> wrote:

Dear Linda,

Thank you for your message and for the interest in the property. I will attempt to answer your questions below in blue. I'm sorry that it has taken me over a week to reply. My internet access has been spotty.

If you have any other questions, please get in contact.

Kind regards,

Julie Campos

520-353-5492

PO Box 1127

Bisbee AZ 85603

1) Exactly what zoning classification are you requesting?

I am not requesting a re-zoning. I am only requesting a special use permit within the zone (RU4) that already exists.

2) What credentials do you have for dealing with people with PTSD? Are you a psychologist? If not, will you be hiring one?

I am certified as a yoga and meditation teacher through Warriors at Ease (<http://warriorsatease.org/>) which is an organization that designs classes and sessions for active duty and military vets. I am not offering psychological or psychiatric services. I am only offering yoga and meditation and will cater some classes to those who have high stress jobs or have been through experiences in which trauma has been a result of or part of those experiences. My classes are not a substitute for psychiatric or psychological help or services.

I also hold 200 hr and 300 hr (advanced) yoga teacher certifications in addition to pre/post-natal yoga certification, Yin Yoga certification, Swing Yoga certification and Meditation teacher certification. I was a teacher in international schools for almost 20 years and I hold a Bachelor of Arts in Spanish and Secondary Education and Master of Arts in Applied Linguistics.

3) What qualifications will you or your employees have for conducting stress relief sessions for possibly volatile personalities of your clients?

Anyone on the property who offers stress relief, meditation, or yoga for those who have suffered PTSD or trauma

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I will start out with 0 employees and will run the business myself. Depending on the success of the camp sites, I will employ one or 2 people to help clean, garden etc. (3 campsites, 1 parking space for each campsite, 1 parking space per employee) After I sent the letter out, I learned that I would also need a parking space for disabled customers/campers. We may need a few more spaces over time if the business is successful and I would comply with county regulations and requirements in regard to the parking spaces.

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I will not be 'treating' clients as I am not a doctor. I will be offering individual, small group (up to 10 people) and (occasionally) larger group (up to 30 participants) yoga and meditation sessions. As for traffic, there would be a minimal increase in the current traffic and I will pay the same amount as other property owners into the road fund that Sandra Jean manages.

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Ideally I would love to sell produce that is grown on the property. I have no idea how much my gardens will produce but I have in mind to sell at farmer's markets in Bisbee and Sierra Vista if I am fortunate enough to grow a surplus of fruits and vegetables.

If I think of anything else, I'll be in further touch.

Please do! Thanks again for getting in touch.

I hope this information has been helpful.

 noname.eml
23K

Kirschmann, Robert

From: E SHANE SCANTLEBURY <sscant@msn.com>
Sent: Thursday, March 22, 2018 10:37 AM
To: Kirschmann, Robert; Planning and Zoning
Subject: Re: Docket SU-18-05 (Campos)
Attachments: Covenants.pdf

Mr. Kirschmann and Commission Members

We are writing today in response to the notice for application SU-18-05 (Campos). Thank you for keeping us apprised of this Special Use Authorization application near our retirement property in the Palominas Ranches Unit II subdivision ,Hereford Az. We are unable to attend the scheduled public meeting being held April 11, 2018 due to scheduling conflicts. We would like to add our voices in regard to the proposed business requesting permission to build a retreat in our rural residential neighbourhood. We currently live out of state, but have plans in the coming year to inhabit and develop our property on Javelina Trail as our retirement home, pending Cochise County's permission following all the proper permitting processes. We purchased this property in 2016 due to the available acreage , the remote rural location and absence of commercial entities nearby. We cherish the privacy and seclusion that this property will afford us and look forward to becoming active community members during our retirement years.

We became very concerned upon learning that a nearby property non-owner has applied to develop a residential property for commercial purposes. We have read the entire application and checked out the company Bienestar Oasis online and have legitimate concerns and numerous questions, not answered in the application, concerning the intended property use. We applaud their intentions to live naturally and sustainably in our neighbourhood but question the impact that this business venture would have on us and our neighbours, and the value and enjoyment of our properties in the future.

Aside from adding extra traffic and noise to South Paloma Trail, that is barely passable in some areas at times, we have many questions regarding their future plans on running this business in our rural residential neighbourhood. Their application does not address many concerns and questions we have about this commercial venture.

- Is this a for profit business?
- Are there any plans to expand this business if successful, adding more infrastructure to the current 20 acres or expanding to adjacent available property?
- We understand from the application that they will treat individuals with PTSD, a mental health issue, as defined by the US Department of Veterans Affairs. What are their professional qualifications to treat individuals with this condition?
- Are they accredited and credentialled health care professionals in this field of mental health treatment?
- Will there be an employee on site at all times that is a trained medical professional?
- Will this business venture be funded privately or subsidized by state or federal government entities?
- Will firearms be allowed to be carried on the property?
- What are their security and safety plans in regard to neighbouring properties and families, in addition to their own business?

My safety concerns stem from the recent (March 9th 2018) incident at the Napa Valley veterans home where three licensed, trained healthcare professionals were murdered by a patient being treated for PTSD,

who subsequently took his own life. We are not unsympathetic to those being treated for this serious mental health issue. It is a legitimate condition and should be treated as such by trained medical professionals. A rural, residential neighbourhood is not the appropriate location to treat and counsel those who suffer from this mental condition, especially by individuals who are not expert in this mental health field.

-What about emergency medical services? Will they be relying on local, taxpayer funded emergency services to respond to any safety or medical emergencies that will occur? This will undoubtedly overburden and put undue strain on these public services.

My wife and I, as well as many neighbours, I would imagine, enjoy the right to use our firearms to shoot trap or target practice on our properties. Will we not feel able or in good conscience to shoot our guns for hobby purposes knowing there could be individuals with PTSD nearby that could be adversely affected by this? We are very concerned about our rights to use our properties for our enjoyment and personal fulfilment also.

Please also see the attached Declaration of Covenants, Conditions and Restrictions we have included. These accompanied our property purchase documents when we purchased our 40 acre parcel in 2016. We would like everyone to be aware and familiar with them as we were when we made our decision to own land in this rural residential neighbourhood. They actually incentivised us to buy this land as we hoped they would protect our property, land value and lifestyle from any undue encumbrances.

In the non-owners application, they stated they wanted to be good neighbours and make this a win-win for all. With the scant information they have provided we cannot withhold our objections to this application. When all our questions and concerns have been met and addressed, and only then, can an educated, informed mutually beneficial decision be made. According to the company Facebook page and website, construction has already begun on the property grading the road access and installing waterlines. Are any objections we may have already mute? Has tacit permission already been given?

I hope this will be read into record and provided to the applicant if necessary so we all may feel good about this decision. Thank you

E Shane and Cheryl Scantlebury
1440 Calle Cielo Vista
Bernalillo N.M. 87004
720 891-2247

STATE OF ARIZONA

COUNTY OF COCHISE

I hereby certify that the within instrument was filed and recorded
in DOCKET **1593** page **533-538**
and indexed

Fee No. **10025**

at the request of
Pioneer Nat'l Title

When recorded mail to:

Pioneer Trust Company of AZ
P. O. Box 26200
Tucson, AZ 85726
Attn: Trust No. 11,380

Witness my hand and

Galaxy
CITY OF TUCSON
Seal of the City of Tucson, Arizona

Compared
Photostated
Fee **5.50**

TAX CODE: 104-62-001 & 104-63-001

DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS
PALOMINAS RANCHES, UNIT II

T818636-19

Book 3 of Surveys at Page 7 thru 7C

This declaration is made this 14th day of May, 1982, by
PIONEER TRUST CO. OF ARIZONA, an Arizona corporation, as Trustee
under Trust No. 11,380, hereinafter called "Declarant", as Trustee
executes this Declaration of Reservations, Covenants, Conditions
and Restrictions to run with the real property herein described
whether or not the same are included in any deed or instrument
conveying said real property or any part thereof, for the common
good of the owners of said real property and other purposes as
hereinafter set forth; and, being the owner of all that certain
tract of land situated in the County of Cochise, State of Arizona,
described as follows, to wit;

Township 24 South, Range 22 East, Gila and Salt River
Base and Meridian

Section 3: S 1/2 and E 1/2 NW 1/4 less the
North 100 feet thereof

Section 4: E 1/2 SE 1/4

Section 9: E 1/2

Section 10: ALL

Section 17: SE 1/4 NE 1/4 and the SE 1/4

Section 20: Lots 1 and 2

(hereinafter referred to as the "Property",)

DOES HEREBY CERTIFY AND DECLARE that it has established, and does
hereby establish, a general plan for the improvement, development, and does
ownership, use and sale of said property, and each and every part
thereof, and does hereby establish the manner, provisions,
conditions, restrictions and covenants upon and subject to which
said property and parcels thereof shall be used, improved,
occupied, owned, sold and conveyed, and does hereby declare that
henceforth said property shall be used, improved, occupied, owned,
sold and conveyed subject to the provisions, conditions,

I HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS FILED AND RECORDED
AT THE REQUEST OF:

DATE _____

Page _____

BOOK **1593** PAGE **533**

No. _____

PIONEER
TITLE AGENCY

restrictions and covenants herein set forth, all of which shall be binding upon and inure to the benefit of the present and future owners of said property and all parcels thereof, and all of which shall apply to and bind the respective successors in interest of the said property and all parcels thereof, and all of which provisions, conditions, restrictions and covenants are, and each of them is, impressed and imposed upon each and every parcel of the hereinbefore described property as a servitude in favor of each and every parcel thereof as the dominant tenements, as follows, to wit:

1. Purchasers of the Property or parcels thereof, or their lessees, heirs or assigns, shall cause to be erected and properly maintained fences, corrals or other suitable enclosures for the purpose of containing and controlling any horses, cattle or other livestock or poultry of said purchasers, their leasees, heirs and assigns, and said livestock and poultry shall be confined solely to that portion of the Property owned by said purchasers, their leasees, heirs and assigns.
2. All fences, corrals and similar enclosures and construction shall be of good quality, straight, tight of uniform height and construction, and shall be attractive in appearance.
3. No fence shall be over 8 feet in height without the written consent of all owners of property within 600 feet of said fence.
4. Corrals, stables, yards, pastures etc. shall be maintained in a clean condition, free from excessive accumulations of manure and from obnoxious odors which might constitute a nuisance or any offense to any other property owner, their leasees, heirs or assigns, or to the public in general, and flies and similar insects shall be properly controlled.
5. Dogs, cats and other domestic animals shall be controlled by their owners in such a manner that said animals will not constitute any hazard, menace, nuisance or inconvenience to other property owners, livestock or the public in general.
6. No hogs, pigs, goats, sheep or similar animals shall be maintained on any parcel of less than 18 acres in size, nor within 100 feet of any adversely owned contiguous parcel or any roadway or public access easement, except that such animals or combination thereof not exceeding 10 in total number may be maintained on parcels of 4 or more acres in size, but not within 100 feet of any adversely owned contiguous parcel or roadway or public access easement. Such animals and the pens, corrals and other enclosures therefor shall be maintained in such a manner that they do not constitute a nuisance of any sort to the owners, their leasees, heirs or assigns, of adjoining property, or to the public in general.

7. No chickens or other poultry in excess of 50 in total number shall be maintained on any parcel of less than 18 acres in size, nor within 200 feet of any adversely owned contiguous parcel, roadway or public access easement, except that such poultry not exceeding 20 in total number may be maintained on parcels of 4 or more acres in size, but not within 100 feet of any adversely owned contiguous parcel, roadway or public access easement. Such poultry and enclosures therefor shall be maintained in such a manner that they do not constitute a nuisance of any sort to the owners, leasees, heirs or assigns of adjoining property or to the public.

8. No junkyards, salvage yards, rock crushers, cement plants, gravel pits, asphalt or paving plants, land fill or similar dumping or filling activities or operations or similar operations shall be maintained on any parcel of land.

9. No noxious or offensive activity shall be carried on upon any parcel, nor shall anything be done, placed or stored upon any parcel or portion of the property, which is, may be, or may become an annoyance or nuisance to the neighborhood, and there shall not be occasioned any noise or odor or other disturbance which will not might disturb the peace, comfort, or the serenity of the occupants of the neighboring properties. No refuse, trash, derelict or disabled vehicles, garbage or manure shall be allowed to accumulate.

10. Garbage and trash disposal shall be removed by the property owner or by a garbage collection service, said trash or garbage to be removed only to a dump site approved by state, county or municipal authorities.

11. No house, mobile home, garage, shop or outbuilding of any kind shall be erected or placed within 75 feet of any roadway or public access easement, or within 50 feet of any property line. This shall be construed to refer to any structure, other than fences, which are over 4 foot in height, and also to any building or shed of any size or type.

12. Any house, building, shed, fence, wall or structure of any kind and for any purpose erected or placed on any portion of the property shall be of good quality construction, and of attractive appearance and design, compatible with other structures in the neighborhood.

13. Any mobile home placed on the property shall be of modern design and construction, attractive appearance, and must be in a good state of repair and maintenance, including paint.

14. Sewage disposal shall be by a means approved by the Cochise County Health Department and the State of Arizona. The burden of proof of such approval rests with the property owner, his heirs, leasees, or assigns.

15. No corrugated iron or steel, or uncorrugated sheets or pieces of iron or steel, or obviously scrap materials, shall be used in the construction of any building or fence; nor shall any other similar materials be used in such construction without the approval of Declarant or its duly authorized representative, except that commercially fabricated and finished sidings, and commercially fabricated buildings of similar materials shall be considered acceptable when properly installed.

16. Declarant may, at its sole authority, revoke, amend or modify these covenants and restrictions as to all of the Property so long as Declarant, as Trustee, owns any portion of the Property.

17. The aforesaid provisions, conditions, restrictions and covenants, and each and all thereof, shall run with the Property and every parcel or portion thereof, and continue and remain in full force and effect at all times and against all persons until January 1, 1988, at which time they will be automatically extended for a period of ten (10) years, and thereafter for successive periods of ten-years each, unless on or before the end of any such ten-year extension period, the owners of 75% of area, excluding roadways or easements, of the Property shall by written instrument, duly recorded, declare the termination or modification of the same.

18. In the event of any violation of the restrictions herein, it shall be lawful for the Declarant as Trustee, or the Designated Beneficiary of Trust 11,380, or any other owner of any portion of the Property to enter onto the Property or any portion thereof, cause refuse, trash, derelict or disable vehicles, garbage, or other unsightly object or objects to be removed from the Property, or to otherwise remedy any default or violation. The costs thereof shall be a charge or lien against the Property, and each and every parcel thereof, owned by the person owning the land upon which the violation shall have occurred.

An affidavit filed in the office of the County Recorder of Cochise County, Arizona, stating that costs were created by reason of such a violation of these restrictions and the amount of such costs shall be sufficient to constitute a valid lien against the property owned by the person committing such violation, which lien shall bear interest computed on the amount of such costs at the lower of 18% per annum of the highest legal rate until paid. Such lien shall be secondary and subsequent to any mortgage or vendor's lien in existence at the time of the lien or created thereafter, but superior to any and all other liens.

19. Declarant as Trustee, or the Designated Beneficiary of Trust 11,380, shall have the right to enter any portion of the Property for the purpose of monitoring compliance herewith or remedying any breach hereof.

20. All provisions, conditions, restrictions and covenants herein shall be binding on all portions of the Property and the owners, leasees, successors and assigns thereof, or of any interest therein regardless of the source of title of such persons, and any breach thereof, if continued for a period of thirty (30) days from and after the date that the Declarant or any owner of any portion of the Property shall have notified in writing the owner or lessee in possession of any parcel upon which a breach has been committed to refrain from a continuance of such action and to correct such breach, shall warrant the Declarant as Trustee, or the Designated Beneficiary of Trust 11,380, or other owner to apply to any court of law or equity having jurisdiction thereof for an injunction or other proper relief including but not limited to damages or foreclosure of any lien created hereunder, and if such relief is granted, the court may in its discretion award to the plaintiff including attorney's fees; provided, however, that any violation of the foregoing provisions, conditions, restrictions or covenants shall not defeat or render invalid the lien of any mortgage, or deed of trust or contract of sale made in good faith for value as to any portion of said property, but such provisions, conditions, restrictions and covenants shall be enforceable against any portion of the Property acquired by any persons through foreclosure or by deed in lieu of foreclosure for any violation of the provisions, conditions, restrictions and covenants herein contained occurring after the acquisition of such portion of the Property through foreclosure. Any breach hereof by a lessee shall be the joint and several obligation of the lessee and owner-lessor. Any purchaser of any portion of the Property shall be deemed to have assumed all liability for any breach in existence on the purchased portion of the Property.

No delay or omission on the part of Declarant or owners of any portion of the Property in exercising any right, or power of remedy herein provided for in the event of any breach of any of the provisions, conditions, restrictions and covenants herein contained shall be construed as a Waiver thereof or acquiescence therein; and no right of action shall accrue nor shall any action be brought or maintained by anyone whatsoever against the undersigned Declarant or its affiliates or their Directors, officers and employees for or on account of the failure or neglect of the Declarant to exercise any right, power or remedy herein provided for in the event of any breach of any of the said provisions, conditions, restrictions or covenants.

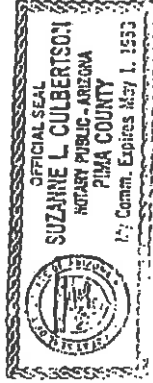
21. In the event that any one or more of the provisions, restrictions, conditions and covenants herein set forth shall be held by any court of competent jurisdiction to be null and void, all remaining provisions, conditions, restrictions and covenants herein set forth shall continue unimpaired and in full force and effect.

IN WITNESS WHEREOF, Declarant, PIONEER TRUST CO. OF ARIZONA, an Arizona corporation, as Trustee under Trust No. 11,380, has hereunto set its hand and seal this 14th day of May, 1982.

BY *David Wright*
PIONEER TRUST CO. OF ARIZONA
Trust Officer

On this 14th day of May, 1982, before me, appeared David Wright, who acknowledge himself to be a Trust Officer of the Declarant named in the above instrument, and that he, being authorized to do so, executed the foregoing instrument for the purposes contained therein.

IN WITNESS HEREOF, I have hereunto set my hand and official seal.



Suzanne L. Culbertson
Notary Public

Special Use Docket SU-18-05 (Campos)

NO, I DO NOT SUPPORT THE REQUEST

When Ms. Campos first contacted me, her closest neighbor, she told me of her plans. She described the kind of buildings, gardens, gray water, rain water storage, etc. She included camping/glamping areas (4-6 tents max); and eventually a yoga/meditation/retreat. Next came a letter to all the property owners reiterating the same information plus additional items such as an art studio. In the last week I have seen additional items such as yoga classes of usually 10 people and special groups up to 30, AND a campground open to the public. And she doesn't see how this would change the amount of traffic on our side and main roads.

I absolutely do not want a business anywhere from the wash to the north, all the way south to the border road in our rural neighborhood, and especially next door to my ten acres.

I absolutely do not want a campground anywhere from the wash to the north, all the way south to the border road in our rural neighborhood, and especially next door to my ten acres.

I do not want to see additional traffic, or wear and tear on Paloma Trl since the property owners in this rural neighborhood foot the bill to have our roads maintained, or Javelina Trl where I foot the bill.

I want to maintain the private, secure, quiet and serene atmosphere I have had for 18 years.

Sandra Jean (Parcels 10484028E, 10484028F)

Sandra Jean 3/25/18

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

It isn't as simple as 'yes' & 'no'! I have concerns about the impact on our road. We've all chipped in money to keep it maintained to the best degree possible. And having people sue don't benefit a town and my own properties.

The correct address is E. Javeline Trl!

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Sandra Jean

SIGNATURE(S):

Sandra Jean

10484028 F
10484028 E

YOUR TAX PARCELS NUMBER: (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 March 26, 2018 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 Robert Kirschmann at the contact information listed on page one by April 10, 2018 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 April 11, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO:

Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

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

FOR ONE IS AN INADEQUATE RDS MAINTAINED BY JUST A FEW WE DO NOT WANT A BUSINESS IN THIS AREA PLUS UNSAFE OF SOME OF THE PEOPLE THEY PLAN ON BRINGING IN. PLUS BRINGING IN GROUP OF 10-30 PEOPLE-NO. AND ABOUT TEN YEARS AGO ANOTHER PERSON WANTING A CAMP GROUND WAS TURNED DOWN BECAUSE OF THE ROAD SINCE THEN THE ROAD HAS GOTTEN WORSE.

(Attach additional sheets, if necessary)

PRINT NAME(S): JESUS + ANA ESCAMILLA

SIGNATURE(S): *Jesus Escamilla*
Ana Escamilla

YOUR TAX PARCEL NUMBER: 10484019D (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Dietmar and Ivette Cunningham

P.O. Box 82
Sierra Vista, Az 85636
520-678-0236
idlopez2002@yahoo.com
Parcel number: 104-84-032 7

March 25, 2018

Cochise County Community Development
Planning, Zoning and Building Safety Division
Mr. Robert Kirschmann, Planner II
1415 Melody Lane, Building E
Bisbee, Az 85603
520-432-9300

Re: Docket SU-18-05 (Campos)

Dear Mr. Kirschmann,

We are in receipt of your letter dated March 8, 2018 with reference to docket number above. The letter states that the applicant Ms Julie Campos requests Special Use Authorization to establish a campground, yoga studio, and related activities. The concept plan includes but not limited to three tents, two earth bag domes (each less than 200 square feet), restroom/ shower building, a 2,500 square foot yoga/meditation/retreat room, art studio, chicken coop, recreational facilities, guest lodgings, persona/professional services, and a single family home. This is a 20 acre parcel of land (parcel number 104-84-028B) located on E.Javelina Drive , west of Paloma Trail.

We DO NOT support this request.

Let me set forth our concerns. First of all this rural area is known for its beauty, solitude, and tranquility. This is why we carefully chose this area after much searching through a realtor. This area with its 360 degree view gives us the environment we so love about our lovely Cochise County. We bought our 40 acre parcel adjacent to Mr. John Ladd's ranch and the breathtaking view affords us that peace of mind we so longed for.

Though the applicant above has this in mind for her business, this is what concerns our tranquil rural area. To approve the applicants request, the business will require camp grounds, public facilities, parking lots not to mention the extra public use of our road. This extra traffic use will cause a lot of servicing to our already depleting road and wash. The roads are maintained by contributions from its existing neighbors. The roads in our

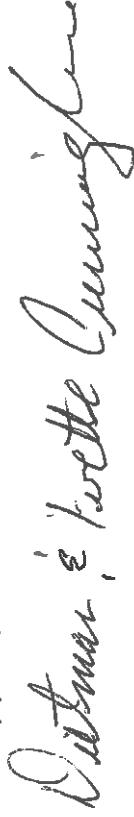
community are not maintained by the county. The extra traffic it will cause will deplete our road funding rapidly placing a financial burden on its community.

Secondly, when the monsoons are upon us, the road becomes impassible; hence, the campers are blocked from entering or leaving the area requiring them to park their vehicles prior to the wash and/or on the main highway 92 which as you are aware is not meant for parked vehicles.

Thirdly, as a member of the Hereford Natural Resource Conservation District the extra burden to the already fragile San Pedro Riparian area concerns us. The San Pedro Riparian is already heavily burdened from the release of effluent entering from Mexico. Though the applicant states that her proximity to the river is not close enough to impact it in any form, the applicant cannot guaranty that it would not adversely affect the environment.

Lastly, this rural area is known for its beauty and tranquility; therefore, any applicants who would like to incorporate a business would be objectionable to this rural area by the local residences. And though you were given some positive input, some of those DO NOT reside in this rural area.

Sincerely yours,



Dietmar and Ivette Cunningham

cc: Highway and Floodplain

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Blank lined area for providing reasons for support.

NO, DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Don't Believe it will benefit the community of the San Pedro.

Blank lined area for providing reasons for no support.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Victor M. [Signature]

SIGNATURE(S):

[Signature]

YOUR TAX PARCEL NUMBER: (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 March 26, 2018 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 Robert Kirschmann at the contact information listed on page one by April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the public hearing on April 11, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

March 23, 2018

To: Robert Kirschmann, Planner II

From: Sam A. Moore & Socorro O. Paul, Property Owners Parcel #10484022E

Re: Docket SU-18-05 (Campos)

We are vehemently opposed to the request of the applicant, Julie A. Campos, for the Special Use Authorization to establish a campground, yoga studio and related activities for the following reasons listed below:

1. A camping ground is a business which could potentially have many individuals patronizing it. Some elements it might attract could negatively impact our neighborhood.
2. We are opposed to a mental facility of any type operating near our residence. While this area is considered a rural area, families reside here.
3. Ms. Campos lists PTSD treatment as a service to be offered. It appears she does not possess the credentials to evaluate or offer this treatment.
4. The earthbag domes use has not been explained. Please recall the sweat lodge disaster and deaths in Sedona in October 2009.
5. South Paloma Trail is maintained by the residents. The road will be highly impacted by a business that will generate more traffic. The cost to maintain would rise significantly.
6. The property owner of the 20 acre parcel 104-84-028B on E. Javelina Drive resides in a different state. This camping ground/ mental treatment center will not affect where he resides.
7. More importantly, an elementary school is located in close proximity to the proposed facility. The impact this facility offering mental and stress related services to individuals with PTSD needs to be considered. Children are dropped off on South Paloma Trail and Highway 92. Some walk home.

Respectfully,


Sam A. Moore


Socorro O. Paul

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

This is a rural neighborhood accessed by a resident-maintained and quite tender roadway, S. Fabawa Trail. Traffic is very light (supplimented by Border Patrol), it is quiet, and there are no businesses. I object to: Traffic upgrades; road wear; the presence of a business. Others had investigated to find desire for (PRSD) yoga activities where gunshots and helicopter activity from ISP can occur anytime. I am also concerned that a Avahia campground there could be subverted by typical border activities. A surrounding "NO" here.

(Attach additional sheets, if necessary)

PRINT NAME(S): Peter Natwick

SIGNATURE(S): Peter Natwick

YOUR TAX PARCEL NUMBER: 10484011D, J (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

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

Strongly oppose this request!

These sec attached documents

(Attach additional sheets, if necessary)

PRINT NAME(S): *Jack Mutchler*

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: *104840143* (the eight-digit identification number found on the tax statement from the Assessor's Office) *104-62-0014*

M R 001P

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

March 23, 2018

Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Dear Mr. Kirschmann,

After long consideration, deep thought and extensive conversation with neighbors, we must register our **STRONG OBJECTION** to Ms. Julie Campos's application for a Special Use Permit for her Bienestar Oasis commercial business project on E. Javelina Trail, Parcel #104840288. In short, this commercial project will destroy the quality of life we currently enjoy in this rural *residential* community and has no business being located here.

For us, like many of the neighbors, this Special Use Permit proposal raises a number of troubling concerns:

1. Ms. Campos's proposed commercial business project will ruin the rural residential character of our neighborhood. Our current zoning is RU-4 and most of those to live out here precisely because of its rural nature and the lack of neighbors, much less commercial business traffic. After reviewing Ms. Campos's letter, a copy of her actual Special Use Permit application to the county, as well as reading her Facebook page, (which I could encourage Planning and Zoning to read), it is clear that Ms. Campos intends to invite considerable numbers of people to visit her location for everything from yoga classes to camping, group gatherings to individual retreats. The sheer numbers of people to be served by her commercial business will dramatically and negatively impact our rural residential quality of life.

2. The number of visitors that Ms. Campos proposes to have visit her business site, and consequently our neighborhood is, frankly, staggering! In a series of email exchanges between Ms. Campos and a neighbor, Linda De Marco, Campos indicates that she hopes to host events and classes for as many as “10 to 30” people, which is at least half of the total population of residents along Paloma Trail, the sole access road into E. Javelina Trail. If Ms. Campos were to host just one event a week for twenty people, it could mean an additional ONE THOUSAND people visiting our neighborhood on an annual basis. If Ms. Campos’s commercial business were to be really successful, the numbers could multiply from there. If Ms. Campos hosts smaller yoga classes multiple times a week, say five to ten people, three or four times a week, the numbers of people added to the area could range from ONE TO TWO THOUSAND visits a year. All of this is unacceptable in a rural residential neighborhood.
3. In an email exchange with a neighbor as well as the county’s letter, it is clear that Ms. Campos’s business plans to include camping for only her yoga clients, but the general public in her five earth bag domes and yurts. This was not entirely clear in her proposal letter to the neighborhood though her intentions to open a campground are clear in our letter from the county. This raises additional concerns about numbers and who will be in our neighborhood. If Campos were to be even moderately successful with her camping business, two people per camping site on forty weekends a year, this would mean an additional four hundred people in our neighborhood annually. If her camping business were to really take off, say all five sites with two people, four days a week, fifty weeks a year, this could mean as many as TWO to THREE THOUSAND additional people a year. We also have serious concerns about who these campers will be, their use of campfires and/or alcohol. A public campground is unacceptable in a rural residential neighborhood.

4. Ms. Campos's proposal will be a financial and physical disaster for our privately maintained road, a road which is already challenging to keep passable much of the year. Campos's proposed number of visitors will dramatically increase traffic on the road and inflict a disproportionate amount of use and damage by one landowner.

In an email exchange with a neighbor, Ms. Campos proposes to contribute the same amount of funds as "everyone else" to our loosely organized neighborhood group that privately maintains the road with no county or federal assistance. We already have difficulty in raising private funds among ourselves to make the necessary repairs to keep the road usable. We each contribute as we are able and willing, with suggested contributions of one to two hundred dollars per year per household. Like many of these situations, the majority of property owners out here do NOT financially contribute to maintenance of the road, placing the burden on a minority of landholders and forcing us to pay for others to use the road. Ms. Campos proposes to increase this burden by only paying an "equal share" for disproportionate use.

Ms. Campos proposes to add substantial use and wear on the road without offering to increase her share of the cost burden. One family of five might have one or two vehicles making daily trips into town for employment or access to services such as shopping. But five people driving on the road to one yoga class most likely involves five vehicles making multiple weekly trips in and out on an already fragile primitive road. This traffic is in addition to Ms. Campos's personal use of the road and that of her proposed employees. Classes of ten to thirty multiply these numbers to greatly exceed the current usage of the road altogether.

Unless the county was willing to take on improvement of the road to accommodate this sort of increased traffic, as well as the ongoing

maintenance of the road, the financial burden of road maintenance to sustain use of the road by Ms. Campos's commercial project will fall to the neighbors.

5. Ms. Campos's commercial proposal for numerable visitors also raises environmental concerns regarding water usage and septic system impacts on not only her land, but on that of her neighbors and the larger area. With Ms. Campos's projected number of campers and visitors to her business, even the utilization of permaculture and other low water usage techniques will negatively impact the overall water quality and well water depth for the entire neighborhood. Additional sewage created by ten to thirty visitors at a time using showers and toilets raises considerable concerns about leech field run off, again impacting neighbors. Her plans to plant trees to shield the site from neighbors is laudable, but it will take years for trees to grow to any substantial size out here. And her plans to raise enough vegetables to be able to sell them at local farmers markets again raises questions about water usage, especially given the tenuous situation regarding our water wells in the area. All of these water and sewage impacts add up to the usage of multiple families by a single landowner for a commercial enterprise in a residential neighborhood.
6. Ms. Campos's stated target audience for her commercial enterprise are people suffering from "high stress" and PTSD. All of the neighbors out here support our military, law enforcement and first responders and most of us feel there is not nearly enough being done to help those afflicted by the high stress of their jobs and by PTSD. But the idea of numerable PTSD sufferers being in a residential neighborhood, especially one where residents and nearby hunters routinely discharge firearms, is more than alarming. Similarly, with multiple overhead helicopter flights on a daily basis, one can only imagine their impact on those suffering from PTSD. As much as we think a business offering yoga to those suffering from high stress and PTSD is a

laudable idea, there are commercial facilities much better suited to this practice than our rural residential neighborhood.

7. Ms. Campos's business project, especially the camp sites, will inevitably bring "wanderers" on foot and by vehicle to our neighborhood, severely impacting the solitude and quiet the residents have carefully sought out in moving here. As an example, we already routinely see people in four-wheel drive vehicles and quad runners driving around out here on our privately maintained roads looking for off-road recreational access. During hunting season, we see the number of vehicles traveling up and down our private roads, increase dramatically. We also encounter vehicles randomly parked, while hikers and hunters traverse PRIVATE LAND. Despite Ms. Campos's assertion that their will be "no motorized recreation vehicles" by her commercial enterprise, we have serious concerns about her clients and visitors driving and hiking around anyway.

While we support outdoor usage of *public lands*, the temptation of visitors to Ms. Campos's location, especially campers, to both drive around out here and wander around hiking, even if they are seeking access to the BLM land along the San Pedro, much less crossing PRIVATE LAND as they hike or even drive, is deeply disturbing. In one Facebook post, Ms. Campos lauds her site's proposed access to the Brite Spot steakhouse, "only a mile down the road by foot." While permanent or seasonal residents of the neighborhood are certainly welcome to walk down to the Brite Spot, the prospect of strangers walking down the road is less appealing. The idea of un-invited guests disturbing our peace and quiet is even more troubling.

8. Based on Ms. Campos's Facebook Posts over the past months about her business, it is clear that she has high hopes for her commercial enterprise and has dreams of an operation much larger than a few folks taking yoga and camping a few nights a year (search on Facebook for Bienestar Oasis).

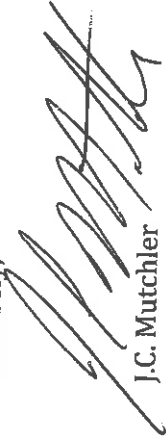
Although we strongly support small business and are empathetic to parts of her vision, such an operation belongs in a much more commercially zoned location, not in a rural residential neighborhood that treasures its rural character and does not want to see it disturbed.

As much as I wish Ms. Campos well and hope she can realize her dreams, I do not feel this commercial business project is an appropriate land use in our rural residential neighborhood.

I will be following up on this letter with a phone call to Robert Kirschmann, whom I understand to be the planner assigned to this Special Use Permit application. I will also be formally requesting copies of Ms. Campos's original Special Use Permit application packet. I would additionally like to write to and/or contact the individual members of the County Zoning and Planning board, but cannot find their names or addresses on the Cochise County Government website and would appreciate you providing those to me.

I am planning to attend the hearing on April 11th to voice my **STRONG OPPOSITION** to the project in person.

Sincerely,



J.C. Mutchler

11432 S Triple R Ranch Rd
Hereford, AZ 85615
520.366.2051

Parcel # 104 840 14B

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

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

Residents are worried that campers will not be content sitting on the 20 acres. They will be out exploring the area by walking and riding through our residential areas. Camping also involves campfires, which is a tremendous fire hazard in the desert

(Attach additional sheets, if necessary)

PRINT NAME(S): Correen McNab William McNab
SIGNATURE(S): *William McNab*
Correen McNab

YOUR TAX PARCEL NUMBER: 104-84-030 F5 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-05 (Campos)

 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): William McNab Correen McNab
SIGNATURE(S): William McNab
Correen McNab

YOUR TAX PARCEL NUMBER: 104-84-002 F4 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Re: Special Use Docket SU-18-05 (Campos)

Julie Campos business, Bienestaroasis, no longer sounds like a yoga retreat. She is now talking about having therapy groups for people who are in high stress jobs or have stress related problems. She has mentioned groups of 10 and up to 30 individuals. This will definitely increase the traffic flow on Paloma Trail, which is already a very fragile road. This increased traffic will definitely up the road maintenance requirements. The residents living on the road are responsible for the repair and upkeep of the road. Julies offer to pay what everybody else pays will not cover the costs of the additional traffic her business will cause.

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

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

We are concerned that she does not appear to be the owner of the property. We are concerned that this is a corporation that would like to get a major camping organization established

(Attach additional sheets, if necessary)

PRINT NAME(S): William McNab Correen McNab
SIGNATURE(S): William McNab
Correen McNab

YOUR TAX PARCEL NUMBER: 104-84-00256 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

X NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

WE ARE ZONED RESIDENTIAL AND I DO NOT WANT A BUSINESS NEXT TO MY HOUSE. PALOMA TR. IS A PRIVATE ROAD THAT WE MAINTAIN AND WILL NOT SUPPORT THE ~~TRAFFIC~~ TRAFFIC. I FEEL TENTS AND RV SPACES WITH ATTRACT TRANSIENTS. DURING THE MONSOON SEASON PALOMA TR. WAS HARVOLT AND WE RESIDENTS CANNOT GET OUT FOR DAYS AT A TIME. WE NOT SUPPORTED BY THE COUNTY FOR ROADS REPAIRS

(Attach additional sheets, if necessary)

PRINT NAME(S):

CHARLES + SANDRA SMITH

SIGNATURE(S):

Charles + Sandra Smith

YOUR TAX PARCEL NUMBER: 104840356 (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 March 26, 2018 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 Robert Kirschmann at the contact information listed on page one by April 10, 2018 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 April 11, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

MAR 19 2018

PLANNING

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

We think new people and more activity would contribute to the neighborhood and make it more interesting. Julie Campos appears to be a person of integrity with forward-looking ideas.

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

(Attach additional sheets, if necessary)

PRINT NAME(S):

KERRY P. HOPPER RICHARD W. HOPPER

SIGNATURE(S):

Kerry P. Hopper
Richard W. Hopper

YOUR TAX PARCEL NUMBER: 104-84-02802 (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 March 26, 2018 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 Robert Kirschmann at the contact information listed on page one by April 10, 2018 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 April 11, 2018. NOTE: Please do not ask the Commissioners 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

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

I have reviewed information provided by Campos and believe the proposed usage will benefit our area without crowding anyone, and with exactly the right attitude toward the environment - including their "no motorized vehicles" rule for charts. I will be proud to have them as neighbors.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

FRED BAKER

SIGNATURE(S):

Fred Baker

YOUR TAX PARCEL NUMBER: 104-84-036C

104-84-036C

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

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

COCHISE COUNTY
MAR 19 2018
PLANNING

Special Use Docket SU-18-05 (Campos)

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

Should be good for the community - hopefully they will be responsible for the upkeep of the road and adjacent.

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

(Attach additional sheets, if necessary)

PRINT NAME(S): *Robert & Maridy McCullen*

SIGNATURE(S): *[Handwritten Signature]*

YOUR TAX PARCEL NUMBER: *10484017E* (the eight-digit identification number found on the tax statement from the Assessor's Office)

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

Special Use Docket SU-18-05 (Campos)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

Development - even minor - will increase the value of my property and get us one step closer to having a chance at real improvements. We like the ideas of what Bienestar Oasis plans to provide for the community at large. What a beautiful dream. We've known Stud over 30 years & trust and admire her.

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

(Attach additional sheets, if necessary)

PRINT NAME(S): Faye K Douglas
Byron L Berry

SIGNATURE(S): *Faye K Douglas*
Byron L Berry

YOUR TAX PARCEL NUMBER: 10484021005 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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1415 Melody Lane, Building E
Bisbee, AZ 85603

Kirschmann, Robert

From: Derek Howlett <veganhowler@gmail.com>
Sent: Wednesday, March 28, 2018 8:52 AM
To: Kirschmann, Robert
Subject: Bienestar Oasis Public Hearing

Hey Robert,

As a resident of Cochise County, I support Julie Campos' plans of building a yoga retreat center on her property in Hereford.

I am a fellow off grid homesteader and Cochise County is a beautiful place for this type of center to exist. This center will be environmentally friendly, clean, peaceful and will further encourage stimulation of the local economy which is something we can all agree on.

She will be using building strategies that will educate others on how off-grid type structures can be beneficial to the community. Many people will be helping her build these structures therefore educating themselves on how to become more independent and valuable residents of the area.

if you have any questions, you can email me back or call me at 520-270-5153.

Cheers,

Derek

Derek Howlett - derek@divhomesteadprojects.com

Raw Till Whenever - <http://www.rawtillwhenever.com>
Plant Meal Planner - <http://www.plantmealplanner.co>
DIYHomesteadProjects - <http://www.diyhp.co>
PortaPower.Solar - <http://www.portapower.solar>

YouTube - <https://www.youtube.com/c/handeeman>
Facebook - <http://www.facebook.com/derek.howlett>
Instagram - <https://www.instagram.com/handeeman>



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

Public Programs...Personal Service
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MEMORANDUM

Date: March 20, 2018
To: Robert Kirschmann, Planner II
From: Karen L. Lambertson, AICP County Transportation Planner
Subject: Campos Yoga Center/SU-18-05/Parcel # 104-84-02B

The applicant, Julie Campos, is requesting a Special Use authorization to establish a small scaled yoga studio with a tiny campground on a 20-acre site. The property is zoned RU-4, Rural Growth Area D and the proposed uses fall under guest lodging, recreational services and professional services.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions:

1. At the Commercial Permit phase, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for that segment of roadway from their driveway to Highway 92 via S. Paloma Trl and Javelina Drive.

Background

The applicant is applying for a Special Use Authorization to develop their site as a retreat center providing meditation and yoga workshops with primitive tent and dome camping sites for overnight visitors. Access to the site is from Javelina Drive: a private, native surfaced roadway.

Driveway Access

Commercial uses typically require a commercial driveway apron allowing for two-way traffic (minimum 24 feet per Design Standard CC2015-2). The scale of this use; however, is residential in nature, off-peak hour, intermittent/seasonal and will likely have no more traffic impact on the site than the high end range of a residential use of the subject parcel. It is also accessing a private, native surfaced roadway, not a county-maintained facility.

It would be appropriate to apply residential driveway standards to this use, as presented in the conceptual plan. We would not object to waiving the commercial site development standards for this proposed use. If the Commission concurs, at the Commercial Permitting phase, a driveway meeting the minimum residential driveway standards (Design Standard CC205-1) should be in place. However, the applicant is encouraged to provide the

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

commercial driveway standard width and radii (Design Standard CC205-2), especially if they are newly constructing the site and intend to host visitors that might arrive in large vehicles or RV's. Because access is from a private roadway, no Right-of-Way/Encroachment Permit is required.

Traffic Analysis

The ITE Manual does not specifically address a combined use like the one proposed by this applicant. The scale is akin to a home occupation in that the applicant intends to live on the site and provide workshops, retreats and short-time frame sessions on the 20-acre site. A total of five camping sites (3 tents and 2 domes) is, on one hand, no more than expected for a holiday family gathering and, on the other hand, has potential to grow beyond this small proposal.

Trip generation, for no more than 5 recreational campsites, combined with the primary residential unit, is estimated to be 26.54 vehicle trips per day, per the *ITE Manual, 9th edition*, which is just slightly higher than the high end of one single family residential use. The yoga/meditation center, at peak use might range from 57 to 91 vehicle trips per day, per the *ITE Manual 9th edition*, but as this proposal leans towards individual use or combined with the tent camping use, is likely to be on the low end of that range and not likely every day. This use is likely to increase the trip generation from this parcel slightly beyond that of the high end of the range for a single residential unit but not during peak hours and would be intermittent in nature. Total site trip generation is likely to range from 9 to 20 vehicle trips on any given day.

This site, if built out to its full residential capacity, under current zoning, would have the potential to generate a range of 47 to 110 vehicle trips per day. This proposal is unlikely to exceed the threshold of expected vehicle trips under a residential use.

No off-site improvements will be required. A Private Maintenance Agreement, per Zoning Code 1807.02A, will need to be submitted with their first Commercial Permit application.

Applicant Guidance

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

- 🚧 The site plan is adequate to illustrate the concept for this Special Use authorization request. It will not be adequate at the Commercial Permit phase. Please add an illustration of the driveway intersection with Javelina Trail, with the sight distance triangles illustrated. Please ensure that no fixed objects, including signs and mailboxes, interfere with the clear zones.
- 🚧 This analysis is based on the conceptual plan. If the scope changes over time, a modification to the special use would be required and potentially a more detailed traffic report and/or off-site mitigation will be needed. E.g. campsite numbers increase, addition of RV spaces, daily classes on site, organized retreats for multiple participants. These types of changes would move this into more of a commercial venture than a home-based business.



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Community Development**
Planning, Zoning and Building Safety Division
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**PRIVATE MAINTENANCE AGREEMENT
JAVELINA DRIVE & PALOMA TRAIL
SU-18-05 (CAMPOS YOGA CENTER)**

Julie Campos, owner of parcel 104-84-02B, located on Javelina Drive in the Herford area; agree to participate with other property owners to maintain East Javelina Drive from the driveway of my parcel to the intersection with South Paloma Trail and from there to Highway 92, where state-maintenance begins, in a passable condition for the duration of my permitted commercial land use.

I acknowledge that the Cochise County Community Development, Public Works Department does not, and will not, maintain the access roadway to my parcel.

I acknowledge that the primary access roadways to my parcel are not currently built to a county design standard for native surfaced roadways.

I acknowledge that all-weather access is not assured to my parcel nor are any improvements planned by the Cochise County to improve wash crossings in the foreseeable future.

Signature

Date

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



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

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INTEROFFICE MEMO

Date: March 7, 2018
To: Robert Kirschmann, Planner II
From: Brad Simmons, P.E. Civil Engineer II, Highway and Floodplain
For: Joaquin Solis, P.E., Interim County Engineer
Subject: Review for Campos Special Use Permit #SU-18-05/Parcel 104-84-02B. Floodplain
Comments/Conditions/Permits.

The Cochise County Highway and Floodplain Dept. have reviewed the subject special use permit application and have found it sufficient.

Thank you for the opportunity to review and comment on the Campos Special Use Permit. The application is approved from the Floodplain Department.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 86603
520-432-8300
520-432-8337 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 86603
520-432-9300
520-432-8278 fax
1-877-777-7968
planningandzoning@cochise.az.gov

Kirschmann, Robert

From: George Castillo <GCastillo@bisbeeaz.gov>
Sent: Wednesday, March 21, 2018 1:35 PM
To: Kirschmann, Robert
Subject: RE: Docket SU-18-05 (Campos)

Good Afternoon Robert,

There has been concerns about access to that area when flooding, Our department does cover that area for EMS coverage. Not sure if any upgrades Have been done to the road or washes in that area. But other than that I have no issues.

Thanks,
Chief G.Castillo
Bisbee Fire

From: Kirschmann, Robert [mailto:RKirschmann@cochise.az.gov]
Sent: Wednesday, March 21, 2018 9:55 AM
To: George Castillo
Subject: FW: Docket SU-18-05 (Campos)

Good morning Chief Castillo,

There have been concerned expressed by members of the public that this site will be very difficult if not impossible to access during rain events. I wanted to see if your department has any concerns on this Docket.

Thank you,

Robert Kirschmann
Planner II
Cochise County Community Development
Development Services Department
1415 Melody Lane, Building E
Bisbee, AZ 85603
520-432-9248
520-432-9278 fax

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From: Kirschmann, Robert
Sent: Tuesday, March 06, 2018 10:54 AM
To: McGee, Michael S <MMcGee@cochise.az.gov>; McCoy, Randy <RMcCoy@cochise.az.gov>; Lamberton, Karen L <KLamberton@cochise.az.gov>; Murphy, Teresa <TMurphy@cochise.az.gov>; Garcia, Teresa M <TGarcia@cochise.az.gov>; Solis, Joaquin <JSolis@cochise.az.gov>; Simmons, Bradley A <bsimmons@cochise.az.gov>; Cratsenburg, Diane E <dcratsenburg@cochise.az.gov>; Flores, Dora V <DFlores@cochise.az.gov>; Orduno, Elda E <EOrduno@cochise.az.gov>; Capas, Carol <CCapas@cochise.az.gov>; 'cobfire@cityofbisbee.com' <cobfire@cityofbisbee.com>; 'mark@palominasfire.com' <mark@palominasfire.com>; 'eric.odden@dhs.gov' <eric.odden@dhs.gov>; 'info@herefordnrcd.com' <info@herefordnrcd.com>
Cc: BOS-Supervisors <BOSSupervisors@cochise.az.gov>; PNZ-Commission <PNZCommission@cochise.az.gov>; Gardner, Peter B <PGardner@cochise.az.gov>; Esparza, Paul <PEsparza@cochise.az.gov>; Coxworth, Daniel

Kirschmann, Robert

From: Capas, Carol
Sent: Wednesday, March 21, 2018 10:42 AM
To: Kirschmann, Robert
Subject: RE: Transmittal- Docket 18-05 (Campos)

Good Morning Mr. Kirschmann,

The Sheriff's Office has historically been in the midst of community vocalization during any monsoon or rain event specifically due to the area proposed not having county road coverage for maintenance. This is been a public safety issue in the past also due to residents on the interior of the location off of Paloma Trail being "trapped" by water/flooding and no access to get out for medical or personal needs (e.g. food)

If this proposed location is going to be approved for use as requested, it would most likely be appropriate for some type of legal notification of the environmental dangers during certain seasons, and/or have a method of rectifying the ingress/egress with road upgrades, etc.... (Which most likely will not occur for financial reasons)

With all of that being said, I am not sure that we (as a law enforcement entity) can deny the application legally on these grounds so perhaps that County Attorney can also weigh in with thoughts.

Hope some of this helps, and thank you for reaching out!

Let me know how it goes, and have a great day!

Cc

From: Kirschmann, Robert
Sent: Wednesday, March 21, 2018 9:57 AM
To: Capas, Carol <CCapas@cochise.az.gov>
Subject: Transmittal- Docket 18-05 (Campos)

Good morning Ms. Capas,

There have been concerns expressed by members of the public that this site will be very difficult if not impossible to access during rain events. I wanted to see if your department has any concerns or comments on this Docket.

Thank you,

Robert Kirschmann
Planner II
Cochise County Community Development
Development Services Department
1415 Melody Lane, Building E
Bisbee, AZ 85603
520-432-9248
520-432-9278 fax

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P&Z Agenda Template

6. 6.

Meeting Date: 04/11/2018

SU-93-08C Arizona Folklore Preserve

Submitted By: Paul Esparza, Community Development

Department: Community Development

Presentation: PowerPoint

Division: Development Services

NAME Paul Esparza

of PRESENTER:

TITLE Planning Manager

of PRESENTER:

Agenda Item Text:

SU-93-08C (Arizona Folklore Preserve) The applicant is requesting a Special Use Modification for SU-93-08 to expand parking and legitimize weekend music performances per Section 1716.05 of the Zoning Regulations in Hereford.

Background:

The applicant is requesting a Special Use Modification for SU-93-08 to expand parking and legitimize weekend music performances per Section 1716.05 of the Zoning Regulations. The applicant is Mike Rutherford representing the Arizona Folklore Preserve. The subject property, APN 105-46-001H, is located at 56 Folklore Trail off Ramsey Canyon Road. The time line of past actions is provided below:

- February 2003: SU-93-08B, modification request to permit additional parking and other uses denied
- November 1996: SU-93-08A, modification to permit unrestricted hours of operation and two signs.
- July 1993: SU-93-08, Special Use Permit for the Arizona Folklore Preserve.

Attachments

[SU-93-08C application](#)

[SU-93-08C petition](#)

[SU-93-08C staff memo](#)

[SU-93-08C public comments](#)



**Cochise County
Community Development**
Development Services Department

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Docket No. SU- 93-086
Date Received 3/5/18
Receipt No. 2018-001284

**SPECIAL USE AUTHORIZATION MODIFICATION REQUEST
(TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER: 105-46-001 H

PHYSICAL ADDRESS OF THE PROPERTY: 56 FOLKLORE TRAIL, HEREFORD, AZ 85615

APPLICANT: MIKE RUTHERFORD, PRESIDENT B.O.D.

CONTACT TELEPHONE NUMBER: 520-458-8961

EMAIL ADDRESS: MIKE@RDIINC.US

PROPERTY OWNER (IF OTHER THAN APPLICANT): UNIVERSITY OF ARIZONA SOUTH

PROPERTY OWNER'S MAILING ADDRESS: 1140 N. COLUMBO AVE, SIERRA VISTA, AZ 85635
ATTN: CHUCK SMITH

REQUIRED SUBMITTALS

- Special Use Authorization modification request form with all questions completely answered.
- A Site Plan in 8 1/2 "x 11" or 11" x 17" hard copy, or in jpg or pdf format.
- If the applicant is not the property owner, provide a letter from the property owner granting permission to the applicant to apply for the Special Use Authorization modification request and to act as the owner's representative.
- Any other information necessary to adequately analyze your modification request.
- Fees (\$150.00)
- Other submittals as required based on the scope of the modification request.
 - Parking and Circulation Plan
 - Hydrology/Hydraulic Report
 - Traffic Impact Analysis (TIA), Traffic Impact Statement (TIS), or Traffic Report (TR):
 - Outdoor Lighting Plan including lumen count

Development Services
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

Staff will advise you if any of the above attachments are required.

Modification Request Description

In the following sections, thoroughly describe the proposed modification(s) 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 delay in analyzing the request.

Describe proposed modification(s) to permitted uses, structures and activities on the property.

THERE ARE NO PHYSICAL CHANGES. WE HAVE THE SPACE FOR 31 ADDITIONAL PARKING SPACES. THERE WAS AN OVRSITE, WHEN THE NEW BUILDING WAS BUILT, AND NO ONE REQUESTED ADDITIONAL, APPROVED, PARKING SPACES.

Provide the following information if a change is proposed.

SATURDAY AND SUNDAY 12:00 - 4:30. OTHER DAYS AT RANDOM FOR SPECIAL EVENTS. I.E. CLASSES, MEETINGS.
Days and hours of operation: Days: _____ Hours (from _____ AM to _____ PM)

Number of employees: Current: AFP 6 Future: AFP 6

Site Plan

In order to adequately review the proposed Special Use modification(s) request on the property, a Site Plan must include at a minimum the following information:

- Parcel boundaries and adjacent roads;
- The general location, size and height of all structures and uses (existing and proposed), including minimum setbacks from parcel boundaries, washes and road travel ways;
- The general location, number, and surface of parking spaces to be provided, including ADA parking;
- Location, surface, and width of driveways;
- Proposed and existing screening and landscaping;
- Proposed and existing signs;
- Proposed and existing outdoor lighting;
- Any significant topographical features (washes, hills, rock outcroppings, wetlands) and cultural features of the property and adjacent parcels;

- If applicable, project phasing (approximate schedule of uses and construction) and any other information deemed necessary to effectively review the Special Use.

Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this Special Use modification request, and required attachments, and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Special Use Authorization.

Applicant's Signature *K.M. Rutherford*

Print Applicant's Name K.M. (MIKE) RUTHERFORD

Date signed 3-5-18



THE UNIVERSITY OF ARIZONA
Business Affairs

SENIOR VICE PRESIDENT FOR
BUSINESS AFFAIRS AND
CHIEF FINANCIAL OFFICER

Administration Building Room 712
P.O. Box 210066
Tucson, AZ 85721-0066
Ofc: 520-621-5977
Fax: 520-621-7714

Via email (PEsparza@cochise.az.gov) and
First Class Mail

Cochise County Development Services
Attn: Paul Esparza
1415 Melody Land, Bldg. E
Bisbee, AZ 85603

Re: Special Use Authorization Modification Request
Docket No. SU-93-086

Dear Mr. Esparza:

This letter serves as authorization by the Arizona Board of Regents, for and on behalf of the University of Arizona, for Mike Rutherford, Board President of Arizona Folklore Preserve, Inc. to seek a modification of the Special Use Authorization for 56 Folklore Trail, Hereford, AZ 85615, Cochise County Tax Parcel Number 105-46-001H. This authorization is limited to the Special Use Authorization Modification Request filed on March 5, 2018, and attached to this letter as Exhibit A.

Please do not hesitate to contact me if you have any questions regarding the foregoing.

Sincerely,

Gregg Goldman
Sr. Vice President for Business Affairs & Chief Financial Officer

c: Melody Buckner
Joel Hauff
Heather K. Gaines





March 5, 2018

Dear Friends and Neighbors,

My name is Mike Rutherford and I represent The Arizona Folklore Preserve. We have an existing special use authorization to conduct our business and we are looking to request modification(s) to that business located at:

56 Folklore Trail, Hereford, AZ. 85615
Parcel Number: 150-46-001H

We have been in business 26 years, I have 26 years experience with the AFP.

Our modification request will include: 31 Parking Stalls

The county requires us to go through the zoning process of acquiring a modification(s) to our special use authorization. Part of that process includes getting feedback from you, our neighbors.

You will also be receiving a letter from the county, with contact information in case of any objections to the special use modification(s) request. If you have any concerns, questions, or objections, we ask and encourage you to contact us first. We are happy to address them, and it may be something we haven't thought of that will make the Arizona Folklore Preserve that much better. We hope that this will be the start of a very cooperative relationship.

Thank You for your time and consideration. Please find my contact information below:

M. Rutherford, Pres. B.O.D.

Mike Rutherford, President B.O.D.
458-8761 (R.D.I. Office)
mike@rdiinc.us

NATURE CONSERVANCY 1510 E FT LOWELL TUCSON AZ 85719	RADIOLOGY ASSOCIATES OF THE DESI 73355 GRAPEVINE PALM DESERT CA 92260	KOLLING THOMAS JOHN & CHRISTINE 14847 S 46TH ST PHOENIX AZ 85044
MOUNT-HALL REVOCABLE TRUST 5070 N LA LOMITA TUCSON AZ 85718	THATCHER SUSAN RAE 33 E BROWN CANYON RD HEREFORD AZ 85615	DOOLEY SCOTT W & TERRI J ROSSI-DO 250 E OSO TRL HEREFORD AZ 85615
HUISH JOSEPH A & ROXANA B 1645 E KASTI TRL SIERRA VISTA AZ 85650	BAYS GEORGE N & PATRICIA A 2055 E YAQUI ST SIERRA VISTA AZ 85650	CRIMMINS DANIEL & BRIGITTE 4838 LA CANADA SIERRA VISTA AZ 85635
GRIMES JULIE L & DENNIS R 114 E RAMSEY CANYON RD HEREFORD AZ 85615	HECOX CHARLES E 39 E BROWN CANYON RD HEREFORD AZ 85615	NEWMAN REX ALLEN LIVING TRUST 8567 HAUSER CT LENEXA KS 66215
MOSES RAYMOND & PHOEBE GILLMAN 556 W FRY BLVD SIERRA VISTA AZ 85635	HOGAN SEAN C & ALLISON J 3332 YOSEMITE CT SIERRA VISTA AZ 85650	SNAPP TRUST P O BOX 254 HEREFORD AZ 85615
ROWLAND PETER D & ALLERTON SUSAN P O BOX 257 DURANGO CO 82302	SMITH ESTATE REVOCABLE TRUST 85 E RAMSEY CANYON RD HEREFORD AZ 85615	USA 711 14TH AVE STE A SAFFORD AZ 85546
KNOTT JAMES & MAUREEN KAY XXX 71 E ELLE LN HEREFORD AZ 85615	SCUDDER LISA M & GREG S 196 RAINBOW DR APT 9665 LIVINGSTON TX 77399	CARLSON ROBERT H & SUSAN S P O BOX 1867 SITKA AK 99835
GRIFFIN GAIL REVOCABLE LIVING TRU PO BOX 10 HEREFORD AZ 85615	NEWMAN DON O & BETTY L REV LIVIN 181 RAMSEY CANYON RD HEREFORD AZ 85615	CLOSE SALLY E 58 E RAMSEY CANYON RD HEREFORD AZ 85615
BONDURANT ALAN B & MELISSA 89 RAMSEY CANYON RD HEREFORD AZ 85615	STOCK MARGARET J 851 CATALINA DR SIERRA VISTA AZ 85635	FAIRFIELD PATRICK S & PAMELA S 64 E RAMSEY CANYON RD HEREFORD AZ 85615
HUNN BRUCE P & NANCY S MEHAFFIE 18 FARRENKOPF LN THOMPSON FALLS MT 59873	SWENSON EDMUND C PO BOX 1180 HEREFORD AZ 85615	GABBERT HAROLD E JR & JUDY E 76 E RAMSEY CANYON RD HEREFORD AZ 85615

WITSCHI WILLIAM A & DONNA C J
68 E FOLKLORE TRL
HEREFORD AZ 85615

HUMPHREY ALAN J & VICTORIA M REV
237 E OSO TRL
HEREFORD AZ 85615

SMITH-ROSSI FAMILY TRUST
2342 E KACHINA TRL
SIERRA VISTA AZ 85650

DESANTIS LIVING TRUST
31 E RAMSEY CANYON RD
HEREFORD AZ 85615

SULLIVAN PATRICK H & LISA LEE
35 RAMSEY CANYON
HEREFORD AZ 85615

CERUTTI-FINCH IRREVOCABLE TRUST
6110 E INDIGO SKY RD
HEREFORD AZ 85615

KUHN MARGARET ANN REVOCABLE T
9981 S PALOMINAS RD
HEREFORD AZ 85615

BAYS GINA M
195 E RAMSEY CANYON RD
HEREFORD AZ 85615

ELLIS ROSE
44 RAMSEY CANYON RD
HEREFORD AZ 85615

LEITNER PATRICIA A & WADE A
1805 S CEYLON PL
TUCSON AZ 85748

TOMBSTONE CITY OF
P O BOX 339
TOMBSTONE AZ 85638

MORIAH KAREN
14065 S CHINO PL
TUCSON AZ 85736

BELOKA LLC
1805 S CEYLON PL
TUCSON AZ 85748









A Petition of the Arizona Folklore Preserve
 To Cochise County Planning and Zoning Commission

We the undersigned are fully in support of the Arizona Folklore Preserve to continue to operate as they have for the past 17 years in the new building. The above support includes, but is not limited to parking spaces for the customers, hours of operation, and University of Arizona Sierra Vista use during the week.

Name (printed)	(signature)	Address	Date
Larry R. Gandy, Jr	<i>[Signature]</i>	1783 San Gabriel St AZ 85635	31 MAR 18
<i>[Signature]</i>	<i>[Signature]</i>	4305B Avenida Palermo So. AZ 85605	30 MAR 18
Kathy Garrett	<i>[Signature]</i>	662 S Little Bear Trail 85635	30 March 18
Jeanine Johannes	<i>[Signature]</i>	364 Camino Bella Rosa 85650	03/30/18
Lawrene O'Reall	<i>[Signature]</i>	2670 Meadowbrook Circle SV 85650	" "
Randi Williams	<i>[Signature]</i>	690 S. Little Bear Trl. Vista, AZ 85635	" "
Paul A. Lewis	<i>[Signature]</i>	" " " " " "	" "

A Petition of the Arizona Folklore Preserve
 To Cochise County Planning and Zoning Commission

We the undersigned are fully in support of the Arizona Folklore Preserve to continue to operate as they have for the past 17 years in the new building. The above support includes, but is not limited to parking spaces for the customers, hours of operation, and University of Arizona use during the week.

Name (printed) (signature)	Address	Date
ELIZABETH HOPKINS 	4445 S. CALLE ENCINA SIERRA VISTA AZ 85650	3-31-18
I Stephen D'Neil 	2670 Meadowbrook Ln Sierra Vista. AZ 85650	31 MARCH 18
Patricia Letto 	3100 E. Keeling Rd. Hereford, ARIZONA 85615	3-31-18
HOWARD L. BECKER 	6538 S. Punion Dr 85615 Hereford Az	3-31-18
CORNELIA M JEFFERSON Cornie Jefferson	6876 S PUEBL LN HEREFORD, AZ 85615	3/31/18
Frances Richmond Frances Richmond	11 Spring Canyon Bisbee, AZ 85603-0143	3/31/18
Theresa B. Bind 	1359 SAN SUMER DR SV. AZ 85695	3/31/18
Loetha Kanton 	200 E Arcade ST RD Hereford AZ	3/31/18
Gerlinda et Ray Gauer	1783 San Gabriel S.V	11 "

A Petition of the Arizona Folklore Preserve
 To Cochise County Planning and Zoning Commission

We the undersigned are fully in support of the Arizona Folklore Preserve to continue to operate as they have for the past 17 years in the new building. The above support includes, but is not limited to parking spaces for the customers, hours of operation, and University of Arizona use during the week.

Name (printed) (signature)	Address	Date
Sarah Holcombe <i>Sarah Holcombe</i>	5236 Calle Coro Sierra Vista, AZ 85650	3-31-18
Richard Thompson <i>Rich Thompson</i>	3069 Solano Dr Sierra Vista AZ 85635	03-31-18
Juanita Sue Weston <i>Juanita Sue Weston</i>	9382 Murietta Way, Sierra Vista, AZ 85650	03-31-18
Robert M. Morton <i>Robert Morton</i>	9382 Murietta Way, Sierra Vista, AZ	3-31-18
Neta Geske <i>Neta Geske</i>	2301 Ironmaster St. Sierra Vista AZ	3-31-18
Wanda Nijares <i>Wanda Nijares</i>	2544 E. Kalispell Sierra Vista AZ	3-31-18
Steven Ferguson <i>Steve Ferguson</i>	4077 S. Nevada Dr. SV, AZ 85650	3-31-18
Katherine Drake <i>Katherine Drake</i>	4061 S. Chudaskin Ct. SV. 85650	3-31-18
John Tams <i>John Tams</i>	230-C S. Paseo Santa Green Valley AZ 85614	3-31-18
<i>John Tams</i>		

A Petition of the Arizona Folklore Preserve
 To Cochise County Planning and Zoning Commission

We the undersigned are fully in support of the Arizona Folklore Preserve to continue to operate as they have for the past 17 years in the new building. The above support includes, but is not limited to parking spaces for the customers, hours of operation, and University of Arizona use during the week.

Name (printed) (signature)	Address	Date
Melvinda S. Sillman MELISSAE L. SHERMAN	1050 E. SUMMERS DR, ST. AVILA, AZ, 85630	3/31/18
Cynthia Sauter Cynthia Sauter	1716 Piccadilly Ln, Sierra Vista AZ 85635	3/31/18
MIKE L. BRAD Mike L. Brad	1359 San Simeon Dr Sierra Vista AZ 85635	3/31/18
MICHAEL VONNET Michael Vonnet	704 S. LAZY BEAVER WAY SIERRA VISTA	3-3-18
LINDA VANEK Linda Vaneck	SIERRA VISTA, AZ 704 S. LAZY BEAVER WAY	4/1/18
Janice Sogum Janice Sogum	1402 1/2 Sherman CC CO FT Huachuca QZ	4/1/18
DUSTY K PRICE Dusty K Price	1645 BRADDOCK DR SIERRA VISTA, AZ 85635	04/01/18
KINDA STEIGERS KINDA STEIGERS	1286 Carmelita Drive SV AZ 85635	04/01/18
GARY C. WILKINSON GARY C. WILKINSON	P.O. BOX 688 TOMBSTON AZ 85638	4/1/18

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 To Cochise County Planning and Zoning Commission

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Name (printed) (signature)	Address	Date
LARRY M. ... LARRY M. ...	3641 Camino ... Bella Vista SV	3/31/18
Evelyn Fortney Allynda Fortney	10838 S. ... Henderson	3/31/18
The Arthur Family	101 A. ... Tucson	3-31-18
Arthur ... Arthur ...	3580 S. ... Tucson AZ 85700	4-1-18
Susan A. ... Susan A. ...	1640 ... Tucson AZ 85700	4/1/18
WILLIAM SCOTT JOHNSTON William ...	11235 E. ... Tucson, AZ 85744	4/1/18
SHARON HEIKKINEN Sharon Heikkinen	5190 VIA DE ... SIERRA VISTA, AZ 85635	4-1-18
GARY E. LARSON	3510 E. Navaho St. SV 85650	4/1/18
Dittie Lee Larson	3510 E. Navaho St. SV 85650	4/1/18

[Handwritten mark]

A Petition of the Arizona Folklore Preserve
 To Cochise County Planning and Zoning Commission

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Name (printed) (signature)	Address	Date
Loretta A. Hartze <i>Loretta A. Hartze</i>	4244 S. BOTTLE BRUSH LN SIERRA VISTA AZ 85565	3-31-18
LESLIE CARLSON <i>[Signature]</i>	3752 E MUSTANG TRAIL 85615	3-31-18
Gregory Sherman <i>Gregory Sherman</i>	1050 Summers Ln St David AZ 85633	3-31-2018
Terry D. Coakley <i>Terry D. Coakley</i>	7250 BURNSIDE DR SE 4701 Sierra Vista AZ 85635	3-31-18
Mary B. Boyle <i>Mary B. Boyle</i>	P.O. Box 3353 SV, AZ 85636	3-31-18
NANCY J. SHAW <i>Nancy J. Shaw</i>	7400 GARDEN AVENUE #30 LITTLETON CO 80123	4-1-18
Kerone R. ... <i>[Signature]</i>	PO Box 36438 Tucson AZ	4-1-18
Tim Mc Guire <i>[Signature]</i>	230 E WINDMILL RD.	4-1-18
Dave Cunningham <i>[Signature]</i>	3605 E OJIBWA ST Sierra Vista AZ	4/1/18

A Petition of the Arizona Folklore Preserve
 To Cochise County Planning and Zoning Commission

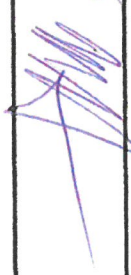
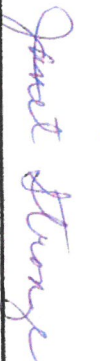
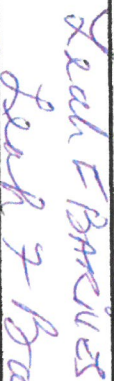

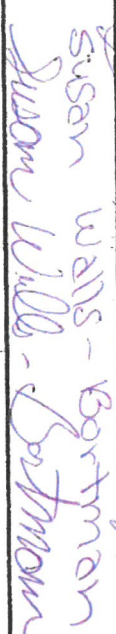
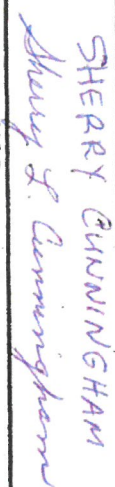
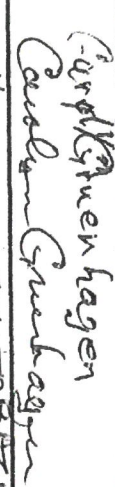
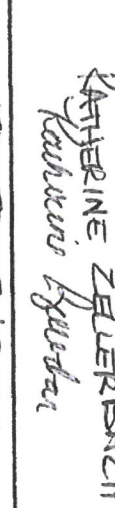
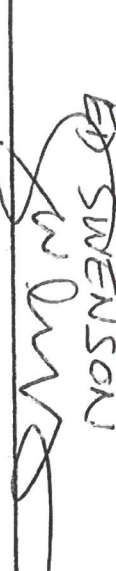
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Name (printed) (signature)	Address	Date
NORMA S MURRAY <i>Norma Murray</i>	2724 Montano Dr. SV AZ 85650	4-1-18
Melvin Savage	1286 Carmelita Drive	4-1-18
<i>Paula Jones</i>	13517 S. Bright Sky Blvd 85621	4-1-18
<i>Debra St</i>	1807 Belle Vista Sierra Vista 85735	4-1-18
Naomi and SEPTOFF	3660 N. Four Winds Dr. Tucson 85750	4-1-18
MIKE SEPTOFF	3660 N FOUR WINDS DR TUCSON 85750	4-1-18
MARIO SCHULZ	7697 E. AZHAMBRA DR.	4-1-18
<i>Mario Schulz</i>	SIERRA VISTA, AZ 85650	4-1-18
R. Gail Schultz	7697 E. Alhambra Dr.	04/01/18
<i>R. Gail Schultz</i>	Sierra Vista Az 85650	04/01/18
WALTER SHAW	7400 Grant Ranch Blvd #38 Littleton CO 80123	04/01/18
<i>Walter Shaw</i>		

A Petition of the Arizona Folklore Preserve

To Cochise County Planning and Zoning Commission

We the undersigned are fully in support of the Arizona Folklore Preserve to continue to operate as they have for the past 17 years in the new building. The above support includes, but is not limited to parking spaces for the customers, hours of operation, and University of Arizona use during the week.

Name (printed) (signature)	Address	Date
MIKE STRANGE 	4231 PASEO QUIETO SUITE A VISNA, AZ 85635	4/11/18
Janet Strange 	4231 Paseo Quieto SV ⁸⁵⁶³⁵	4/11/18
Deak E BARKER 	1577 Skyline HWY Llano Vista AZ 85635	4/11/18
BRUCE N Anderson 	1268 SW Rimrock Way Redmond OR 97752	4/11/18
Susan Wills - Bortman 	7827 smooting star Lane Hereford, AZ 85615	4/11/18
SHERY GUNNINGHAM 	3605 E. Ojibwa St. Siema Vista, AZ 85650	4/11/18
Carroll Gruen hagen 	1640 Duffwood Ct SV 85635	4/11/2018
KATHERINE ZELERBACH 	1077 EAST RAMSEY CANYON RD HEREFORD 85615	4/11/18
ED SWENSON 	63 E ELLIE LANE HEREFORD 85615	4/11/18

A Petition of the Arizona Folklore Preserve
 To Cochise County Planning and Zoning Commission

We the undersigned are fully in support of the Arizona Folklore Preserve to continue to operate as they have for the past 17 years in the new building. The above support includes, but is not limited to parking spaces for the customers, hours of operation, and University of Arizona use during the week.

Name (printed) (signature)	Address	Date
Jill Bachman <i>Jill Bachman</i>	5901 E. Hatcher Creek Ct. Flagstaff AZ 86015	4/1/18
Beth Fera <i>Beth Fera</i>	1030 S. Borel Cactus Rd. #71 Benson AZ 85602	4/1/18
Peter McLaughlin <i>Peter McLaughlin</i>	4275 E. Coronado Dr. Tucson AZ	4/1/18
Tyler Mills <i>Tyler Mills</i>	519 W. Menow Dr. AZ, #2 85027	4/1/18
Mark Miracue <i>Mark Miracue</i>	12002 N. 30th St. Phoenix AZ 85086	4-1-18
Linda Moran <i>Linda Moran</i>	5857 S. Pickett Pl. Sierra Vista, AZ	4-1-18



Cochise County Community Development

Development Services

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

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Paul Esparza, AICP, Planner Manager
FOR: Dan Coxworth, AICP, Development Services Director
SUBJECT: Docket SU-93-08C (Arizona Folklore Preserve)
DATE: March 28, 2018 for the April 11, 2018 Meeting

APPLICATION FOR A SPECIAL USE MODIFICATION

The Applicant is requesting a Special Use Modification to expand parking and legitimize weekend music performances per Section 1716.05 of the Zoning Regulations. The applicant is Mike Rutherford representing the Arizona Folklore Preserve. The subject property, APN 105-46-001H, is located at 56 Folklore Trail off Ramsey Canyon Road.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 4 Acres
Zoning: RU-4 (Rural; one dwelling per 4 acres)
Growth Area: Category D-Rural Area
Comprehensive Plan Designation: Rural
Area Plan: None
Existing Uses: Cultural, Historic and Nature Exhibits
Proposed Uses: Same as existing with expanded parking and weekend music performances.

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Vacant
South	RU-4	Vacant
East	RU-4	Single Family Residence
West	RU-4	Single Family Residence

Bisbee Office
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

February 2003: SU-93-08B, modification request to permit additional parking and other uses denied
 November 1996: SU-93-08A, modification to permit unrestricted hours of operation and two signs.
 July 1993: SU-93-08, Special Use Permit for the Arizona Folklore Preserve.

On July 6, 1993, the Board of Supervisors approved the Special Use Permit submitted by Dolan Ellis to establish a cultural, historic and nature exhibit on a 14.99-acre parcel. The original application and site plan for the Arizona Folklore Preserve requested approval to construct a 2,900 square foot building for the Folklore Center, which would house a small auditorium, museum and book store/gift shop. The principal use of the Preserve was to collect and house items relating to Arizona history and folklore with an emphasis on southeastern Arizona. At the time of application Mr. Ellis indicated that the Preserve would allow limited visitation and parking and that it would have a very low impact on neighboring properties. Two individuals would be employed at the preserve, a manager and a caretaker and the hours of operation were proposed to be from 10:30 a.m. to 4:30 p.m., five days a week.

Several conditions of approval were imposed on this special use permit to mitigate associated off-site impacts. These included restricting to 10% the total floor area devoted to retail sales; all parking areas and internal drives shall be improved with a dust free gravel surface; only 13 parking spaces will be allowed on-site to limit the number of people that can access the facility at any given time; and the hours of operation were limited to 10:30 a.m. to 4:30 p.m. five days a week.

In November of 1996, Mr. Ellis applied for and was granted several modifications to the original special use permit. These included: deleting the condition that restricted the hours of operation (the hours of operation are currently unrestricted); allowing an on-site advertising sign depicting hours of operation; and allowing two ground signs with a five-foot setback.

Since the original special use permit for the Preserve was approved, several changes have occurred. First, a partnership was formed between the Preserve and the University of Arizona South, and the University Foundation of Sierra Vista, Inc. As a result, the University Foundation of Sierra Vista, Inc. owned the facilities on-site and the four acres of land. The U of A South signed a five-year lease agreement with the University Foundation and eventually took ownership of the 4-acre parcel.

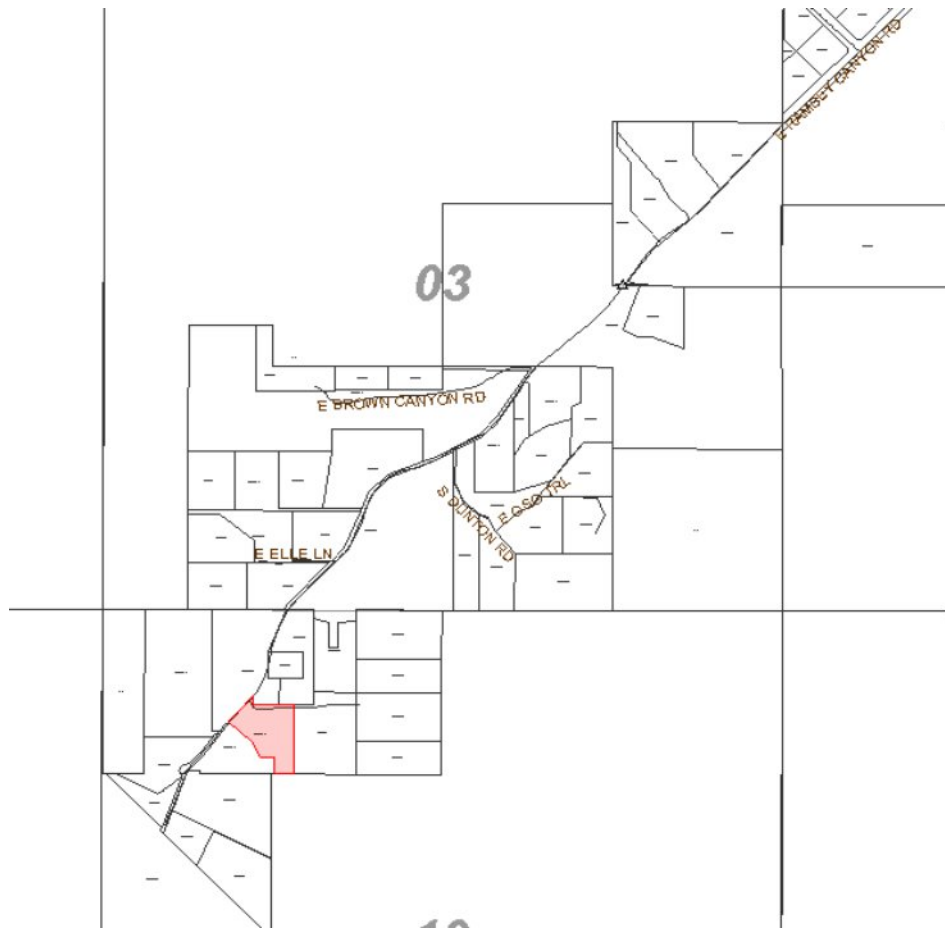
When the special use was approved, the parcel was 14.99 acres in size and an overall analysis of the impacts of the facility onto adjoining properties was based upon that acreage. The original applicant and previous property owner Dolan Ellis split the 14.99 acres into 3 parcels and the Preserve is now 4 acres in size.

The original special use was conditioned that no more than 13 parking spaces be provided onsite, that was the minimum number of spaces required for the original use by the Zoning Regulations at that time.

III. NATURE OF REQUEST

This is an application to modify Special Use Permit SU-93-08 approved by the Board of Supervisors on July 6, 1993 that established the Arizona Folklore Preserve (§ 607.33 - Cultural, Historic and Nature Exhibits). The applicant is requesting two modifications to the original application to expand the on-site parking and legitimize weekend music performances that normally occur 44 weekends a year. The typical season begins the last weekend in August or the first weekend in September and runs through the closest weekend to the Fourth of July. The two weekend performances are typically not at full capacity, but reservations are capped for each show.

Additional uses at the facility include University meetings and retreats or related activities that are educational in nature and have been determined by county staff to be permissible accessory uses.



Location Map



Photo of Folklore Preserve Building and Parking Area



Aerial Photo



Parking Area

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten criteria to evaluate Special Use applications and determine factors in favor and factors against a special use.

Seven of the ten criteria are applicable and are considered as factors in deciding whether or not to approve the expansion of this Special Use Permit and to apply conditions as necessary. The three remaining criteria are not applicable to this request.

A. Compliance with Duly Adopted Plans: Complies

The Arizona Folklore Preserve site is in a Category D, Rural designation area with surrounding residential uses on larger lots. The Land Use and Rural Character Elements encourage low impact land uses. The Folklore Preserve site is a low impact use on the land as it sits unoccupied most of the time. The site has minimized hard surface areas which decreases negative runoff into Ramsey Creek.

B. Compliance with the Zoning District Purpose Section: Complies

601.01 To preserve the character of areas designated as "Rural" in the Cochise County Comprehensive Plan;

601.02 To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living;

601.04 To provide space for people, minimize traffic congestion, and preserve the existing rural environment of unincorporated areas of the county situated outside of existing communities; and

601.06 To protect the quality of the natural environment as it relates to safeguarding the health, safety and welfare of the people in Cochise County.

The Arizona Folklore Preserve site is compatible with the above zoning district purpose statements.

The nature of the Arizona Folklore Preserve is to provide a facility to collect and house items relating to Arizona history and folklore. The applicant wishes to legitimize the weekend music performances that have become part of the Folklore Preserve appeal to the public.

C. Development Along Major Streets: Not Applicable

The property takes access from Ramsey Canyon Road, a public, paved and county-maintained road. No new access points are being proposed.

D. Traffic Circulation Factors: Complies

In the original parking condition, the Preserve was capped at 13 parking spaces to limit the number of people that may visit the facility at any given time. Most of the traffic on Ramsey Canyon Road travels to other commercial uses located further into Ramsey Canyon. These uses include the Nature Conservancy and a bed and breakfast. Analysis of the original special use estimated that a majority of traffic traveling on Ramsey Canyon Road would be from visitors to the bed and breakfast and the Nature Conservancy. The Nature Conservancy receives an estimated 30,000 visitors per year. Although the Preserve has become more popular since the University of Arizona South has taken ownership of the site, it is a fair assumption that the majority of traffic on Ramsey Canyon Road is still traveling to the Nature Conservancy.

The requested increase of parking spaces will minimally increase the amount of traffic generated by the Preserve on Ramsey Canyon Road. The music performances and additional parking utilization will occur during the hours of 1:00 PM-4:30 PM Saturdays and Sundays. This is when most vehicle trips per weekend day are generated to and from the site.

Fry Fire reduced the occupant load for the main structure to 55 from 100. The change is due to the table seating that is currently provided as opposed to the row seating that was proposed when the structure was constructed.

E. Adequate Services and Infrastructure: Complies

Adequate services and infrastructure are available to the site. Water is provided by a well and a septic system serves the site. The Fry Fire District provides fire protection. Ed Shiver did visit the site to review conditions that had been requested of the applicant in 2003. The conditions have been addressed including verifying with the contractor who built the bridge that it can sustain the weight of a fire engine.

F. Significant Site Development Standards: Complies

As mentioned in this report, the parcel is now 4 acres as opposed to the original 14.99 acres. The facility and structures on the site that currently exist meet site development standards. The site does not lie within a FEMA designated floodplain.

G. Public Input: Does not Comply

The Applicant mailed letters to all property owners within 1 mile of the Folklore Preserve to notify them of his application submittal. The applicant has spoken to two adjacent property owners who are in favor of the request. Development Services mailed letters to all property owners within 1 mile of the Preserve. To date, four letters and one email of opposition have been received by the department. The concerns raised in the opposition letters mention noise and traffic congestion.

H. Hazardous Materials: Not Applicable

I. Off-Site Impacts: Complies.

Most of the concerns related to the current off-site impacts and the potential to increase negative off-site impacts if the use expands as proposed have been generated by neighboring property owners who have mentioned noise and traffic congestion.

There is a mixture of residential and non-residential uses in this area. The expansion of the Preserve and the addition of parking spaces for the weekend music performances would generate minimal impacts and would not degrade the overall character of Ramsey Canyon. The existing Nature Conservancy use further up Ramsey Canyon generates greater traffic impacts during the week.



Nature Conservancy Parking lot on a Monday morning

J. Water Conservation: Not Applicable

No new water use is proposed.

V. PUBLIC COMMENT

The Development Services Department mailed notices to neighboring property owners within 1 mile of the subject property. Staff posted the property on March 26, 2018 and published a legal notice in the *San Pedro Valley News-Sun* on March 21, 2018. In response to applicant and County mailings, the Development Services Department has received to date, four letters and one email in opposition to the modification request.

VI. SUMMARY AND CONCLUSION

In summary, the Arizona Folklore Preserve is requesting an increase in permitted parking and to legitimize the weekend music performances that have been occurring since Mother’s Day 2001. The amount of permitted parking is self-limiting based on the occupancy load of 55 for the main building.

The University of Arizona South is currently permitted to utilize the site for retreats and meetings or related activities that are educational in nature which are permissible accessory uses.

Factors in Favor of Approving the Special Use

1. The proposed uses are compatible with the RU Zoning Districts purpose statements.
2. The weekend music performances are compatible with the existing use as a Cultural, Historic and Nature Exhibit.
3. The additional parking spaces can be adequately accommodated on the site.
4. The current occupancy load of 55 imposed by Fry Fire will limit of number people that can utilize the main building at any time.
5. Expansion of this use does not degrade the overall character of Ramsey Canyon.
6. The applicant received two verbal approvals of the request.

Factors Against Allowing the Special Use

1. The original Special Use Permit was approved for a parcel that was 14.99 acres. The use is now on a parcel that is 4 acres.
2. Expansion of this use will minimally increase the amount of traffic on Ramsey Canyon Road.
3. Four letters and one email in protest have been received.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Approval** of the Special Use Modification request for an increase in permitted parking and to legitimize the weekend music performances, subject to the following Conditions:

1. Within 30-days of approval of the Special Use modification, the Applicant shall provide the County a signed Acceptance of Conditions form.
2. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval by the Planning and Zoning Commission.

Note: The recommended conditions will supersede any previous conditions that are attached to this Special Use if the Commission approves this Special Use modification request.

Sample Motion: *Mr. Chairman, I move to approve Special Use Modification SU-93-08C, with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

VIII. ATTACHMENTS

- | | |
|-------------------------|---------------------------------|
| A. Application | D. Site Plan |
| B. Agency comment memos | E. Pictures |
| C. Vicinity Map | F. Letters and email in protest |

Planning and Zoning Commission
1415 Melody Lane Bldg. G
Bisbee, Arizona 85603

March 31, 2018

To whom it may concern:

I am writing this letter in support of the *Arizona Folklore Preserve* and its request for a change in the parking restrictions that currently exist. The current parking restrictions were put into place many years ago to accommodate the public's visitation to the "Moffet House"

Since that time, construction of a new building was approved by *Cochise County Planning and Zoning* and the new building has been completed and it is open for visitation.

The increased seating in the new building was approved by *Cochise County Planning and Zoning*, but the additional parking to accommodate that increased seating has never been granted. It seems only right and appropriate that the *Arizona Folklore Preserve* be granted the proper parking to accommodate the county's approved seating increase.

I am asking that *Cochise County Planning and Zoning* approve the *Arizona Folklore Preserve's* request for the additional parking that it logically needs and so deserves. If *Cochise County Planning and Zoning* granted the *Arizona Folklore Preserve* permission to build its new building with its expanded seating, then it seems only logical that it should grant the appropriate parking to accommodate the increased visitation that was approved.

Thank you,

Dolan Ellis

Arizona Folklore Preserve Founder
Arizona's Official State Balladeer

MAR 28 2018

PLANNING

Special Use Docket SU-93-08C (AFP)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

Blank lines for providing reasons for supporting the request.

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

SEE EXHIBIT "A"

Blank lines for providing reasons for not supporting the request.

(Attach additional sheets, if necessary)

PRINT NAME(S): PETER D. ROWLAND AND SUSAN E. ALLERTON

SIGNATURE(S): Peter D. Rowland
Susan E. Allerton

YOUR TAX PARCEL NUMBER: 105-42-007A (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 Wednesday, March 28, 2018 to be included in the staff report to the Commission 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 Paul Esparza at the contact information listed on page one by April 10, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on April 11, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Paul Esparza, Planning Manager
Cochise County Development Services Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

EXHIBIT "A"

SPECIAL USE DOCKET (SU-93-08C)(AFP)

COCHISE COUNTY

MAR 28 2018

PLANNING

WE DO NOT SUPPORT THIS REQUEST. WE DO NOT WANT ANY EXPANDED USE OF THIS PROPERTY. THIS IS A RURAL RESIDENTIAL AREA AND WE VALUE THE SOLITUDE OF RAMSEY CANYON. DURING THE LAST 10 YEARS, THERE HAS BEEN A MAJOR INCREASE IN RECREATIONAL USE OF RAMSEY CANYON RD. BY PEDESTRIANS AND BICYCLES. WE DO NOT THINK IT IS APPROPRIATE TO ENCOURAGE MORE VEHICLE USE OF UPPER RAMSEY CANYON RD.

MR. RUTHERFORD'S LETTER SAYS "OUR MODIFICATION REQUEST WILL INCLUDE 31 PARKING STALLS. THIS IMPLIES THERE ARE OTHER ITEMS NOT MENTIONED IN THE MODIFICATION. WHY AREN'T THEY SPECIFIED?"

THE COCHISE COUNTY LETTER SAYS THIS MODIFICATION WILL CONSIDER CURRENTLY HELD SPECIAL EVENTS THAT ARE OUTSIDE OF THE PERMITTED ACTIVITIES. IF THE FELLCORE PRESERVE HAS BEEN OPERATING IMPROPERLY UNDER ITS CURRENT PERMIT WHY REWARD THAT BEHAVIOR. THEY MAY JUST CONTINUE WITH ANOTHER EXPANSION OF USE. WE FURTHER BELIEVE THAT ALL ACTIVITIES PERMITTED SHOULD BE FOR INDOOR EVENTS ONLY.

WE WOULD LIKE TO PROTECT RAMSEY CANYON'S NATURAL VALUES. WE CHOSE TO LIVE HERE BECAUSE OF THE BEAUTIFUL NATURAL SETTING AND ITS WILDLIFE. VISITORS TO THE CANYON HAVE THE OPPORTUNITY TO ENJOY AND APPRECIATE THESE SAME THINGS. TRAFFIC WITH ITS ASSOCIATED NOISE AND DISTURBANCE HAS A NEGATIVE IMPACT ON THE ENJOYMENT AND SAFETY OF THIS EXPERIENCE. PLEASE DON'T LET UNCHECKED DEVELOPMENT OF A COMMERCIAL NATURE DESTROY THESE VALUES.

Pete D. Rawland
Susan E. Johnston

Special Use Docket SU-93-08C (AFP)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

See enclosed

Sorry I am late but was visiting
a dying California friend for 10 days last
week.

(Attach additional sheets, if necessary)

PRINT NAME(S):

SALLY CLOSE

SIGNATURE(S):

Sally Close

YOUR TAX PARCEL NUMBER: _____ (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 Wednesday, March 28, 2018 to be included in the staff report to the Commission 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 Paul Esparza at the contact information listed on page one by April 10, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Paul Esparza, Planning Manager
Cochise County Development Services Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

HERALD

Online archives from Sierra-Vista

February 13, 2003

Commission denies folklore preserve's permit request: Decision comes after panel told Ramsey Road too narrow for traffic

BY DIANE SAUNDERS

HERALD/REVIEW

BISBEE - Until Ramsey Canyon Road is widened, a special-use permit limiting parking at the Arizona Folklore Preserve will remain unchanged.

That was the outcome of a lengthy Cochise County Planning and Zoning Commission meeting Wednesday night. After hearing three hours of comments for and against increasing the parking limit at the preserve, the commission voted 7-1 to not modify the preserve's 1993 special-use permit, which limits parking to 13 vehicles.

Commissioner Jim Martzke voted against denying a modification of the existing special use, and Commissioner Nancy McAvoy was not present at the meeting.

The Folklore Preserve, owned by the University Foundation of Sierra Vista and operated by the University of Arizona South, sought to have parking at the four-acre facility in Ramsey Canyon increased from 13 spaces to 30. The increased parking was sought to allow the preserve to accommodate people who come for educational and cultural activities, said Randy Groth, UAS dean.

After hearing about alleged violations of the special-use permit, including tour buses unloading tourists on Ramsey Road and private driveways being blocked, most of the commission members said they based their vote on fire safety issues.

Fry Fire District Fire Chief Hubert Jackson said Ramsey Canyon Road is too narrow in the area near the preserve to allow two fire trucks to pass each other. In addition, a single narrow entry road to the preserve exists, adding to the difficulty of fighting a fire at the preserve and its folklore center building.

"With the one driveway situation, you're going to have people leaving and us trying to get in," Jackson said.

The Folklore Preserve originally had two roads for ingress and egress, but one of the roads was washed out during the summer stormy season, leaving only narrow, unpaved

access to and from the property.

Dolan Ellis, Arizona's state balladeer and a neighboring property owner, agreed to keep his driveway open during the preserve's business hours to allow another route onto the preserve grounds.

Fry Fire Department revised its maximum capacity for the auditorium in the preserve's approximately 3,000-square-foot building. The fire department originally set the maximum at 100 people, based on stadium seating. However, because seating is arranged at small round tables, fire department officials have set the maximum at 55.

Groth said that although stadium seating would accommodate 100, UAS will set the maximum at 70 when stadium seating is used in the auditorium. The number does not include the number of people on the grounds or elsewhere in the building.

Jana Flagler, attorney for Fry Fire District, said the capacity set by Fry Fire District is mandatory. In addition, she said the fire district would support increasing the parking to 30 spaces if Ellis' driveway gate remains open and the driveway is unobstructed until June 1, when a new road is expected to be completed, Flagler said.

Ellis originally owned 15 acres in Ramsey Canyon. He obtained the special-use permit in 1993 and opened the preserve in 1996. In July 1999, the preserve's board of directors voted to donate four acres to the University Foundation of Sierra Vista.

UAS entered into a five-year lease agreement with the foundation. UAS will own the preserve at the end of five years. Its use will be governed by the Arizona Board of Regents, Groth said.

Groth also said that most of the traffic on Ramsey Canyon Road is generated by The Nature Conservancy's Ramsey Canyon Preserve, a popular bird-watching and hiking facility.

The Folklore Preserve had 5,000 visitors last year, while Ramsey Canyon Preserve had 30,000, he said.

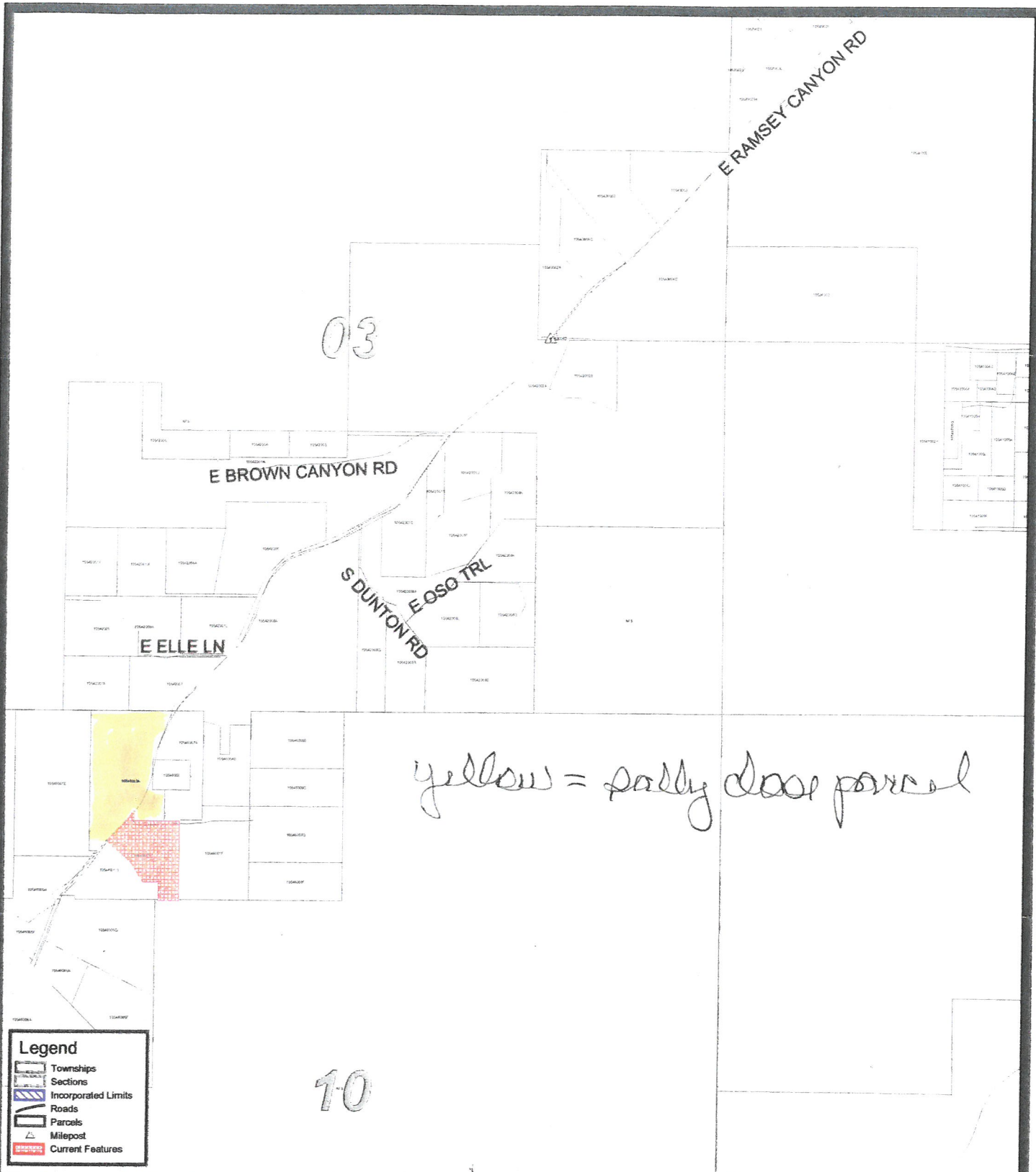
During the meeting, several area residents said they were concerned the Folklore Preserve would someday expand its mission from cultural, historical and educational activities to include other events.

"There's not going to be an expanded mission at this facility," Groth said.

UAS has 15 days in which to appeal the commission's decision to the county Board of Supervisors. Groth said that while he is disappointed in the commission's decision, he is not sure if he will file an appeal.

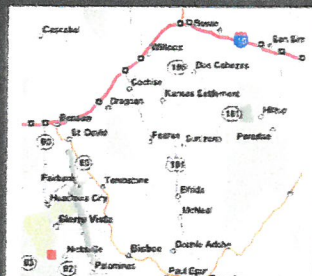
HERALD/REVIEW reporter Diane Saunders can be reached at 458-9440 Ext. 111.

Enter search word(s):



Legend

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Arizona Folklore Preserve
 Location Map
 APN 105-46-001H

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

Special Use Docket SU-93-08C (AFP)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Do not want additional traffic congestion & noise. People walking on to private property.

(Attach additional sheets, if necessary)

PRINT NAME(S): Patrick Fairfield Pamela Fairfield

SIGNATURE(S): *Patrick S. Fairfield* *Pamela Fairfield* *64 E Ramsey Canyon*

YOUR TAX PARCEL NUMBER: 105-46-002 7 (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 Wednesday, March 28, 2018 to be included in the staff report to the Commission 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 Paul Esparza at the contact information listed on page one by April 10, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Paul Esparza, Planning Manager
Cochise County Development Services Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY
MAR 26 2018
PLANNING

Special Use Docket SU-93-08C (AFP)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Please see attached sheet.

(Attach additional sheets, if necessary)

PRINT NAME(S):

David Mount, Jennifer Hall

SIGNATURE(S):

David Mount
Jennifer D. Hall

120 E Ramsey Canyon

YOUR TAX PARCEL NUMBER: *10542002B* (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 Wednesday, March 28, 2018 to be included in the staff report to the Commission 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 Paul Esparza at the contact information listed on page one by April 10, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

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COCHISE COUNTY

MAR 23 2018

PLANNING

Opposition to the request (David Mount, Jennifer Hall):

We are strongly opposed to the addition of more parking spaces at the folklore center. Ramsey Canyon Road is primarily rural/residential, and we would like to see this existing neighborhood character preserved as much as possible. The request for additional parking would likely increase traffic and noise along the road and would not be compatible with this goal. Thank you for listening and for taking our opinion into account.

Esparza, Paul

From: McGinnis, Cristina
Sent: Wednesday, March 28, 2018 11:04 AM
To: Esparza, Paul
Subject: FW: Docket# SU-93-08C Arizona Folklore Preserve , non support of change request, special use authorization ,

-----Original Message-----

From: Susan Carlson <susancarlson@gmail.com>
Sent: Wednesday, March 28, 2018 9:57 AM
To: Planning and Zoning <planningandzoning@cochise.az.gov>
Subject: Docket# SU-93-08C Arizona Folklore Preserve , non support of change request, special use authorization ,

Dear Mr. Esperanza,

We are homeowners at 41 Ramsey Canyon Rd., Hereford, directly across from the Arizona Folklore Preserve, and also landowners of a 4 acre undeveloped parcel on Folklore Trail, the same access road for the Arizona Folklore Preserve. We are writing regarding our non support of the recent request from the Arizona Folklore Preserve to significantly modify their special use authorization.

Most unfortunately, we only learned of this request last evening. We have been living in our home at 41 Ramsey Canyon Road, and suspect that notification of this request for a public hearing from your office dated March 14 may have been mailed to our address-of record for tax purposes in Sitka, Alaska.

Our non support of this change request is based on the following:

Only 13 parking stalls , with certain special events, are permitted in the original 1993 special use permit. This permission implies that small gatherings of between 13 and, rather large gatherings of, 78 persons could occur, assuming 1 to 6 passengers per parked vehicle. Gatherings of this size are acceptable to us.

If 31 stalls are permitted, then one can predict that gatherings would range from 31 to 186 persons. Events of such a large size are NOT acceptable to us.

- 1) traffic congestion: Ramsey Canyon Road is a small country road which dead ends with a small turnaround. So many vehicles would cause significant traffic congestion both entering and departing the canyon.
- 2) Safety Concerns: Persons attending the special events at the Folklore Preserve, by nature of the events generally tend to arrive and depart within a short fixed period of time. The congestion that would result is unacceptable to us as a resident of the area. It poses a safety issue if rapid entry or departure is required at a neighboring residence for medical or other safety reasons, such as fire.
- 3) Noise and Habitat Changes: The canyon is currently a quiet residential area. 31 vehicles arriving and departing within a short period of time, and potentially 186 persons would create significant noise. The canyon , by its very structure, causes small noises to be exaggerated as they get reflected on the canyon walls. This would disturb the residential peace of the area, and the wildlife which inhabits Ramsey Canyon, eventually also resulting in lower property values. RamseyCanyon is world renowned for its natural inhabitants, including deer, foxes, ringtails, turkeys, mountain lions, black bear, coatimundi and many avian species. This quantity of traffic would affect the natural species living in and traversing the canyon.

4) The Arizona Folklore Preserve has not shown us evidence of being a good neighbor by the very fact that they have not personally contacted us to discuss this request. We have been living in our home this past winter and there was no effort to phone us, nor to stop by our home. Our home phone number is a listed number, and no message or call has been received.

A letter from your office, on very short notice for such a significant change for our neighborhood, leaves us no choice but to advise you of our Non Support for the Folklore Preserve request. We tried to phone you this morning to discuss the Folklore request, and left you a message.

We respectfully request that you share our concerns with the commission members, and sincerely regret that we had insufficient time to respond with a full letter to the commission members.

Respectfully,
Susan and Robert Carlson
41 East Ramsey Canyon Road
Hereford, Az 85615
Mobile 520. 955-9121

Sent from my iPad