

From: [Lee, Deborah S](#)
To: [Kirschmann, Robert](#)
Subject: FW: Docket SU23-12 (Ocotillo Storage)
Date: Thursday, June 1, 2023 2:39:28 PM

This was in the P & Z Inbox. Thank you.

Debbie Lee
Senior Planning Technician
Development Services
1415 Melody Lane, Building F
Bisbee, AZ 85603
520-432-9300
520-432-9278 fax

Public Programs...Personal Service

www.cochise.az.gov

From: Kareva Allain <ranchitoparaisoaz@gmail.com>
Sent: Thursday, June 1, 2023 1:52 PM
To: Planning and Zoning <planningandzoning@cochise.az.gov>
Subject: Docket SU23-12 (Ocotillo Storage)

CAUTION: EXTERNAL EMAIL*

Dear Mr. Kirschmann,

I hope you are well. I am a property owner within 1000 ft of the proposed docket for a Special Use permit for Assessor's Parcel Number 123-09-101A, the SE corner of W Four Feathers Ln and N. Ocotillo St. in Benson.

Unfortunately, I missed the May 29 deadline to send in written comments for this project, which I oppose very strongly as I feel it would impact the desert aesthetics and peace and quiet of my short term lodging business (which generates lodging tax for the county) and which contributes to the economy and tourism of our beautiful area.

Would you please advise me as to which steps I could take since I missed the deadline? I would appreciate it very much.

Thank you so much for your time.
Best regards,

Karen Mulholland, PhD
Owner
169 W Four Feathers Lane, Benson.
Parcel 123-090-14A

This E-mail is from an **EXTERNAL** address. **DO NOT click on links or open attachments**

Special Use Docket SU23-12 (Ocotillo Storage)

_____ 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): Kathy Glidwell
SIGNATURE(S): [Handwritten Signature]

YOUR TAX PARCEL NUMBER: _____ (the eight-digit identification number found on the tax statement from the Assessor's Office) or you look it up online by going to "Mapping Resources" on our website (<https://www.cochise.az.gov/development-services/home>)

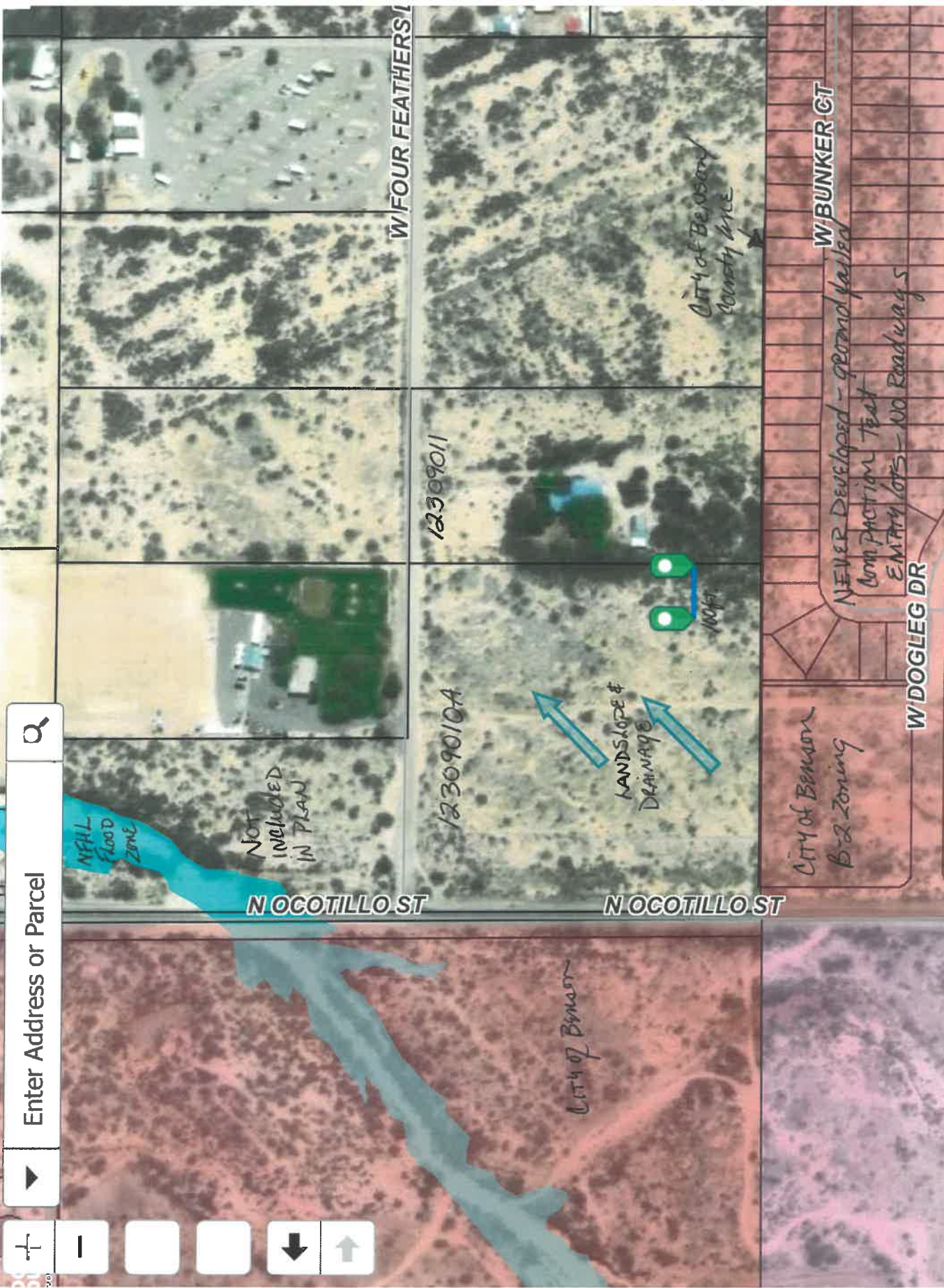
Your comments will be made available to the Planning and Zoning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **May 29, 2023**, to be included in the staff report to the Planning and Zoning Commission.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Development Services
126 West 5th Street, Suite 4
Benson, AZ 85602
rkirschmann@cochise.az.gov





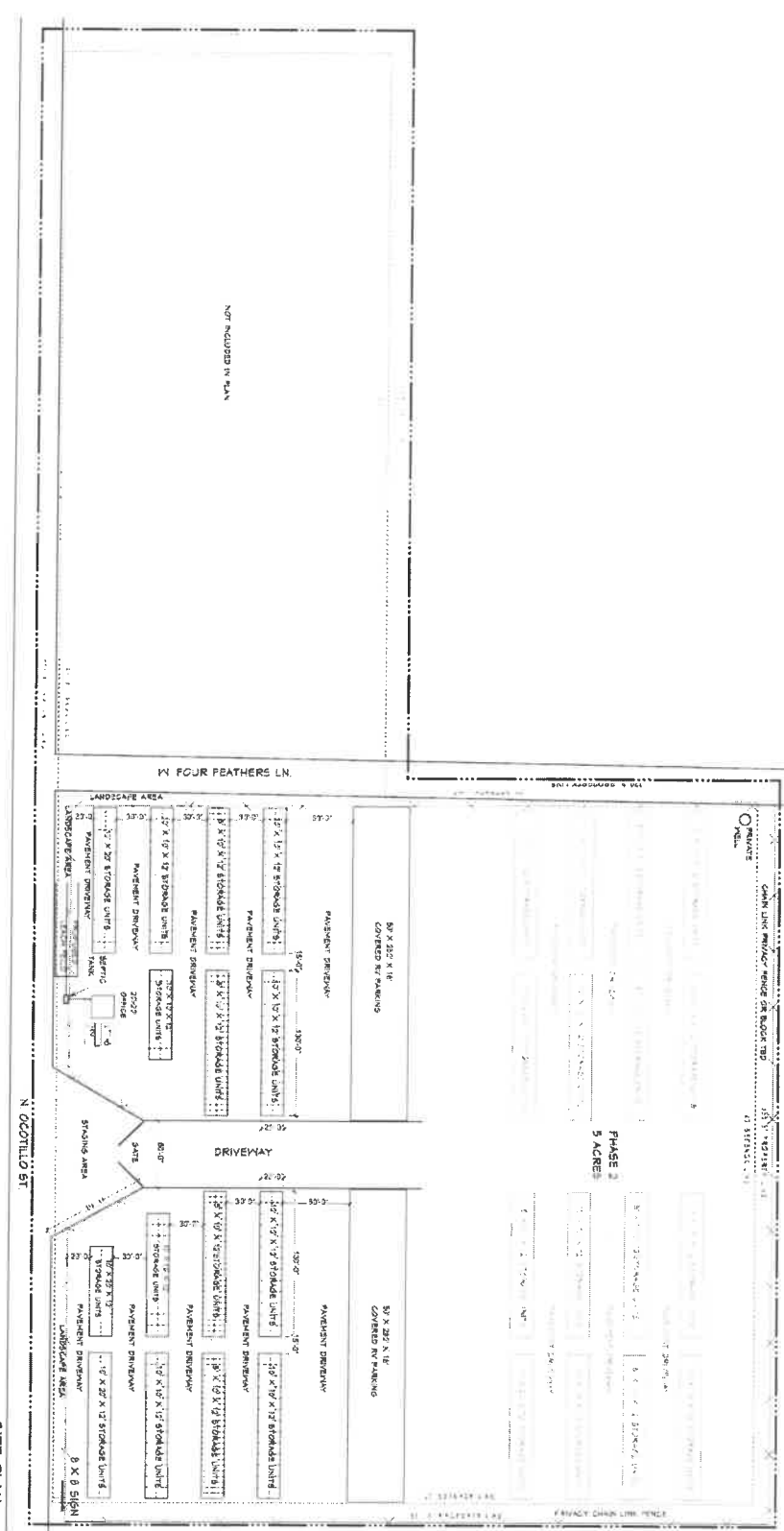
Enter Address or Parcel



LABORER
 11.24
 2.31
 47.1131
 COUNTY, AZ

133,000.00
 14.48 ACRES
 27'-0"
 29'-0"
 20'-0"
 R38

2015 IBC
 CITY



OCOTILLO STORAGE UNITS

SITE PLAN
 1" = 50'-0"

ST1
 MAJOR
 SITE PLAN

GALEB HALBOEUF
 BENSON, AZ

DATE: 03-30-2022
 SCALE
 REVISION:

DRAFTED BY:
 NATHAN COLEMAN
 2285 N SUNSET AVE
 BENSON AZ 85602
 CELL
 520-686-0071

OCOTILLO STORAGE UNITS
 N OCOTILLO ST.
 BENSON, AZ

Section marked "NO, I DO NOT SUPPORT THIS REQUEST"

I will begin by following the format of the application for special use that Caleb Malboeuf filed for tax parcel number 123-09-010 H. My parcel number is – 123-09-01108 and is the only parcel that is adjacent the proposed project parcel that is not in the City of Benson. All other properties that border the proposed project are undeveloped and within the city limits of Benson. A portion of this parcel is across a roadway (Four Feather Ln.) and is primarily storm water management consisting of a large wash. This area is designated on the application plan as not included, therefore the adjoining parcel to this project is not considered to be directly adjacent.

Text from the application will be in Italics to save confusion between my statements and those of the application text and Mr. Malboeuf's responses will be underlined.

Opposition statement begins here;

Name of all property owner (s): (left blank)

The actual property owner of the proposed parcel is (Cochise Caverns LLC) - Mark Kartchner and not Caleb Malboeuf. Mr. Malboeuf has also falsely checked the box "I am the property owner".

Current Zoning Designation: R-36

The actual zoning of this parcel is TR-36. "TR districts are located at the fringes of developed areas and act as a transition zone between high-density urban and low-density rural lands." While they are subject to most of the zoning regulation of R-36, TR-36 is designated as 1 (one) residence per minimum of 5 acre parcel and prior to the change in regulations was not subject to variances.

Is the proposed special use consistent with the stated purpose of the current zoning district? Explain. Yes

It is not consistent with the reduced density and building structures established by the TR-36 zone. One Residence per 5 acre parcel. This was established to create a low density buffer area between light industrial to dense housing areas and the low density rural area consisting of larger parcels and farming zones. Directly behind this proposed project is property already designated B-2 by the City of Benson. These properties would not require rezoning, special permits, or variances of any kind. There is already an established buffering corridor area between the zones, it is a utility right of way.

Total average traffic generated. Unknown, traveling mostly from the south, 90% from the south 10% from the north.

This is incorrect as those arriving from the south will also have to return unless they will be traveling over Reddington Pass to other destinations. This facility will increase traffic on Ocotillo. And will damage the road that is not maintained by the City of Benson. According to Cochise Ccounty Zoning Regulations 1716.02 E1 "Applicant shall provide data supporting the estimated traffic volume as part of the application." There is no data provided and no research has been done to provide the data. Proper research for actual data needs to be provided. It was recently demonstrated that even minimal traffic increase in the area causes problems as it did during the Benson Musical Festival that was held at the Robertson Horse Ranch off Darby.

While that is a larger quantity of traffic than a storage facility/ RV parking would generate it will still be a sizable increase. As a former manager of such a facility I can with good confidence state that there will be a good increase of traffic, especially if he rents units to contractors as we did in our facility. They were in and out of their units multiple times a day with various sizes of vehicles, from semi trucks making material deliveries to smaller work vehicles.

Water use. 10 gallons per day 3650 per year – water source. Private well to be drilled.

This is inaccurate, Mr. Malboeuf states that there will be 1 (one) employee. The site plan has an office structure where assumedly the employee will be placed. Arizona Labor laws require there to be restroom facilities in such a structure if you will have a full time employee. 3 (three) flushes of a toilet and hand washing uses more water per day than that. In addition to the restroom facilities he will need to water the proposed landscaping as pavement and buildings do not allow for enough natural rain water to adequately seep into the ground for native vegetation to stay alive. He also has placed the septic tank in what the county has designated as storm water management area. This is a potential contamination disaster ripe for contaminating both of my wells and those wells farther north. There is an underground river that flows north through this area as does the San Pedro for part of the year.

What impact will this have on the traffic volume of roads serving this subject property? In my opinion very little to none.

This facility will increase traffic on Ocotillo. And will damage the road that is not maintained by the City of Benson. Ocotillo is already beginning to show signs of subsidence from just the local traffic that uses it. According to Cochise County Zoning Regulations 1716.02 E1 "Applicant shall provide data supporting the estimated traffic volume as part of the application." There is no data provided and no research has been done to provide the data. Mr Malboeuf's response to that part of the application was "In my opinion, very little to none." Proper research for actual data needs to be provided, his opinion is not sufficient. He doesn't live in the area and therefore has no basis for his opinion. I live in the area, in fact next door, and in the past I have managed storage facilities in the Sedona area for several years. A reference for this can be provided.

How many driveway cuts are proposed along streets or easements to allow site access? 1

Mr. Malboeuf intends to have ingress and egress from Ocotillo. Where there is no left turn lane or right turn lane. That access will require a culvert as it is a heavy flow area during monsoon season which is why it is designated as part of the storm water management.

Will outdoor storage of equipment, materials or products be needed? If yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. RV storage.

There is no description of any screening or sound barriers on the submitted site plan. Residents buy in TR36 zoning areas because we want the space, privacy, and the quiet such larger lots afford the property owner. Placing a busy storage/RV storage area disturbs that quality of life. We already experience such activity in limited form from the KOA that was grandfathered in when the zoning district was put in place.

Will any noise or vibrations be produced that can be heard or felt on the neighboring properties on a regular basis? No

This is not correct, the starting and moving of RVs is quite noisy, especially the larger ones. As is the general traffic of people accessing storage units, moving things in and out at all

blank)

As I have stated before drainage during Monsoon is a huge problem. Improperly cared for it will cause damage to surrounding properties, roadways and can make the ground unstable, causing building settling and damage. This issue needs to be addressed before this can move forward. From the attached site plan he submitted this has not been addressed, nor even considered. The front 50 feet of the proposed phase 1 is partly in the storm water management area and contains a ditch that diverts water away from Ocotillo. This is also where he intends to put ingress and egress to the property. The property slopes toward the north and east (see exhibit A) and will require water runoff/retention measures so as not to flood the road (Four Feathers ln.) or the adjoining properties.

Additional issues not covered in the application form.

The ground is unstable and will need to have extensive compression testing done to insure the buildings of this size will remain stable after construction. Proposed condo's/townhouses on Darby (See exhibit A) were not built as the ground tested to unstable for structures of that size which is equal to the size of the proposed storage facilities. Testing must be done to prove the ground is stable enough for structures of the size to be built and the additional weight of what could be stored in the rental units. Should this be left undone and the structures built and settling occurs damaging the structures, which are a public facility, they could possibly be condemned. Once the nature of the area is destroyed, the neighborhood would be left with an abandoned building eyesore, creating a hazard for wild life, neighborhood kids that play in the area and the homeless that traffic the area.

There are already 5 other storage facilities in Benson, all of which have vacancies. Is it really prudent for local development to add yet another one in this location that requires a special use permit when there are parcels adjoining it that are already zoned for such use?

The purpose of zoning is to maintain the integrity of a community and neighborhood, creating zones of like interest, homes, and lifestyle desires. These zoning regulation also maintain the integrity of the value of homes, land, and businesses within those zones. What is the point of zoning regulations if for a few dollars, some paperwork and a gratuitous public meeting, that is overthrown, and anything can be built anywhere?

The proposed facility will not benefit the local residents, the properties in the zoning district TR-36 have plenty of space to build their own storage. People in the TR36 zone buy there because we don't want neighbors right next door. We buy in TR36 because we want the space, privacy and the quiet such larger lots afford the property owner. Placing a busy storage /RV storage facility disturbs that environment. We already experience such activity to a minor degree from the KOA that was grandfathered in when the zoning district was put in place. Additionally such a facility will degrade the value of existing residential property in the area.

Historically Cochise County Planning and Zoning grants any variance that is applied for. In light of that, the following are conditions I ask to be placed on the building of the facility, should you decide to approve it:

1. A set back of 100 feet from my property line. As required by the ADWR septic must be 100 feet from any well. I have a grandfathered agricultural well that is 5 feet from the

property line. The 100 foot set back will, hopefully, mitigate any migration of chemicals spilled, leaks from stored RVs, dumping of liquids from renters of the storage units, leaking from garbage dumpsters or contaminated runoff from the paved areas and roofs.

2. No removal of natural native mesquites. These are old growth trees, some are at least 60 years old. This is for the preservation of the wild life that inhabit the area. They will help to maintain the natural barrier between the adjoining properties, keep the privacy of the adjoining property, and act as part of a sound barrier. There is also a small herd of deer that reside here, in winter – some remain year round. There are about 50 species of birds that migrate through here as well, including a great snowy owl that passes through twice a year.

3. A minimum of 8 foot block privacy fence, the entire length of the set back area to preserve the wildlife corridor and the privacy and security of the adjacent property.

4. No exterior lighting or cameras facing the adjoining property.

5. No standing storm water retention areas, these only breed mosquitoes that are a health hazard to the local residents.

6. Landscaping with local native plants only.

Respectfully submitted

Kathy Glidewell

Owner of Tax record parcel # 123-09-01108

Additional note: I will also be attending the public hearing for this matter.