

COCHISE COUNTY

Docket SU21-03 (SV Skate Modification)

**Request for a Special Use Modifications to an Approved
Skating Rink and Mobile Drive-in Cinema**
Planning & Zoning Commission

March 10, 2021



Public Programs...Personal Service

COCHISE COUNTY

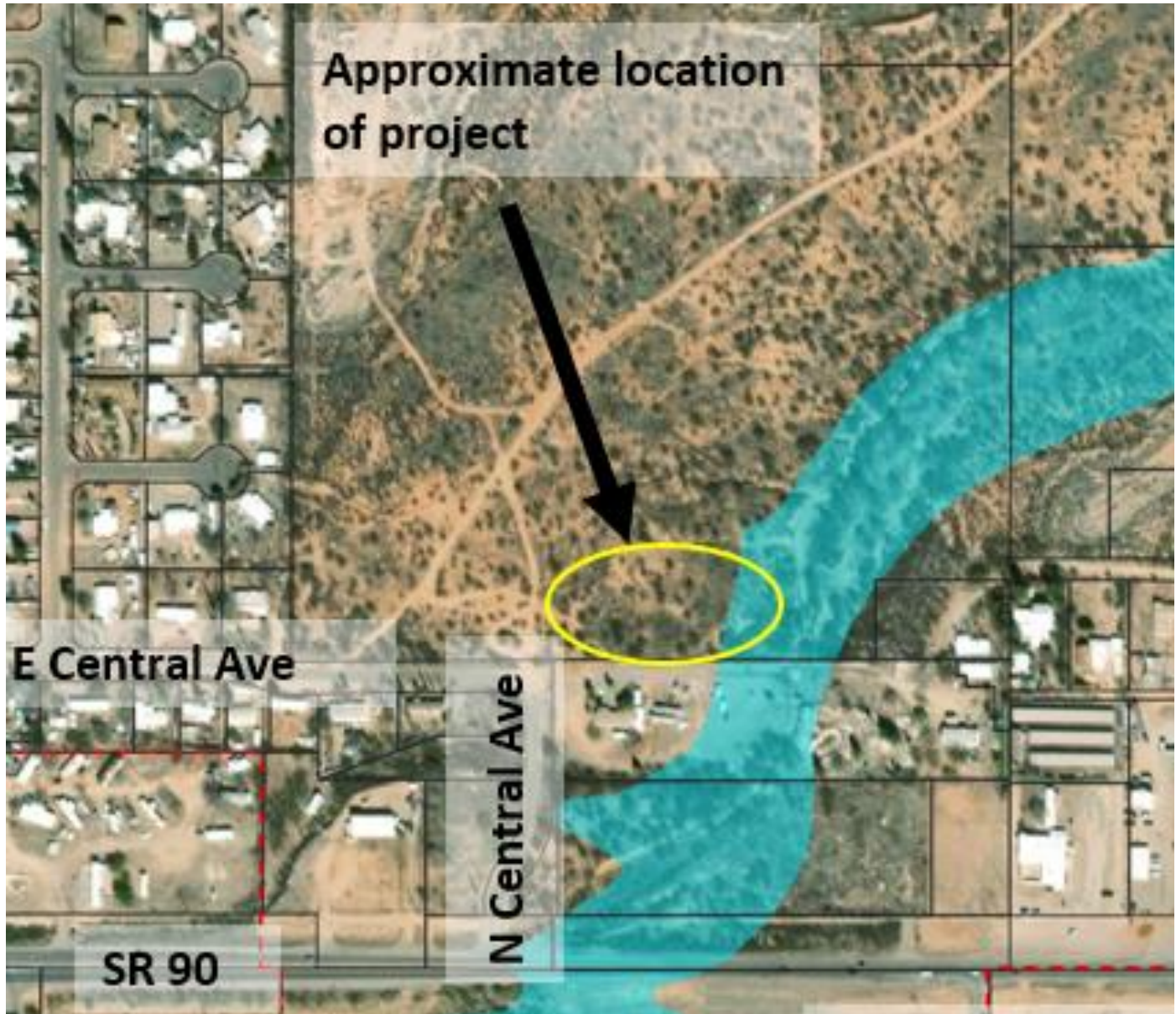
Docket SU-21-03 (SV Skate Mod)

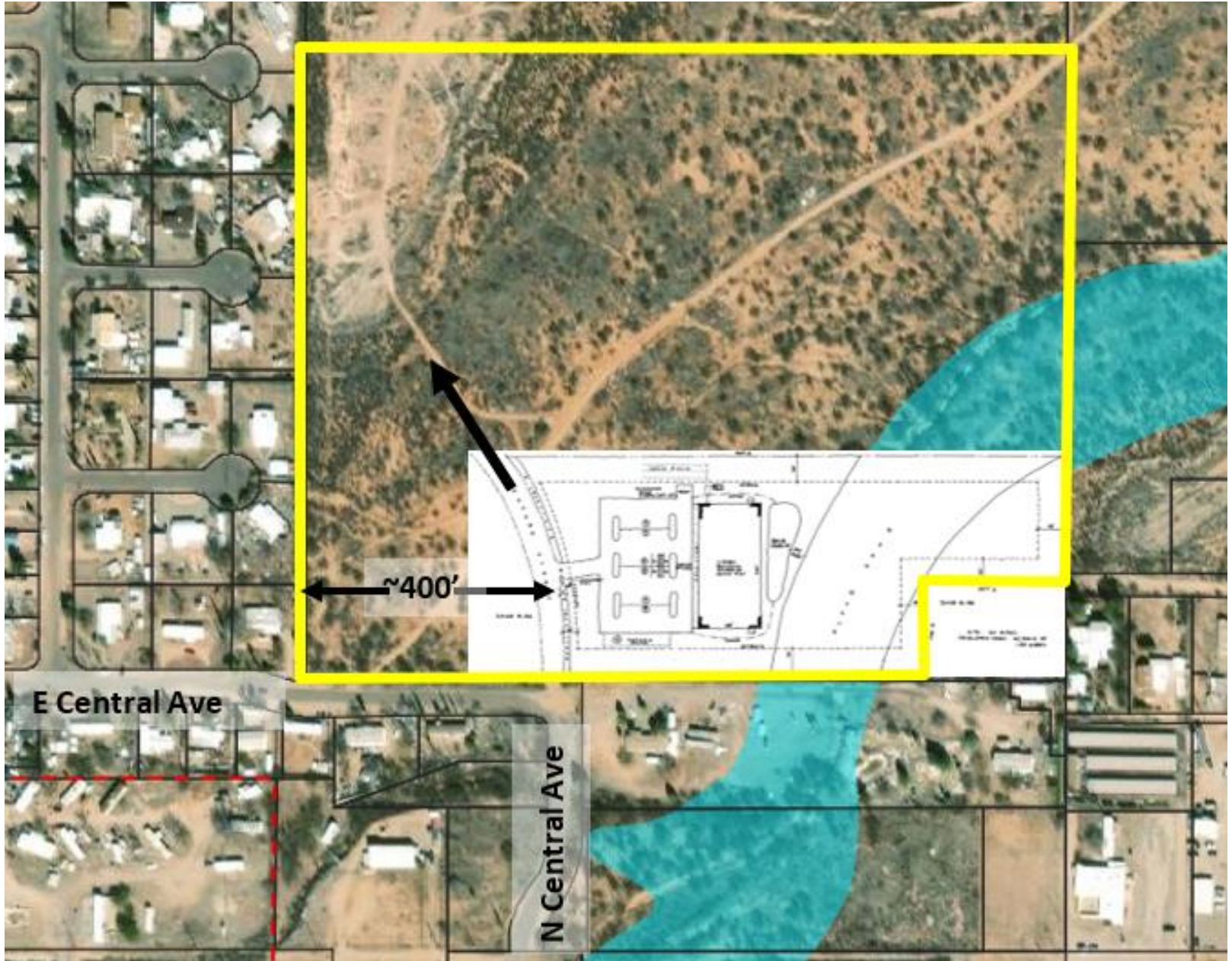
- The Applicant is requesting two modifications to that approval.
 1. The first modification is to allow onsite aggregate parking and driveway surfaces instead of a paved surface.
 2. The second modification is to allow Special Events to occur onsite without the need for individual special event permits. These may include additional (weekdays Wed-Friday 11 am-10 pm) drive-in movies, car shows, farmers markets, and similar events. Outdoor snack stands and portable restrooms will be provided until the Skating Rink is constructed.
- The site is located at the terminus of North Central Avenue and is identified as parcel 107-21-014A.
- Project size:
 - Full parcel ~ 32 acres
 - Future parcel size ~6 acres
 - Disturbed ~ 2.5 acres
- The Zoning is R-36
- The Applicant is Ms. Brittianie Jimenez



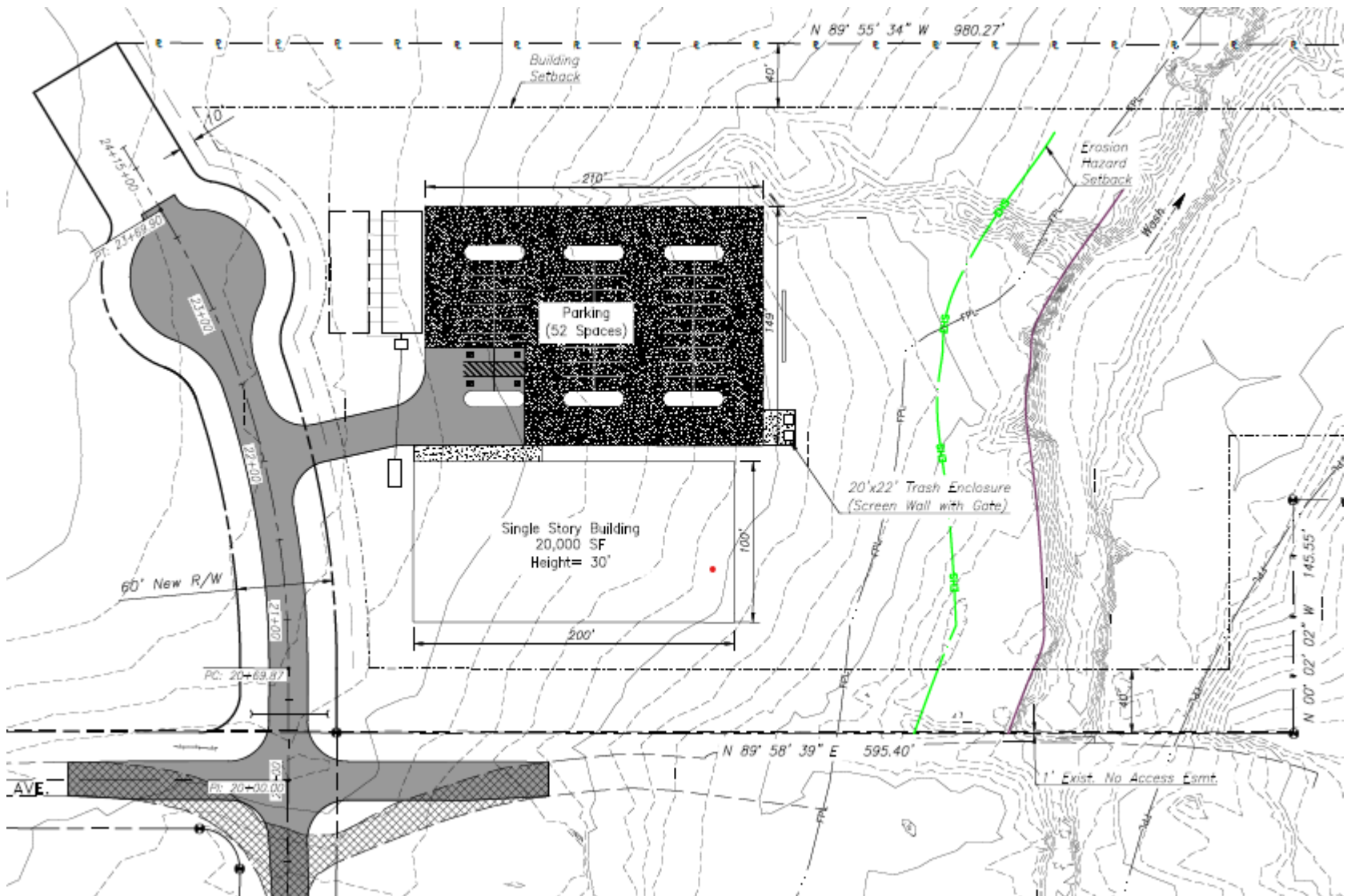
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Location





Site Plan



Allow onsite aggregate parking and driveway surfaces instead of a paved surface.

- Site is in Category A, requires asphalt or better.
- Applicant is requesting the modification due to cost
- Multiple business and residences in the area are dirt or gravel
- After the revised site plan was provided, the County Engineer is recommending only a deferment of the paving.
- Recommended COAs:
 - *In conjunction with the construction of the skating rink, the parking lot and drive aisles shall be paved to standards specified in 1804.07.B.*
 - *The gravel shall be no less than 2" thick, compacted, and of consistency so as not to allow any dust to be generated.*
 - *The street improvement and site plan shall provide an asphalt apron to the satisfaction of the County Engineer that prevents gravel from entering the right-of-way. (new site plan meets that requirement)*



Allow Special Events to occur onsite without the need for individual special event permits. These may include additional (weekdays Wed-Friday 11 am-10 pm) drive-in movies, car shows, farmers markets, and similar events. Outdoor snack stands and portable restrooms will be provided until the Skating Rink is constructed.

Farmers Market

- Allowed by Zoning with Special Use
 - Staff recommends approval of up to a weekly farmers market
 - Applicant required to work with Environmental Health on Permits
 - Recommended COA:
 - *In conjunction with the commercial permit submittal, the Applicant shall provide a detailed site plan showing where the vendors, parking, restrooms, etc., will be located for the farmers' market and special uses.*



Allow Special Events to occur onsite without the need for individual special event permits. These may include additional (weekdays Wed-Friday 11 am-10 pm) drive-in movies, car shows, farmers markets, and similar events. Outdoor snack stands and portable restrooms will be provided until the Skating Rink is constructed.

Other Events(weddings, birthdays, car shows, etc)

- Site will not have onsite amenities (changing room, permanent restrooms, pavilions, or paving)
 - This will limit potential events
 - If an event is held in conjunction of the operation of the business (cinema/skating rink) staff supports the request, however to independently rented
- Recommended COAs:
 - *The Applicant shall provide proof of liability insurance at permit submittal.*
 - *All events, shall be tied to the operation of the business. The site shall not be rented out to other groups.*



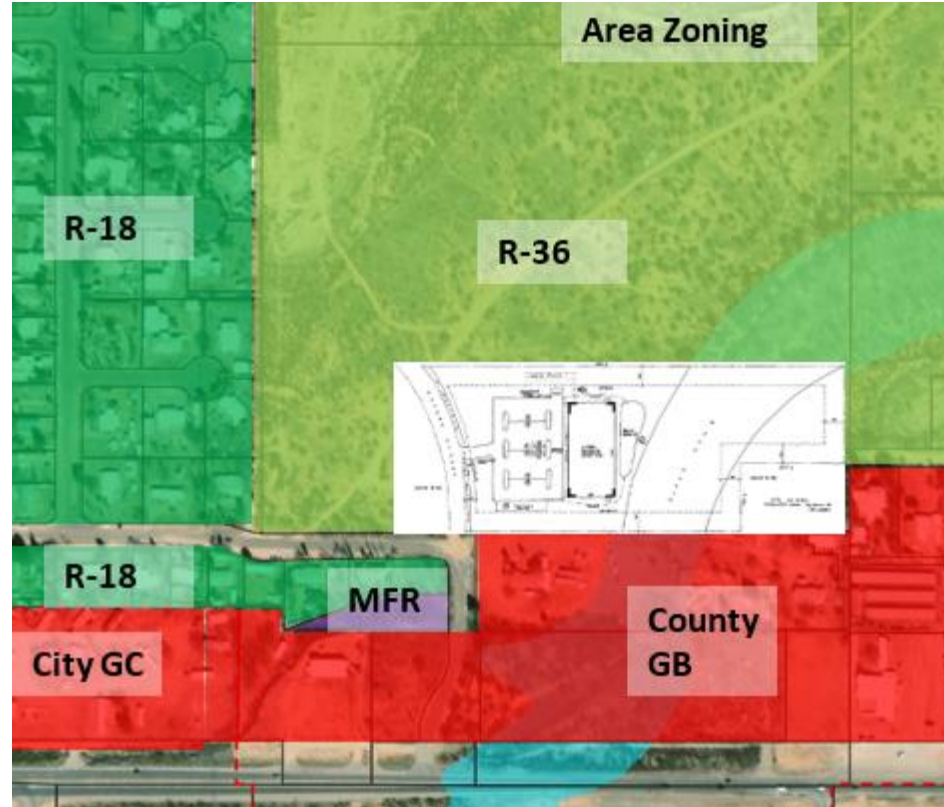
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Extended days/hours of operation

- Modification requests Wednesday-Friday 11AM to 10PM
- Original application was to allow the cinema two (2) nights a week
- Zoning Regs to not establish/require hours of operation
- Staff recommends no restrictions on days of week, and allowing hours of 10AM to 10PM



Zoning



Public Input: Does not Comply

- 5 Letters in opposition
- 1 letter in support
- One letter was ok with parking, not special events

Issues cited:

- Increase in trash
- Unregulated events
- Dust



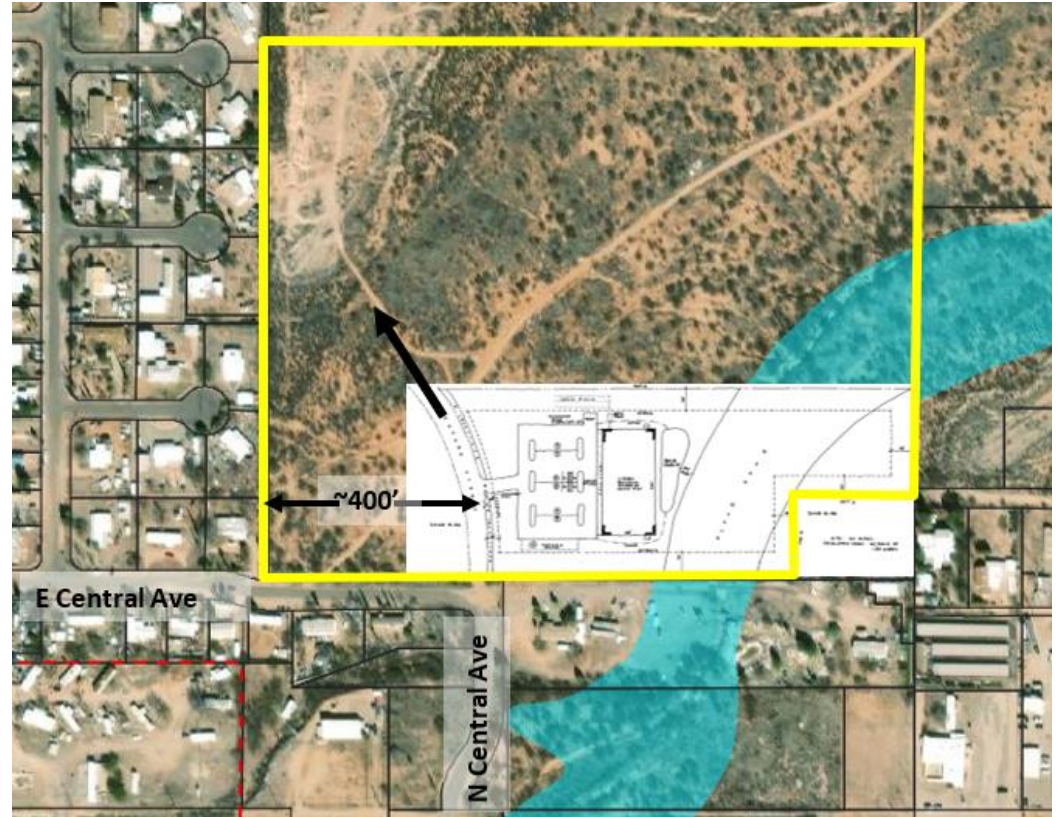
Factors in Favor of Approval

1. With the recommended Conditions of Approval, the proposed use would still fully comply nine (9) of the ten (10) Special Use factors used by staff to analyze this request;
2. The use would be providing new recreational opportunities, including events to the Sierra Vista area;
3. Allowing the gravel would help a new business to be developed while not cause negative impacts to surrounding properties;
4. The Economic Development Element encourages supporting entrepreneurship such as this small business;
5. The Planning Department has received one (1) letter in support of the request.

Factor Against Approval

1. The Planning Department has received five (5) letters in opposition to the request;
2. The applicant does not comply with the public input criteria.

Discussion



Recommendation: Conditional Approval

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.



Recommendation: Conditional Approval

4. The applicant shall provide a traffic statement for the project that evaluates the impacts from the project site to SR90. This needs to evaluate the projects impact on surrounding roads and determine what improvements are required as a result of the development.
5. The applicant shall submit street improvement plans for review and approval by the County Engineer for reconstruction of the Intersection of North Central Avenue and East Central Avenue, resulting in a 90 degree “T” intersection or as determined by the County Engineer.
6. The applicant shall submit street improvement plans for review and approval by the County Engineer for the new segment along the project’s property boundary.



Recommendation: Conditional Approval

7. The applicant shall work with Right-of-way staff to abandon the portion of the non-vehicular access that occurs where the North Central extension is proposed.
8. A detailed, dimensioned site plan shall be provided with non-residential permits;
9. Native vegetation shall be utilized to the greatest extent possible in the required landscape areas.
- 10. In conjunction with the commercial permit submittal, the Applicant shall provide a detailed site plan showing where the vendors, parking, restrooms, etc., will be located for the farmers' market and special uses.**
- 11. The Applicant shall provide proof of liability insurance at permit submittal.**
- 12. All events, shall be tied to the operation of the business. The site shall not be rented out to other groups.**



Recommendation: Conditional Approval

13. The gravel shall be no less than 2" thick, compacted, and of consistency so as not to allow any dust to be generated.
14. The street improvement and site plan shall provide an asphalt apron to the satisfaction of the County Engineer that prevents gravel from entering the right-of-way.



Sample Motion

Mr. Chairman, I move to approve Special Use Docket SU-20-03 (SV Skate Modification), located on a portion of parcel, 107-21-014A with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

