



Cochise County
Community Development
Planning, Zoning and Building Safety Division

Public Programs...Personal Service
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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Planning Director
SUBJECT: Docket SU-20-03 (Bethlehem Holy Ghost)
DATE: June 3 for the June 10, 2020 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant requests Special Use Authorization for a two phase project to re-use an existing approximately 4,500 square foot building. Phase one will include renovating the building to accommodate a kitchen/dining hall/multipurpose facility. Phase two will include afterschool academic services and outreach center. The project includes upgrades to the existing building, new perimeter fencing, and approximately 30 parking stalls. The project is located at 409-412 W. Yuma Street in Huachuca City. The parcel numbers are identified as 106-39-036 thru 042 and encompasses approximately 35,000 square feet. The Applicant is Bethlehem Holy Ghost Headquarters Church.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 35,000 square feet
 Zoning: Multiple Household (MH-72 (MR-2); one dwelling per 3,600 square feet)
 Growth Area: Category B (Community Growth Areas)
 Comprehensive Plan Designation: Neighborhood Conservation
 Area Plan: None Applicable
 Existing Uses: Abandoned building, vacant land
 Proposed Use: Church expansion to include a kitchen, meeting hall, and afterschool care

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	MH-72 (MR-2)	SFR
South	MH-72 (MR-2)	SFRs
East	MH-72 (MR-2)	Existing church and parking lot
West	MH-72 (MR-2)	Vacant/SFR

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II. LOCATION

The project is located at 409-412 W. Yuma Street in Huachuca City. The parcel numbers are identified as 106-39-036 thru 042.

The existing church is located at the intersection of Pima and Yuma Streets and is highlighted with dark blue. The yellow highlighted area is a parcel owned by the church, but not included in this request. The seven black parcels are all a part of this request.



III. PARCEL HISTORY

No permit or right of way data was located for the parcel subject to the Special Use Request. Assessor records show the building onsite in 1981. As part of the building permit process, the applicant will be required to demonstrate that the building is safe for occupancy.

IV. NATURE OF REQUEST

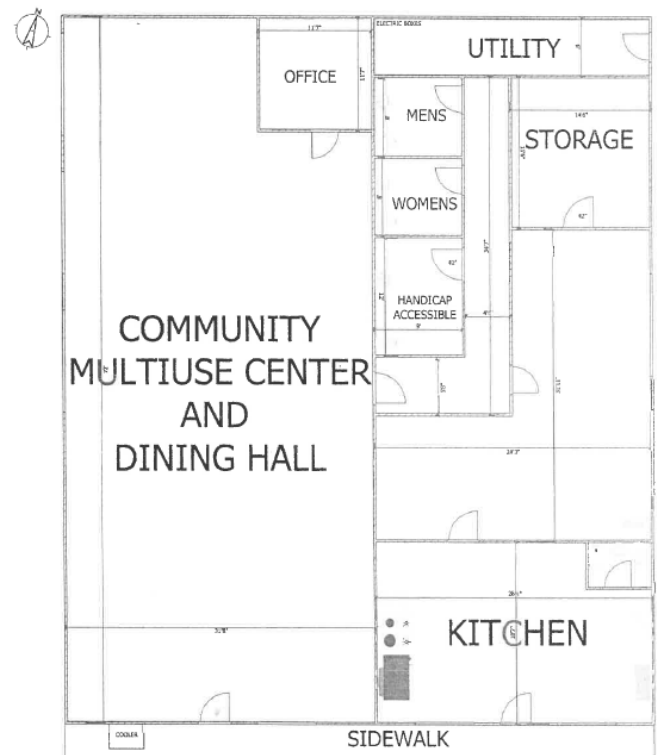
As previously stated, the Applicant requests Special Use Authorization for a two phase project to re-use an existing approximately 4,500 square foot building.

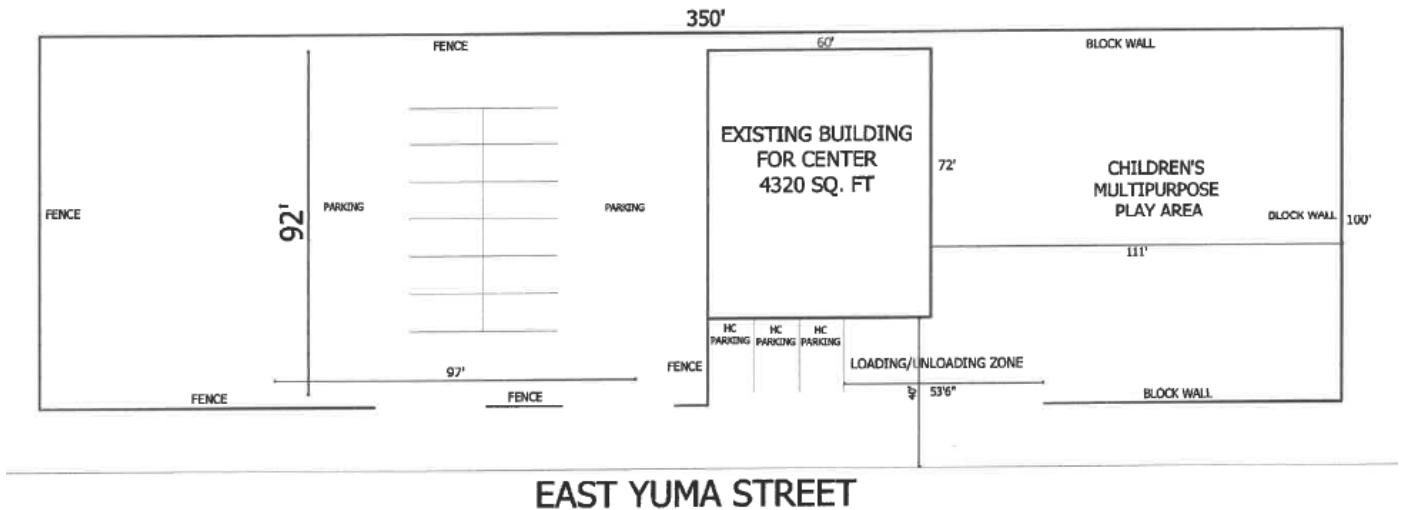
Phase one:

- Renovating the building including
 - o Required Upgrades
 - o Remodel existing building to accommodate kitchen/dining hall/multi-purpose facility

Phase two:

- o Afterschool academic services
- o Outreach center
- o Outdoor children’s multipurpose area
- o Additional upgrades to building
- o New perimeter fencing
- o Approximately 30 parking stalls





The kitchen and dining hall will be used by the church members and attendees of the after school program. Though this will be a huge benefit to the area residents, this is not proposed to be a soup kitchen or open to the general public.

V. 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.

Ten of the ten factors apply to this request. The project, as submitted, complies with five of those factors, complies with the other five with the recommended conditions and modifications.

A. Compliance with Duly Adopted Plans: Complies

The proposed project satisfies all of the criteria for Comprehensive Plan Category B (Community Growth Areas) including having adequate water, access and drainage, lot sizes of generally less than one acre, and potential for further development. This project will be taking a vacant abandoned commercial appearing building and converting it to a use that will serve the community.

The Plan Designation of Neighborhood Conservation must be located in a Category A,B, or C which it is. It also must be a developed residential neighborhood. This area is mostly developed but ranges from residential, to churches to light commercial uses. The proposed project is located on a site that will improve a vacant building and lots while providing a use that will directly serve the nearby residents.

B. Compliance with the Zoning District Purpose Statement: Complies

The proposed project satisfies the following zoning district purpose statement by adding a complementary use to the existing developed neighborhood. The rehab will help to stabilize and protect the surrounding residential development by adding a complimentary use.



C. Development Along Major Streets: Complies with conditions



The project site is located on Yuma Trail, a paved County Maintained road. The County has looked at the request and does not require any additional improvement to the street. However, the new driveways shall be paved to match Yuma Trail and be designed to meet all current standards. Additionally, the site plan shows handicap parking backing directly out on Yuma Trail. Section 1804.06.D prohibits this. Therefore, the site plan submitted with the permits shall show the parking spaces and all maneuvering onsite.

D. Traffic Circulation Factors: Complies with conditions

The use is not anticipated to create any significant increase in traffic. The purpose of this facility is to serve the surrounding residents.

Many of the kids will be walking or potentially using a bus to get to the site. There will be an increase in site specific traffic, but they will all be generated from the residents. The applicant is conditioned to relocate the handicap spaces from Yuma Street, which will aid in area circulation and prevent conflicts between the driveway and street traffic.

E. Adequate Services and Infrastructure: Complies with conditions

There are existing utilities on site including electric, water and sewer. Both the City of Huachuca and SSVEC were notified of the request and had no comments. Environmental Health provided comments stating, that the City of Huachuca may require a grease interceptor for the kitchen. The Applicant is required to comply with the city requirements in regard to sewer.



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

The Zoning Regulations do not have any specific standards for a use such as this. Staff believe that this best fits in with a welfare and/or charitable service, as well as an accessory use to the church.

Parking: The Zoning Regulations establish parking for welfare/charitable services at one space per 500 square feet, requiring 9 total parking stalls. The plan shows 12 with room to provide additional if needed in the future. As mentioned earlier, the site plan shows three handicap parking stalls being accessed directly from Yuma Street. The zoning regulations prohibit this and therefore, these spots will need to be moved onto the site.

All driveways shall comply with Cochise County standards including material (pavement), width and depth. This is to protect the pavement, minimize vehicle conflicts and provide better traffic flow. A right-of-way permit and plans will be required.

Section 1804.07.C requires parking areas in Category B and are accessing the site by a paved road shall areas be paved. The use is not for profit and geared towards helping the neighborhood, therefore, staff recommends approving a modification to allow gravel surfacing to be utilized.



Once again, the driveway approaches will be paved to prevent the spillage of gravel onto the paved road.



Section 1806.02 requires a minimum of 5% of the site be landscaped. Staff does not recommend a waiver of this requirement and have conditioned the project to provide perimeter landscaping to reduce impacts to the surrounded neighbors.

Section 1804.06.B requires that parking areas with 10-25 parking spaces and adjacent to residentially zoned property must be 30 feet from the Zoning Boundary.

The whole area is the same MH72/MR-2 Zoning. Therefore, since there is an approximately 20 foot wide alley separating this site and the residence to the north and fifty foot right-of-way for Yuma staff would recommend that a modification be approved to only require the parking to be ten feet from the north and south property lines.



Screening: Section 1004.06 requires screening (such as solid wall) whenever a Special use abuts a parcel with a residential designation. The subject site is surrounded by residentially designated properties. The site is already largely fenced with chain-link and a block wall. The existing block wall is located around the proposed multi-use play area. The applicant is proposing to finish fencing the site with chain-link. Staff would recommend a waiver to these requirements due to the not for profit nature, exiting chain-link,

relatively low impact of the use and surrounding uses and fence types.

Lighting: All lighting will be required to comply with the Outdoor lighting regulations.

Setbacks: The Zoning Regulations require a minimum of a 7.5 foot setback from all surrounding properties; however, the existing building is almost on property line. The existing building can remain, but new construction would need to comply, or a variance obtained.

G. Public Input: Complies

In response to County notification Staff has received three letters in support and one in opposition. The letter in opposition states they have major objections but have not be able to contact the Applicant. The contact information was forwarded to the Applicant who stated they reached out but did not get a response. No specific objections were listed.

H. Hazardous Materials: Complies

No hazardous waste will be used or stored onsite.

I. Off-Site Impacts: Complies with conditions

The proposed Special Use will reuse an existing vacant building and provide a needed service to the community with relatively minimal impacts. There will be some increase in noise from children playing, but the hours are limited, and an existing block wall will help to moderate the noise.



Traffic will be limited to trips already generated in the neighborhood.

With the recommended conditions, the request not any significant negative impacts on the neighborhood.

J. Water Conservation: Complies

The parcel is served by Huachuca City which had no comments on the request. The site could be development with up to 10 residential units which would use much more water than the proposed use. The project is located within the Sierra Vista Sub Water Shed and will also need to comply with all water conservation measures specified in the document.

VI. PUBLIC COMMENT

The Planning Department mailed notices to neighboring property owners within a minimum of 1,000 feet of the subject property. Staff posted the property and published a legal notice in the *Sierra Vista Herald*. In response to the County mailings, the Planning Department has received written communication from three individuals voicing support and one in opposition as noted Section G above.

The Applicant conducted the Citizen Review received three responses which ranged from wanting to sale the applicant their property to support. One of the responses initial had concerns but were addressed by the applicant. The letters and responses are included with the application packet.

VII. WAIVERS

Based on the not for profit business, service to be provided to the neighborhood and reuse of an existing building Staff recommends the following waivers:

1. Allowing the parking lot and drive aisles, except driveway approached to the street to consist of 2" gravel instead of pavement.
2. Allow chain-link fencing instead of the required solid screening
3. Allow the parking to be located 10 feet from north (alley) and south (Yuma Street) property lines instead of 30 feet.

VIII. SUMMARY AND CONCLUSION

The Applicant requests Special Use Authorization for a two phase project to re-use an existing approximately 4,500 square foot building. Phase one will include renovating the building to accommodate a kitchen/dining hall/multipurpose facility. Phase two will include afterschool academic services and outreach center. The project includes upgrades to the existing building, new perimeter fencing, and approximately 30 parking stalls.

Factors in Favor of Approving the Special Use

1. With the requested Modifications and conditions, the request complies with nine applicable Special Use factors used by staff to analyze such requests;
2. The Special Use complies with the Comprehensive Plan goals and policies;
3. The proposal will provide a service to the community with minimal impacts
4. Three letters in support have been received.

Factors Against Allowing the Special Use

1. One property owners has expressed opposition to the project but did not state reasons.

IX. RECOMMENDATION

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

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 will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.
4. In conjunction with the Commercial Permit Submittal, the Applicant shall provide a detailed and dimensioned site plan showing all parking areas, driveways, setbacks, landscape areas, etc. The site plan shall show the handicap parking stalls relocated so that they do not have direct access from the street.;
5. The Applicant shall work with County Environmental Health and Huachuca City to verify compliance .
6. A minimum 5% of the site shall be landscaped per Code. To help screen the parking, landscaping shall be concentrated along Yuma Street and the alley. Landscaping shall consist of drought tolerant trees, shrubs and groundcovers.

Sample Motion: *Mr. Chairman, I move to approve Special Use SU-20-03 with the Conditions of Approval and Modification recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*