



Cochise County Engineering & Natural Resources

Public Programs...Personal Service
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JACKIE WATKINS, PE
Director

INTEROFFICE MEMO

Date: March 15, 2021
To: Robert Kirschmann, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: SU-21-09 (MC Swap Meet)

Background: The applicant requests a Special Use Authorization to operate a swap meet on a 1.3 acres parcel. The project is located at 2092 N. Highway 90, north of Huachuca City. The parcel is identified as 106-24-065. 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:

- Existing access from Highway 90 frontage road and Willow Road.
 - Willow Road is County maintained (MI# 1112) public road.

Recommendation:

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

From: [Richard La Pierre](#)
To: [Kirschmann, Robert](#)
Cc: [Coxworth, Daniel](#); [Jay Gomes](#); [Jeremy Moore](#)
Subject: Re: Transmittal SU21-08 (MC Swap Meet)
Date: Friday, March 26, 2021 12:06:35 PM

CAUTION: EXTERNAL EMAIL *

Mr. Kirschmann,
After meeting with Mr Moore, he is ok with the development moving forward. On the condition the driveway is brought up to current standards and adequate signing is installed per Regional Traffic request/recommendations. He is also requesting fencing to be installed delineating the Right of way, to assure all traffic entering and exiting the site uses the designated driveway to promote a safe condition.

Richard La Pierre
Permits Supervisor, South Central District
1221 South Second Avenue
Tucson, Arizona 85713
520.388.4234 (office)

520.307.5893 (cell)

RLaPierre@azdot.gov



On Fri, Mar 26, 2021 at 10:43 AM Jay Gomes <jgomes@azdot.gov> wrote:

Hello Robert,

When is your meeting Monday? MS Teams could work, depending on the time. I'm not available for In-person.

I think we would like to see how they are going to address your concerns with the Parking. The 1 space per 1,000 SqFt is good general guidance, but I'm not familiar with how this location will attract customers.

I do not believe we are concerned with total trip generation as we are with motorists thinking they can park on the shoulder and walk over.

An ADOT Encroachment Permit would be needed for temporary sign installation for traffic control. I believe that would be best for all parties.

On Fri, Mar 26, 2021 at 10:25 AM Kirschmann, Robert <RKirschmann@cochise.az.gov> wrote:

Good morning,

I was wondering if you have any updates on this project.

We are shooting for a meeting with the Applicant on Monday in Benson. If you are interested you could join in person or Teams. Once she confirms her schedule I can send out a scheduler. These are not typical developers, they are average folks trying to provide a place for people to sale wares and it has been difficult communicating with them. I am hoping in person I will be able to communicate better with them.

Thank you,

Robert Kirschmann

Planner II

Cochise County Community Development

Development Services Department

126 West 5th Street, Suite 4

Benson, AZ 85602

520-432-9248 Direct

520-999-9286 Cell

520-432-9278 fax

GIS Online Map: [INFOMap](#)

APPLY ONLINE: [CITIZEN SERVE](#)

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From: Kirschmann, Robert

Sent: Tuesday, March 23, 2021 12:12 PM
To: Richard La Pierre <rlapierre@azdot.gov>
Cc: Coxworth, Daniel <dcoxworth@cochise.az.gov>; James Gomes <JGomes@azdot.gov>
Subject: RE: Transmittal SU21-08 (MC Swap Meet)

Good afternoon,

Thank you for taking my call this afternoon. Cochise County Zoning regulations for Swap Meets require onsite parking of 1 space per 1,000 square feet of gross sales area. Based on the site plan they have approximately 10,350 square feet of canopies/retail space requiring 10 onsite parking spaces. The site plan shows 15, exceeding our regulations. I have requested a redesign of the site as I do not like the mixing of parking and vendor booths.

What I need to know is what is required by ADOT for a conditional approval.

Do you need them to provide "X" number of spaces?

Can they install no parking signs on SR90?

Can they install barricades preventing offsite parking?

ETC?

Again, thank you for the open dialogue and I look forward to working with you.

Robert Kirschmann

Planner II

Cochise County Community Development

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From: Richard La Pierre <rlapierre@azdot.gov>
Sent: Friday, March 12, 2021 3:23 PM
To: Kirschmann, Robert <RKirschmann@cochise.az.gov>
Subject: Re: Transmittal SU21-08 (MC Swap Meet)

CAUTION: EXTERNAL EMAIL*

ADOT South Central District Office and Regional Traffic have reviewed the Development request and have comments on this submittal. The development will not have ADOT's approval. The Regional Traffic Department, Permits and Assistant District Engineer have all noted parking concerns. Not enough on site parking has been provided. Site plan shows 23 vendor spots on site and less than 20 parking spaces. ADOT does not allow parking within the Right of Way. An offsite parking plan will have to be provided or accounted for. Thank you

I am not in favor of this. 25-50 cars is a lot. Looks like the lot/parcel will need to be cleared to remove vegetation. There is no traffic enforcement or designation for parking. I am sure there will be 15-20 vendors with tents and or canopies. To add 25-50 cars on top of that will cause congestion in my mind. I am very concerned that cars will be parking on the shoulder along SR 90. At this point I am going to say no. It's going to turn into a place to conjugate causing safety issues for the travelling public and the folks attending and selling at the swap meet. This also puts ADOT at risk.

Jeremy Moore, P.E.

Assistant District Engineer

Parking needs to be made available off the highway, as indicated by keeping the "Driver's Clear zone" unimpacted.

Richard La Pierre
Permits Supervisor, South Central District

1221 South Second Avenue
Tucson, Arizona 85713
520.388.4234 (office)

520.307.5893 (cell)

RLaPierre@azdot.gov

On Mon, Mar 8, 2021 at 4:01 PM Kirschmann, Robert <RKirschmann@cochise.az.gov> wrote:

Good afternoon,

Attached please find a transmittal for an application requesting a Special Use for a Swap Meet north of Huachuca City. Comments are due back by ***Monday, March 29, 2021.***

A 300 foot notification radius is proposed for this project.

Best regards,

Robert Kirschmann

Planner II

Environmental Health

Any food vendors must check with Cochise Health and Social Services to determine if a food permit is needed.



March 25, 2021

Robert Kirschmann
Cochise County Planning, Zoning and Building Safety
1415 Melody Lane, Building F
Bisbee, Arizona 85603

Electronically submitted to: planningandzoning@cochise.az.gov

Re: Review of the SU21-08 (MC Swap Meet) project

Dear Mr. Kirschmann:

The Arizona Game and Fish Department (Department) reviewed your Project Evaluation Request dated March 8, 2021, regarding the a request for a Special Use Authorization to operate a swap meet on a 1.3 acre parcel located at 2092 N Highway 90 north of Huachuca City, Arizona. As the proposed project is located in a previously disturbed area, with the present habitat providing relatively low value to wildlife, the Department does not anticipate any significant adverse impacts to wildlife resources would occur as a result of this project.

Thank you for the opportunity to review this project. The report created for you (attached) on Arizona's Online Environmental Review Tool should provide general recommendations and additional contact information. If you have any questions regarding this letter, please contact me at (623) 236-7222.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Cavalcant".

Andrew Cavalcant
Project Evaluation Program Specialist, Habitat Branch
Arizona Game and Fish Department

AZGFD# M21-03094321

azgfd.gov | 602.942.3000

5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

GOVERNOR: DOUGLAS A. DUCEY **COMMISSIONERS:** CHAIRMAN KURT R. DAVIS, PHOENIX | LELAND S. "BILL" BRAKE, ELGIN
JAMES E. GOUGHNOUR, PAYSON | TODD G. GEILER, PRESCOTT | CLAY HERNANDEZ, TUCSON **DIRECTOR:** TY E. GRAY **DEPUTY DIRECTOR:** TOM P. FINLEY

Arizona Environmental Online Review Tool Report



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

SU-21-09 (MC Swap Meet)

Project Description:

Swap Meet

Project Type:

Development Within Municipalities (Urban Growth), Public & Community Facilities (school, library, church) and associated infrastructure, Maintenance/expansion/rehabilitation of existing facilities

Contact Person:

Andrew Cavalcant

Organization:

AZGFD

On Behalf Of:

COCHISE

Project ID:

HGIS-13117

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

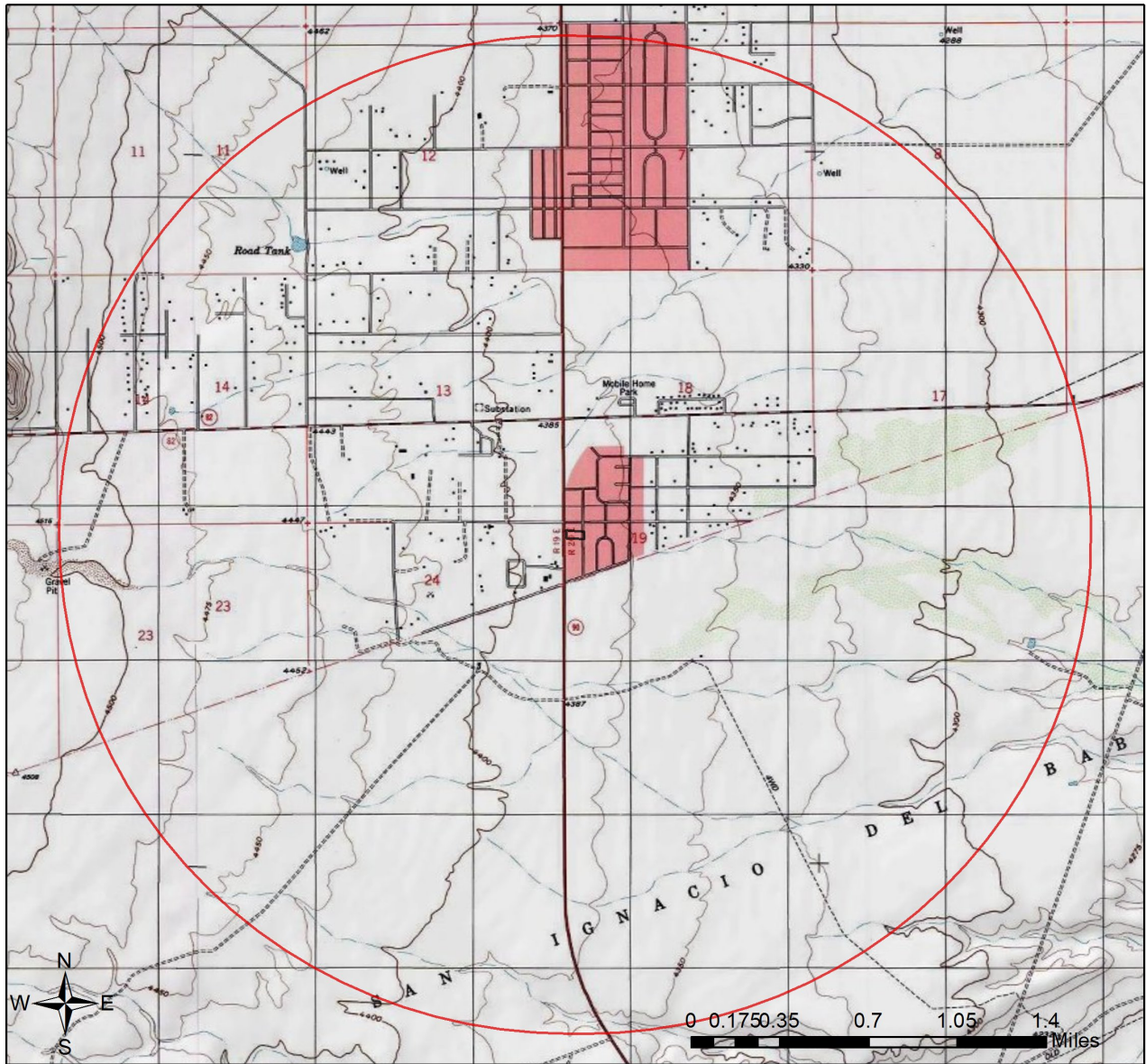
Locations Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

SU-21-09 (MC Swap Meet) USA Topo Basemap With Locator Map



- Project Boundary
- Buffered Project Boundary

Project Size (acres): 1.40
 Lat/Long (DD): 31.6860 / -110.3496
 County(s): Cochise
 AGFD Region(s): Tucson
 Township/Range(s): T20S, R20E
 USGS Quad(s): HUACHUCA CITY

Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap



SU-21-09 (MC Swap Meet)

Web Map As Submitted By User



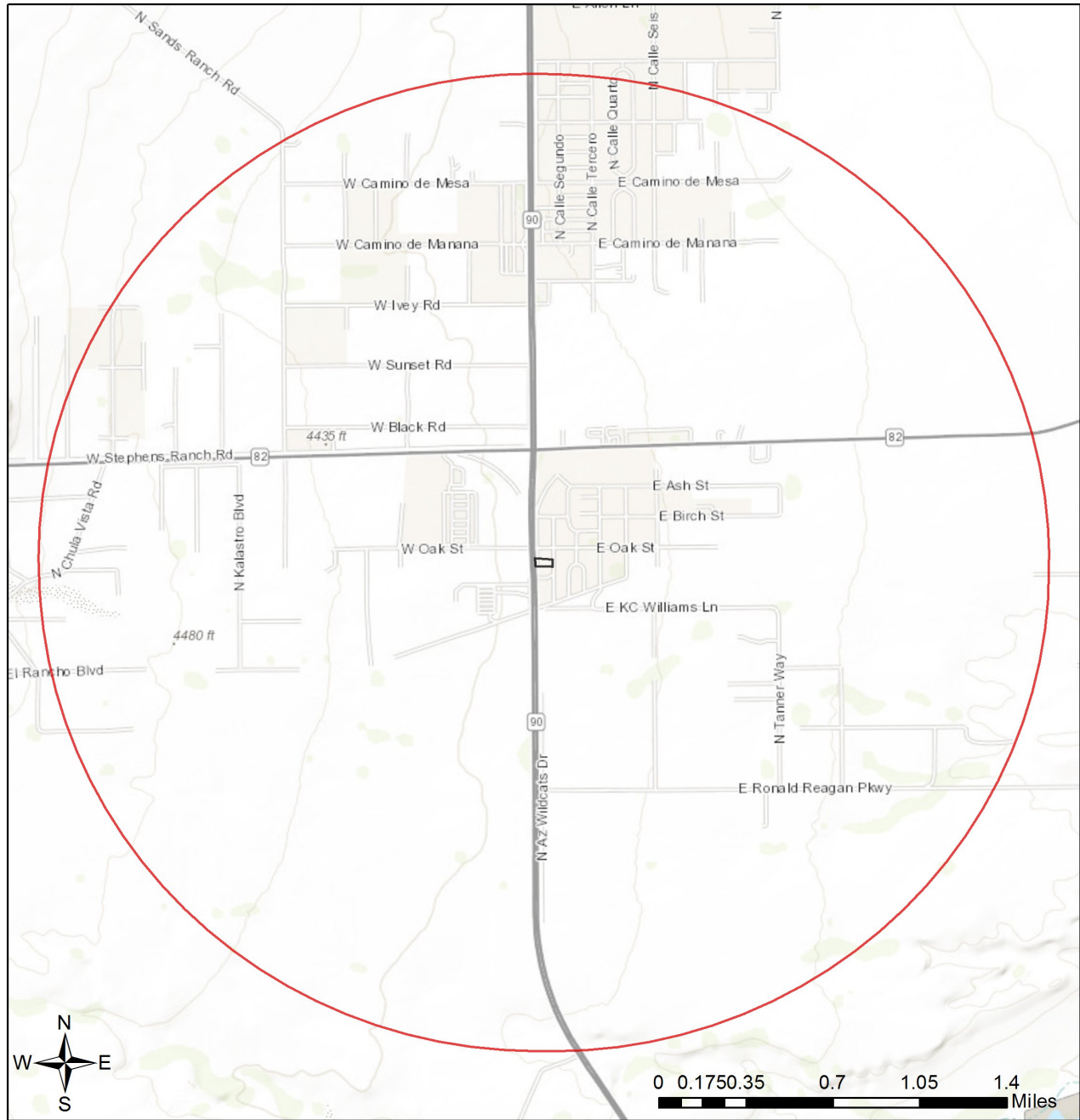
- Project Boundary
- Buffered Project Boundary

Project Size (acres): 1.40
Lat/Long (DD): 31.6860 / -110.3496
County(s): Cochise
AGFD Region(s): Tucson
Township/Range(s): T20S, R20E
USGS Quad(s): HUACHUCA CITY

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

SU-21-09 (MC Swap Meet)

Important Areas



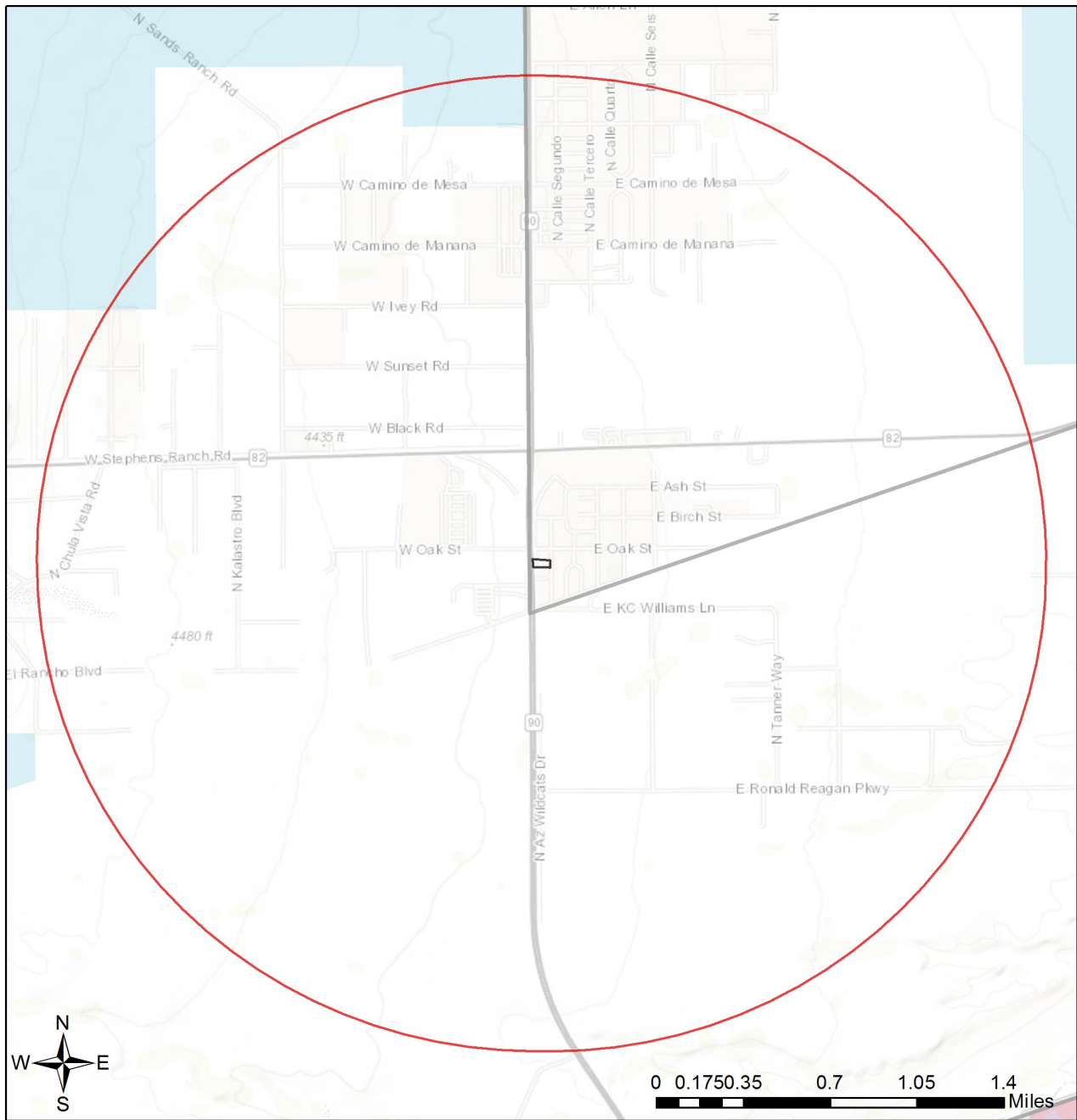
- Project Boundary
- Buffered Project Boundary
- Wildlife Connectivity
- Important Connectivity Zones
- Pinal County Riparian
- Critical Habitat
- Important Bird Areas

Project Size (acres): 1.40
 Lat/Long (DD): 31.6860 / -110.3496
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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

SU-21-09 (MC Swap Meet)

Township/Ranges and Land Ownership



- | | |
|---|--|
|  Project Boundary |  Military |
|  Buffered Project Boundary |  Mixed/Other |
|  Township/Ranges |  National Park/Mon. |
| Land Ownership | |
|  AZ Game & Fish Dept. |  State & Regional Parks |
|  BLM |  State Trust |
|  BOR |  US Forest Service |
|  Indian Res. |  Wildlife Area/Refuge |

Project Size (acres): 1.40
 Lat/Long (DD): 31.6860 / -110.3496
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 AGFD Region(s): Tucson
 Township/Range(s): T20S, R20E
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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Special Status Species Documented within 2 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Lithobates yavapaiensis	Lowland Leopard Frog	SC	S	S		1A
Terrapene ornata luteola	Desert Box Turtle			S		1A

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/>

No Special Areas Detected

No special areas were detected within the project vicinity.

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Ammodramus savannarum ammolegus	Arizona grasshopper sparrow		S	S		1B
Ammodramus savannarum perpallidus	Western Grasshopper Sparrow					1B
Ammospermophilus harrisi	Harris' Antelope Squirrel					1B
Anthus spragueii	Sprague's Pipit	SC				1A
Athene cucularia hypugaea	Western Burrowing Owl	SC	S	S		1B
Buteo regalis	Ferruginous Hawk	SC		S		1B
Buteo swainsoni	Swainson's Hawk					1C
Callipepla squamata	Scaled Quail					1C
Chordeiles minor	Common Nighthawk					1B
Coluber bilineatus	Sonoran Whipsnake					1B
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1B
Crotalus tigris	Tiger Rattlesnake					1B
Cyananthus latirostris	Broad-billed Hummingbird		S			1B
Cynomys ludovicianus	Black-tailed Prairie Dog	CCA		S		1A
Dipodomys spectabilis	Banner-tailed Kangaroo Rat			S		1B
Euderma maculatum	Spotted Bat	SC	S	S		1B
Eumops perotis californicus	Greater Western Bonneted Bat	SC		S		1B
Heloderma suspectum	Gila Monster					1A
Hypsiglena sp. nov.	Hooded Nightsnake					1B
Incilius alvarius	Sonoran Desert Toad					1B
Lasiurus xanthinus	Western Yellow Bat		S			1B
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1A
Lepus alleni	Antelope Jackrabbit					1B
Lithobates chiricahuensis	Chiricahua Leopard Frog	LT				1A
Melospiza lincolni	Lincoln's Sparrow					1B
Micruroides euryxanthus	Sonoran Coralsnake					1B
Myotis occultus	Arizona Myotis	SC		S		1B

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Myotis velifer	Cave Myotis	SC		S		1B
Myotis yumanensis	Yuma Myotis	SC				1B
Notiosorex cockrumi	Cockrum's Desert Shrew					1B
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					1B
Oreoscoptes montanus	Sage Thrasher					1C
Oreothlypis luciae	Lucy's Warbler					1C
Panthera onca	Jaguar	LE				1A
Passerculus sandwichensis	Savannah Sparrow					1B
Peucaea botterii arizonae	Arizona Botteri's Sparrow			S		1B
Peucaea carpalis	Rufous-winged Sparrow					1B
Phrynosoma solare	Regal Horned Lizard					1B
Spizella breweri	Brewer's Sparrow					1C
Sturnella magna	Eastern Meadowlark					1C
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B
Terrapene ornata	Ornate Box Turtle					1A
Thamnophis eques megalops	Northern Mexican Gartersnake	LT	S			1A
Vireo bellii arizonae	Arizona Bell's Vireo					1B
Vulpes macrotis	Kit Fox	No Status				1B

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Callipepla squamata	Scaled Quail					1C
Odocoileus hemionus	Mule Deer					
Patagioenas fasciata	Band-tailed Pigeon					1C
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

Project Type: Development Within Municipalities (Urban Growth), Public & Community Facilities (school, library, church) and associated infrastructure, Maintenance/expansion/rehabilitation of existing facilities

Project Type Recommendations:

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select "See What's Here" for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

Follow manufacturer's recommended application guidelines for all chemical treatments. The U.S. Fish and Wildlife Service, Region 2, Environmental Contaminants Program has a reference document that serves as their regional pesticide recommendations for protecting wildlife and fisheries resources, titled "Recommended Protection Measures for Pesticide Applications in Region 2 of the USFWS", http://www.fws.gov/southwest/es/arizona/Documents/ECReports/RPMPA_2007.pdf. The Department recommends that direct or indirect impacts to sensitive species and their forage base from the application of chemical pesticides or herbicides be considered carefully.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<http://azstateparks.com/SHPO/index.html>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefauna (snakes, lizards, tortoise) from entering ditches.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife at PEP@azgfd.gov or at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/> and <https://www.azgfd.com/Wildlife/LivingWith>.

From: [Ruth Bigelow](#)
To: [Kirschmann, Robert](#)
Subject: RE: Transmittal SU21-08 (MC Swap Meet)
Date: Friday, March 26, 2021 9:32:32 AM

CAUTION: EXTERNAL EMAIL*

Mr. Kirschmann,

SSVEC has no special conditions to submit for this special use permit request.

There are 3 inactive service points located on subject parcel and two security lights. When applicant is ready to inquire about or establish service, please refer to the Sulphur Springs Valley Electric Cooperative website under the "Services" and "New Line Extension" tabs.

If you have any questions concerning this review, please contact me at 520-384-5513 or rbigelow@ssvec.com

Ruth Bigelow

Lead Line Extension ROW Agent

[Sulphur Springs Valley Electric Cooperative](#)

(520) 384-5513

From: Kirschmann, Robert <RKirschmann@cochise.az.gov>

Sent: Monday, March 8, 2021 4:01 PM

To: Solis, Joaquin <JSolis@cochise.az.gov>; Simmons, Bradley A <bsimmons@cochise.az.gov>; Watkins, Jackie <JWatkins@cochise.az.gov>; Brady, Shon <SBrady@cochise.az.gov>; Garcia, Teresa M <TGarcia@cochise.az.gov>; Murphy, Teresa <TMurphy@cochise.az.gov>; Cratsenburg, Diane E <dcratsenburg@cochise.az.gov>; Esparza, Paul <PEsparza@cochise.az.gov>; Roberts, Christine <CRoberts@cochise.az.gov>; Correa, Paul <PCorrea@cochise.az.gov>; McGee, Michael S <MMcGee@cochise.az.gov>; Capas, Carol <CCapas@cochise.az.gov>; James Gomes <JGomes@azdot.gov>; Richard La Pierre <RLaPierre@azdot.gov>; Leiter.Ethan@azdeq.gov; ohlfest@azdhs.gov; Richard B. Obenshain <rboenshain@azwater.gov>; pep@azgfd.gov; patina.thompson@az.nacdn.net; Ruth Bigelow <rbigelow@ssvec.com>; Lee Mancini <lee.mancini@swgas.com>; wfdchief@cis-broadband.com; Koch, David L (Dave) CIV USARMY ID-TRAINING (USA) <david.l.koch4.civ@mail.mil>

Cc: BOS-Supervisors <BOSSupervisors@cochise.az.gov>; McLachlan, Christine <CMcLachlan@cochise.az.gov>; Coxworth, Daniel <dcoxworth@cochise.az.gov>

Subject: Transmittal SU21-08 (MC Swap Meet)

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Good afternoon,