



Cochise County
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-18-04 (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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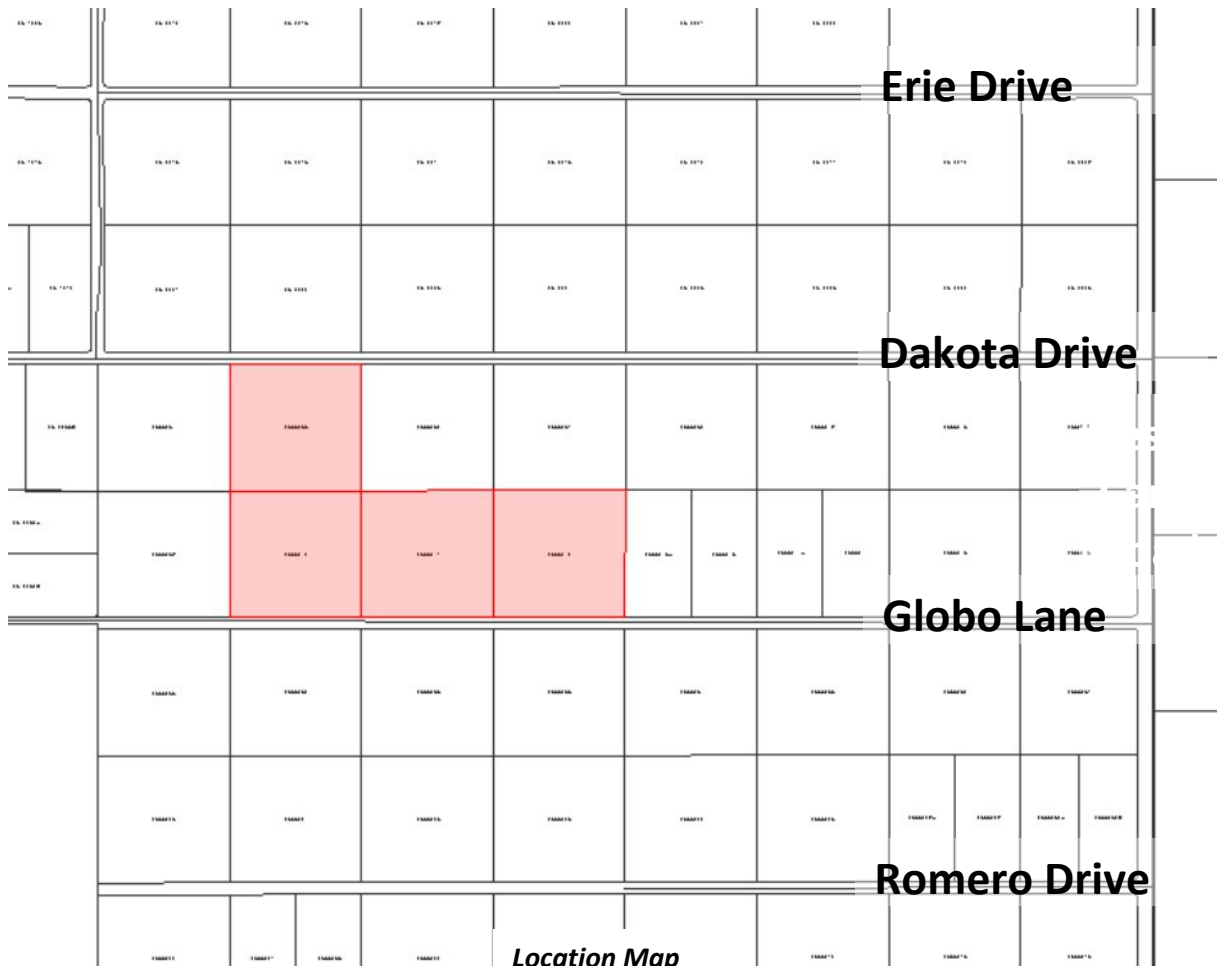
II. PARCEL HISTORY

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.

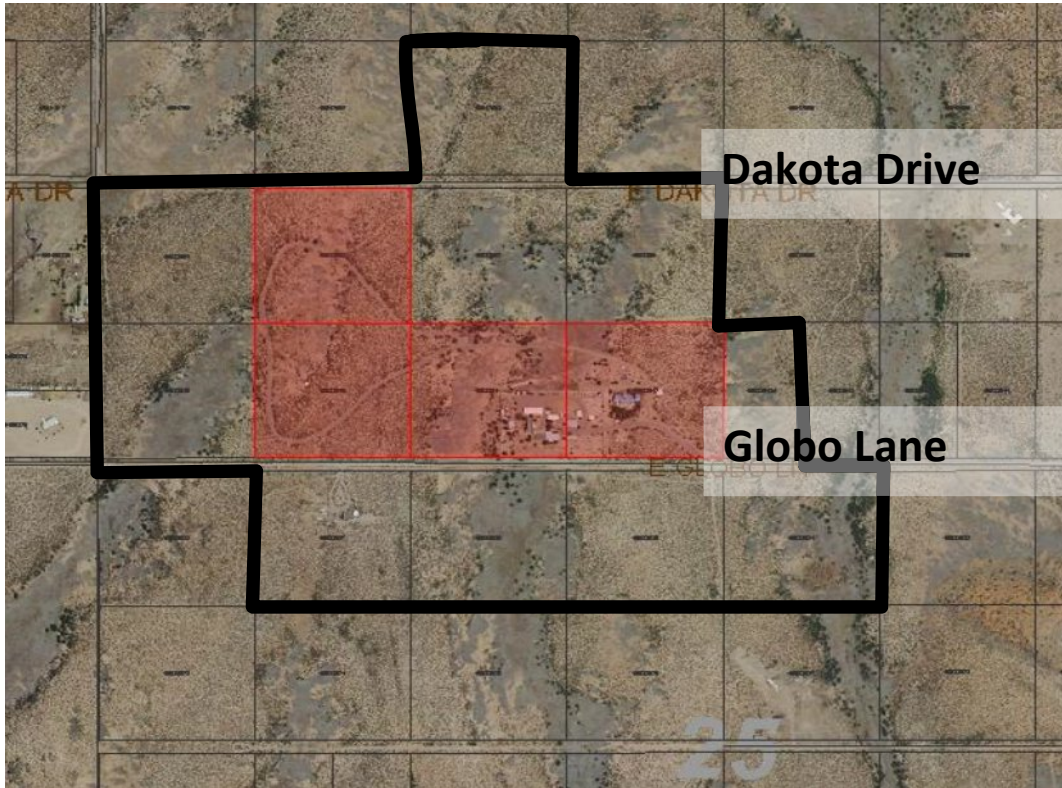


Location Map

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.

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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



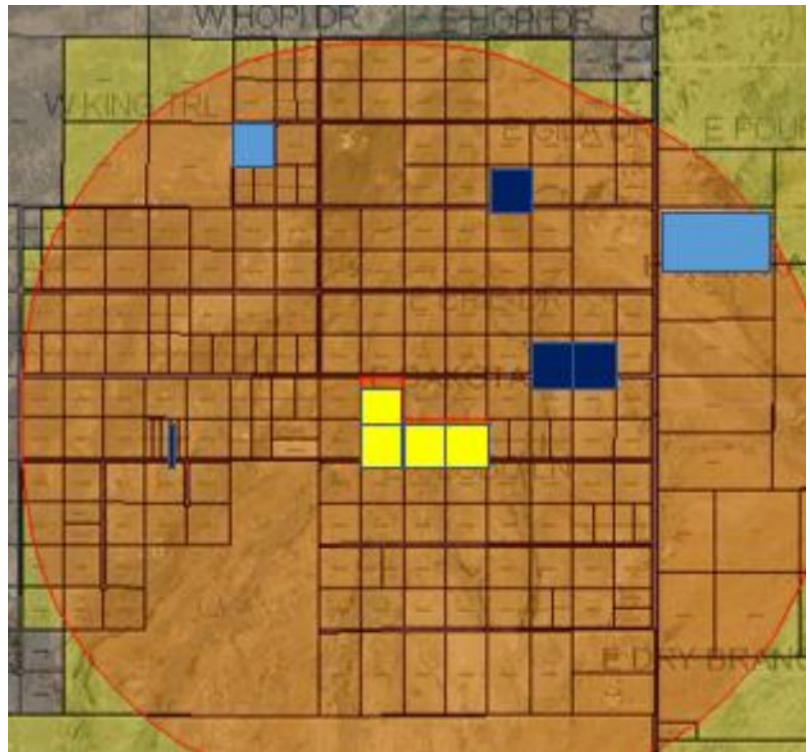


The site plan presented complies with most development standards. The reception hall, AV Studio and Art studio are screened by an existing block wall and landscaping. The area where the camping is proposed has a paved loop trail that vehicles can travel on to get to their campsite. The camp sites are 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