

DRAFT

PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, APRIL 10, 2024

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, APRIL 10, 2024 at 4:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Kim DePew, Chair; Jim Martzke, Member; Pati Fickett, Member; Albert Young, Member; Randall Limbach, Member; Robert Montgomery, Vice Chair; Larry Saunders, Member

Absent: Nathan Watkins, Member; Gerry Gonzalez, Member

Staff Present: Matthew Taylor, Planner II
Christine McLachlan, Planning Division Manager
Paul Correa, Civil Deputy County Attorney

Chair DePew called the meeting to order at 4:00 p.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL (Introduce Commission members and explain quorum and requirements for taking legal action).

CALL TO THE PUBLIC – Pursuant to A.R.S. § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on any issue within the Commission's jurisdiction. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

Approval of the March 2024 Meeting Minutes.

APPROVED

Roll call vote. Member Young and Vice Chair Montgomery abstained due to their absences at the previous meeting

Vote: 5 - 0 Approved

PUBLIC HEARING

1. Docket RZ24-04: An applicant-initiated request to rezone APN 104-12-016 from RU-2 (Rural District, one dwelling per 2 acres) to RU-4 (Rural District, one dwelling per 4 acres).

Motion by Member Jim Martzke, Second by Member Albert Young Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Wesley Jackson, who was present at the meeting, provided an applicant's statement following the presentation.

Commission discussion: No commission discussion.

Staff recommended forwarding the docket to the Board of Supervisors with a recommendation of approval. No conditions were recommended. Approved 7-0.

Vote: 7 - 0 Approved

2. Docket SU24-03: An applicant-initiated Special Use Authorization request for an existing communication facility with tower and supporting equipment on APN 123-30-005J. The property is located on the 1800 Block of E. Ramsey Road between Dusty Tyra and Saddle Vista Roads near Benson, AZ.

Motion by Member Randall Limbach, Second by Member Jim Martzke Case planner Taylor provided a staff presentation, which is preserved in the files. Dakota Pro representative Bill Bosmeny, who was present at the meeting, provided an applicant's statement following the presentation. Tim and Laura Romer, neighboring property owners, spoke to the request. Laura Romer stated Dakota Pro was responsive when contacted. She also stated there had been confusion because a private easement was used during construction. Tim Romer thought more neighbors should have been notified and there were many service providers available in the area. They were concerned about wear and tear of the access route. During the applicant rebuttal, Mr. Bosmeny stated he was unaware there was an issue with using the Dusty Tyra (access road). He stated the route would only be used two times a year with a light pickup truck.

Commission discussion: Vice Chair Montgomery stated his questions were answered. Chair DePew asked what alternative did the applicant have if access via Dusty Tyra was forbidden? Mr. Bosmeny responded that the property owner felt he was within his rights to use Dusty Tyra, with a private maintenance agreement. He was happy to reach out and see what ongoing road maintenance was needed. Chair DePew asked staff whether there was a legal impediment to approval of the special use with unknown legal access. Case planner Taylor responded that the access issue was a civil matter, but the recommended condition concerning site access could be amended.

Case planner Taylor recommended conditional approval and noted the county's permit requirement to enter into a private maintenance agreement should satisfy the commission's concerns regarding site access and road maintenance.

Approved 7-0.

Vote: 7 - 0 Approved

3. Dockets MDP24-01 and RZ24-05: An applicant-initiated request for master development plan approval to redevelop the former Turquoise Valley Golf Course and RV Park in Naco, AZ. The property totals about 175 acres and is located at 1794 W. Newell Street (APNs 102-55-002 and 102-55-005). In addition to master development plan approval, the applicant requests rezoning the property from RU-4 (Rural District, one dwelling per 4 acres) and R-36 (Residential District, one dwelling per 36,000 square feet) to PD (Planned Development District).

Motion by Member Jim Martzke, Second by Member Larry Saunders Case planner Taylor provided a staff presentation, which is preserved in the files. Savannah McDonald, who was present at the meeting, provided an applicant's statement following the presentation. Joseph Lewis, property owner, was also present and responded to questions from the commission. Al Anderson, citizen, spoke in favor of the request. James Terry, citizen, spoke in opposition to the request. Dorothy Kiesling, citizen, spoke in opposition to the request. Genelle McCrary, citizen, spoke in opposition to the request. Christopher Willheite, citizen, spoke in favor of the request. Charles Behney, citizen, spoke in favor of the request. Bruce Kuehula, citizen, spoke in opposition to the request. Stephen Dey, citizen, spoke in favor of the request. Kimberly Welz, citizen, spoke in opposition to the request. Joseph Lewis provided an applicant's rebuttal.

Commission discussion: Member Limbach questioned applicant's the traffic impact report. He questioned how the applicant determined there was not a significant traffic impact generated and whether there was a need for additional first responder and police presence. Applicant Lewis responded that most events will be small, most event participants would stay onsite, and there would be a shuttle to Bisbee. He stated he would have additional staff to guide traffic for larger events, as needed. Member Limbach also had concerns about noise. Applicant Lewis stated there won't be performers every night and he was open to additional noise limits. Vice Chair Montgomery asked the

applicant to define dry camping. He asked how this differed from parking. After confirming the population of Naco, which is approximately 1,000 people, he had concerns that this development could accommodate a population greater than Naco and whether fire or police could handle the additional number of people. Applicant Lewis stated that most visitors would stay on site or take a shuttle to Bisbee. Vice Chair Montgomery stated the application seemed very similar to the previous outdoor venue request. The previous request was denied due to noise, dust, and traffic concerns. Vice Chair Montgomery had the same concerns for this application. Member Fickett stated she had concerns about water availability in Naco. She felt this development would strain the supply. Applicant Lewis responded there was a good aquifer supply available. He stated the previous water demands for the golf course used a lot of water. The dry campers would bring in their own water and the new development would use low water-usage plants. Member Martzke commented that the number of supporters seemed greater for this proposal compared to the previous application. He felt there was still some work that needed to get the project embraced by the community, but he was supportive of the proposal and felt it would eventually be a good community asset. Member Saunders stated that he agreed dry camping was low water usage. He questioned the phasing plan and the surfacing material. Applicant Lewis stated that he planned to build out the total project in five-years. Member Young questioned the ballroom and amphitheater capacities, as well as the location of the outdoor amphitheater. Vice Chair Montgomery mentioned there is a difference between Benson, which is located on I-10, and Naco and cautioned the comparison between the two places. Chair DePew questioned where the visitors would be drawn from and whether this was a viable development. Applicant Lewis stated he would market the project statewide. Chair DePew stated the County needs economic development, and he has the right to develop as a property owner, but she was worried about traffic. Member Martzke stated that the commission was responsible for evaluating whether the project was logical and appropriately placed, and the viability was up to the developer. Member Fickett reiterated that she was concerned whether this was the right type of economic development in Naco and the impact to the neighbors. Member Saunders asked staff to clarify the public input response.

Case planner Taylor provided a recommendation of conditional approval to the Board of Supervisors.

Approved 4-3.

Vote: 4 - 3 Approved

NO: Member Pati Fickett
Member Randall Limbach
Vice Chair Robert Montgomery

PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.

CALL TO COMMISSIONERS ON RECENT MATTERS.

ADJOURNMENT

Chair DePew adjourned the meeting at 6:25 pm

APPROVED:

Kim DePew, Chair

ATTEST:

Daniel Coxworth, Development Services Director