

# Board of Supervisors

**Patrick G. Call**  
Chairman  
District 1

**Ann English**  
Vice-Chairman  
District 2

**Richard R. Searle**  
Supervisor  
District 3



**Michael J. Ortega**  
County Administrator

**James E. Vlahovich**  
Deputy County Administrator

**Katie A. Howard**  
Clerk

**AGENDA FOR WORK SESSION**  
**Tuesday, September 27, 2011 at 4:00 p.m.**  
BOARD OF SUPERVISORS EXECUTIVE CONFERENCE ROOM  
1415 MELODY LANE, BUILDING G, BISBEE, AZ 85603

**ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION**

**ROLL CALL**

*Members of the Cochise County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.*

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## **ITEMS FOR DISCUSSION**

### **Board of Supervisors**

1. Discuss Docket Z-11-06, a request to rezone Parcel number 124-01-013H. located at 1670 South J-6 Road, Benson AZ, from RU-4 (one dwelling per four acres) to SR-2 (one dwelling per 2 acres).

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability.

Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

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**Cochise County - 1415 Melody Lane, Building G - Bisbee, Arizona 85603**  
**(520) 432-9200 - Fax (520) 432-5016 - Email: [board@cochise.az.gov](mailto:board@cochise.az.gov)**  
**[www.cochise.az.gov](http://www.cochise.az.gov)**

**"PUBLIC PROGRAMS, PERSONAL SERVICE"**

DIS-453

Items For Discussion 1.  
Community Development

**Work Session Board of Supervisors 2**

**Date:** 09/27/2011

**Rezoning for Easter Mountain Ranch, LLC**

**Submitted By:** Gussie Motter, Board of Supervisors

**Department:** Community Development

**Division:** Zoning

**Presentation:** PowerPoint

**NAME of PRESENTER:** Beverly Wilson

**TITLE of PRESENTER:** Interim Planning Manager

**ORGANIZATION NAME of PRESENTER:** n/a

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**Agenda Item Text:**

Discuss Docket Z-11-06, a request to rezone Parcel number 124-01-013H. located at 1670 South J-6 Road, Benson AZ, from RU-4 (one dwelling per four acres) to SR-2 (one dwelling per 2 acres).

**Background:**

The land is owned by Easter Mountain Ranch, LLC and consists of approximately 556 acres. The owner plans on going through the Cochise County Subdivision permitting process. On August 10, 2011, the Planning and Zoning Commission voted unanimously (6-0) to forward a recommendation of approval to the Board.

This meeting will provide the Board with a more in depth overview of the proposed project. This rezoning has particular issues involving water conservation and availability; density; public access to the National Forest which has generated a lot of interest in the surrounding communities of J-Six and Mescal.

**To BOS Staff: Document Disposition/Follow-Up:**

n/a

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**Attachments**

Work Session Request

453\_9.27.11 Easter Mountain Ranch, LLC\_PPT

## Work Session Request Form

**Specific Topic / Wording of Agenda Item:** Board discussion on Docket Z-11-06 which is a request to rezone Parcel #124-01-013H, located at 1670 South J-6 Road, Benson, AZ, from RU-4 (one dwelling per four acres) to SR-2 (one dwelling per two acres). The land is owned by Easter Mountain Ranch, LLC and consists of approximately 556 acres. The owner plans on going through the Cochise County Subdivision permitting process. On August 10, 2011, the Planning and Zoning Commission voted unanimously (6-0) to forward a recommendation of approval to the Board.

**Justification / Executive Summary:** This meeting will provide the Board with a more in depth overview of the proposed project. This rezoning has particular issues involving water conservation and availability; density; public access to the National Forest which has generated a lot of interest in the surrounding communities of J-Six and Mescal.

**Proposed Outcome:** Policy direction from the Board regarding the provision of public access to the National Forest and water conservation.

**Presenter:** Beverly Wilson, Interim Planning Manager, Michael Turisk, Interim Planning Director; Carlos De La Torre, Community Development Director, Britt Hanson, Chief Civil Deputy County Attorney.

**Required Attendees:** Michael J. Ortega, CA, Jim E. Vlahovich, DCA

**Others to Notify:** Planning Commissioners, Steve Lenihan & Duff Hearon, Property Owners

**Date Needed:** September 27th or week of October 3rd.

**Estimated Time:** 1 hour

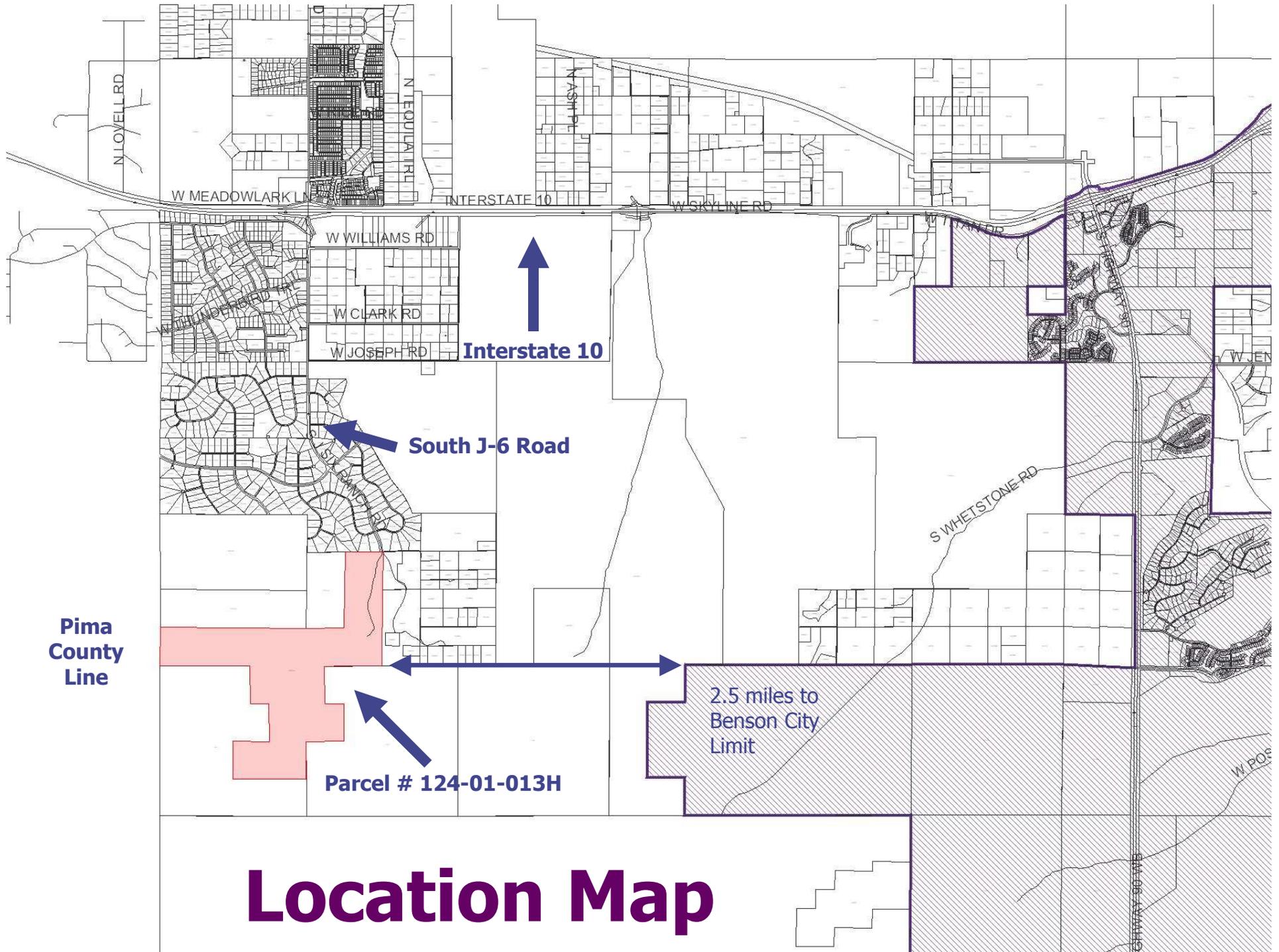
**Supporting Material to Be Included:**

**Requested by:** James E. Vlahovich, DCA



# Z-11-06 (Easter Mountain, LLC)

- 556 acres
- 2 miles south J-6/ Mescal I-10 Interchange
- Request to rezone: RU-4 to SR-2
- Proposed range of residential units:
  - 278 for residential subdivision
  - 371 if conservation subdivision option



# Location Map

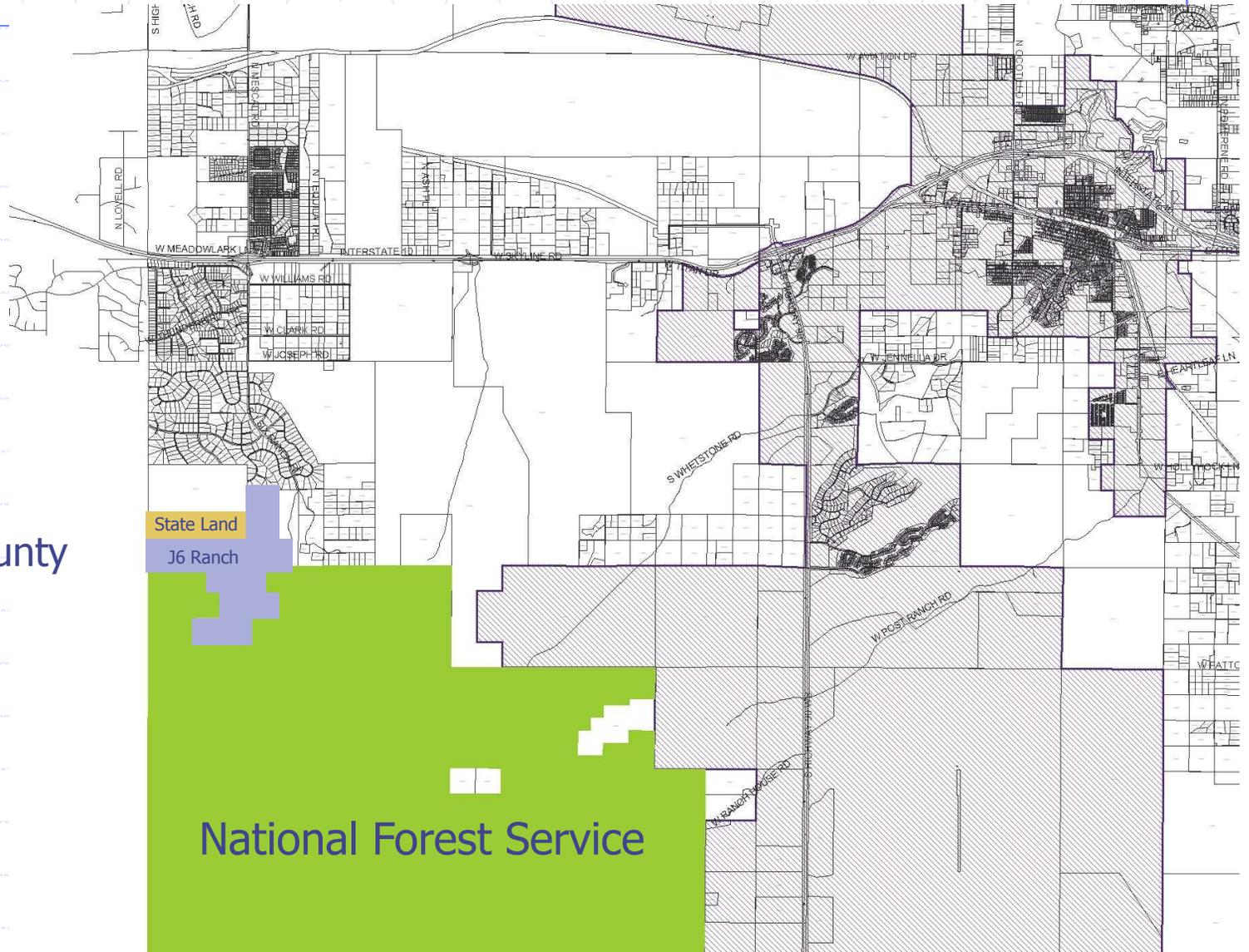


# Surrounding Lands

Pima County

State Land  
J6 Ranch

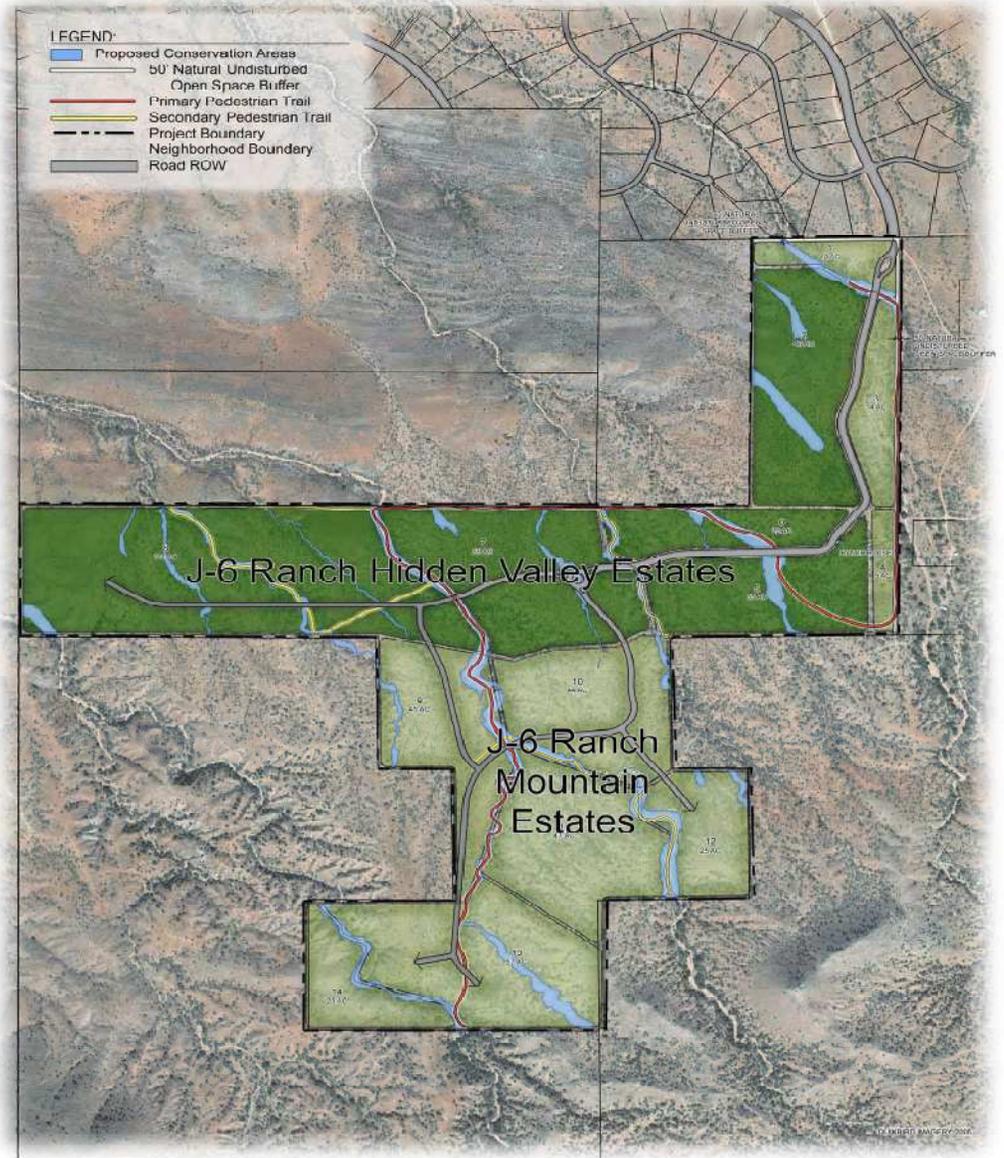
National Forest Service





# Concept Plan for Future Subdivision

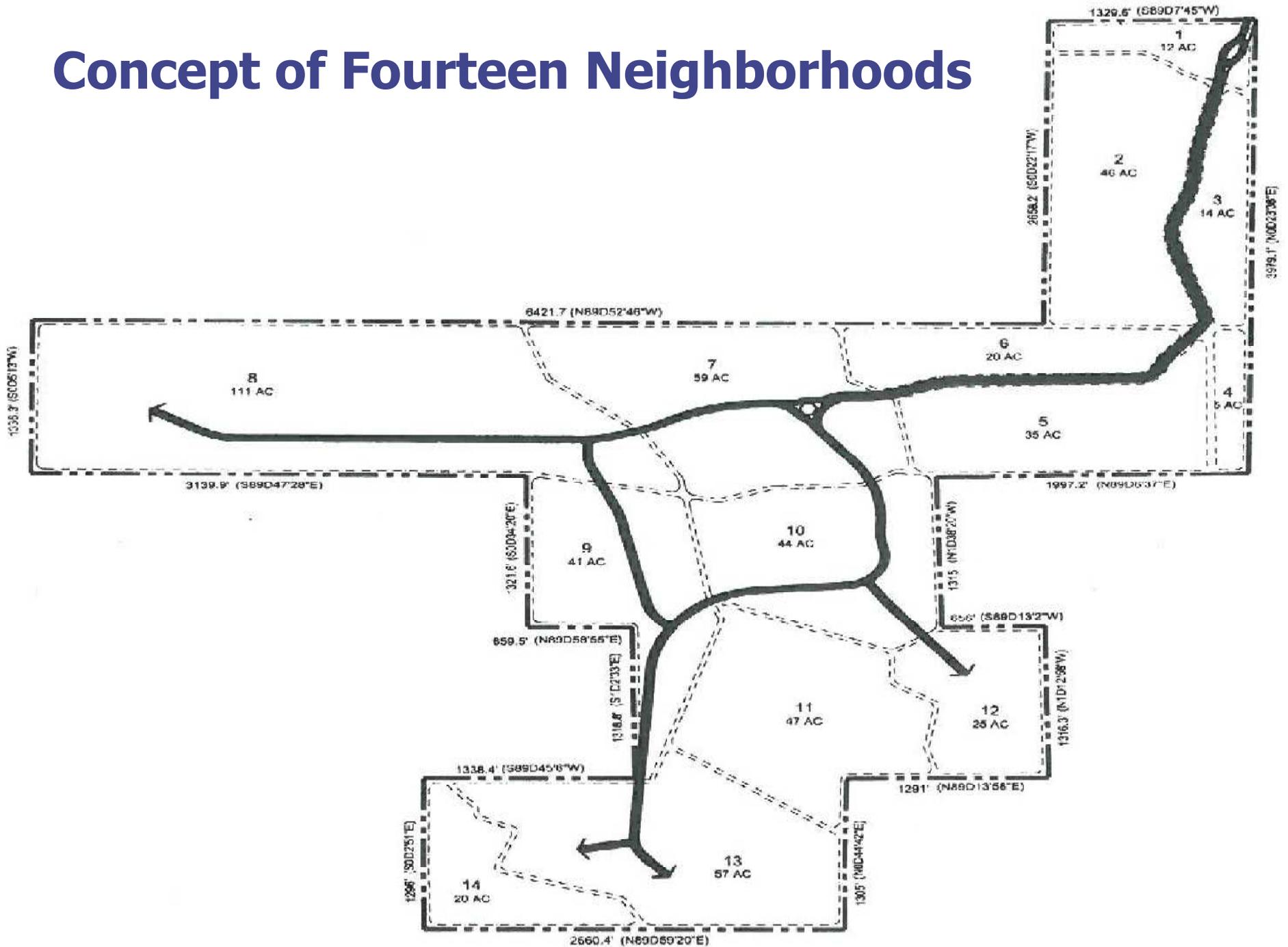
## CONCEPT PLAN



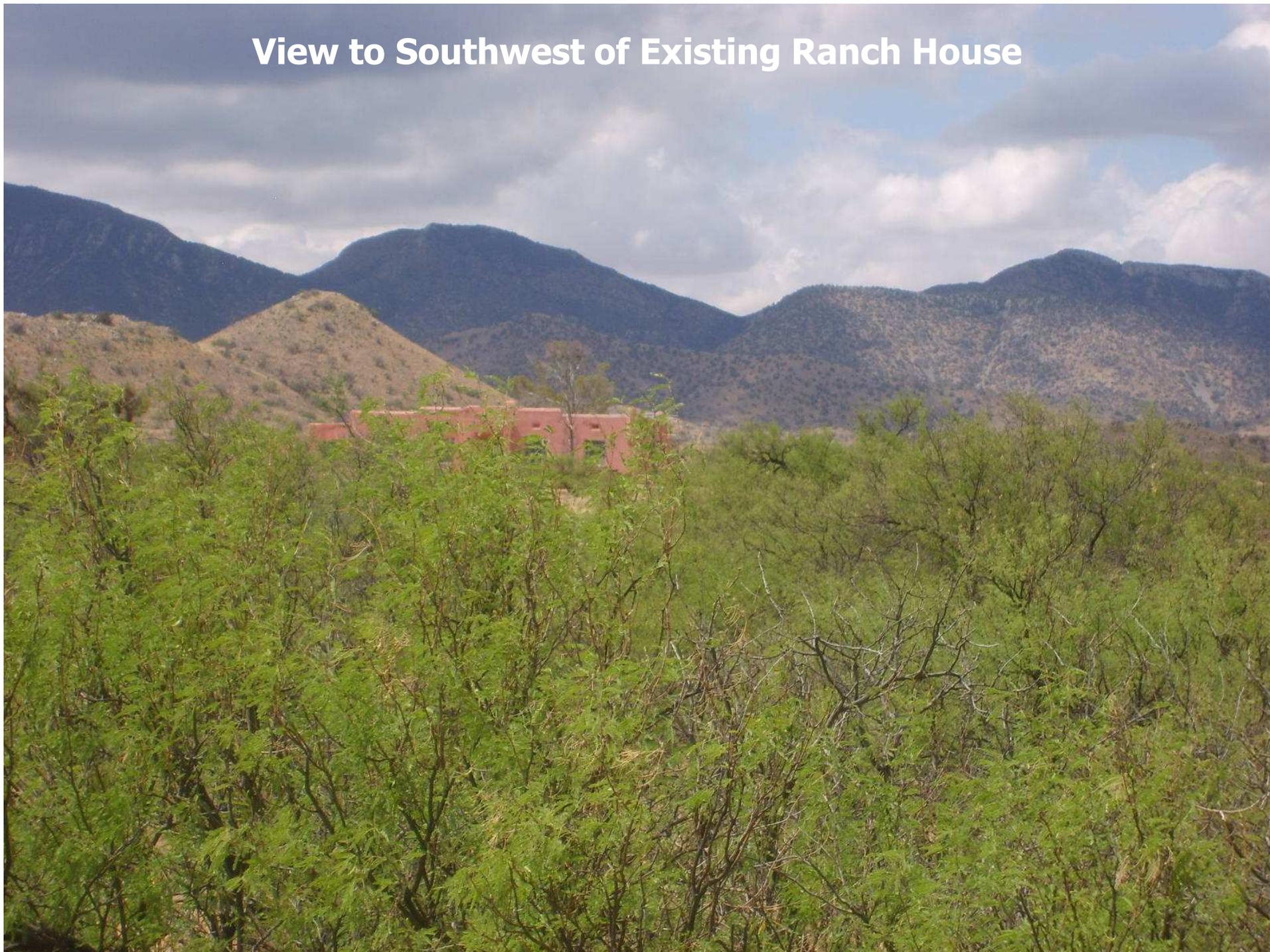
Easter Mountain Ranch, LCC  
1050 E. River Road, Suite 300  
Tucson, AZ 85718  
Steve Lenihan (520) 293-1702 ext. 104  
slenihan@usa.net  
Duff Hearon (520) 293-1702 ext. 102  
dhearon@ashlandgroup.net

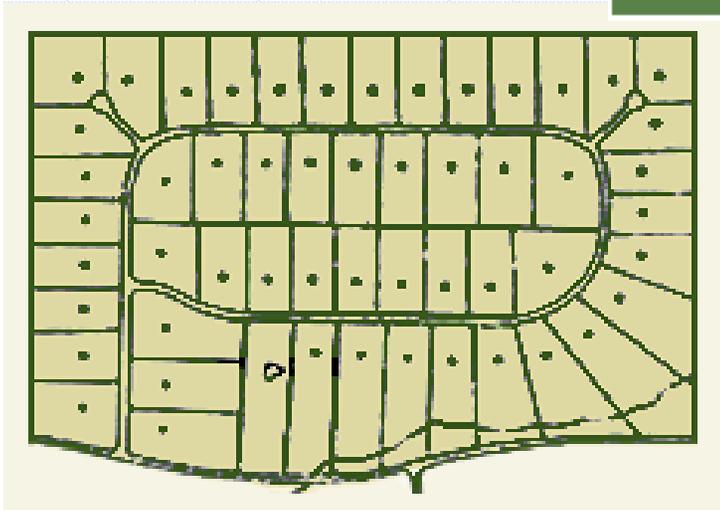
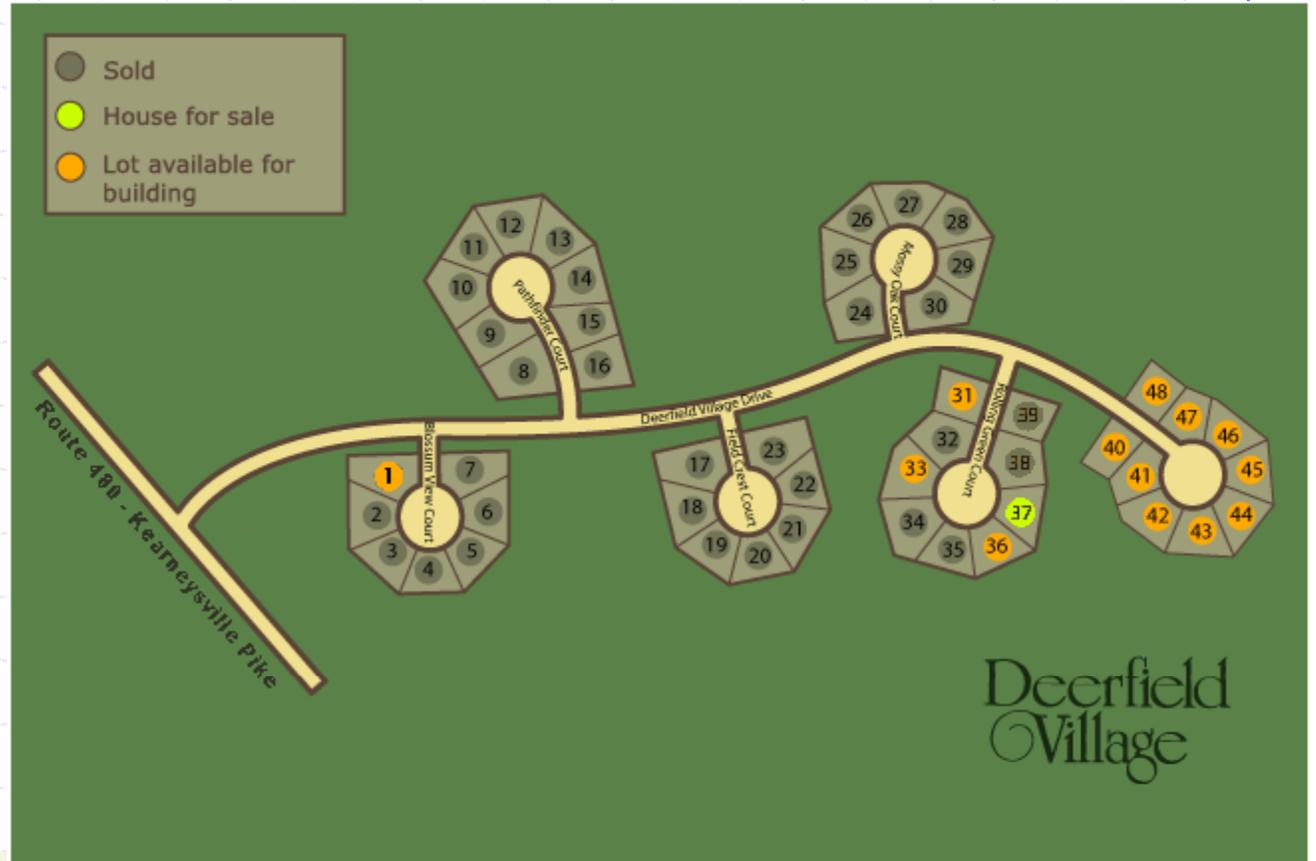


# Concept of Fourteen Neighborhoods



## View to Southwest of Existing Ranch House

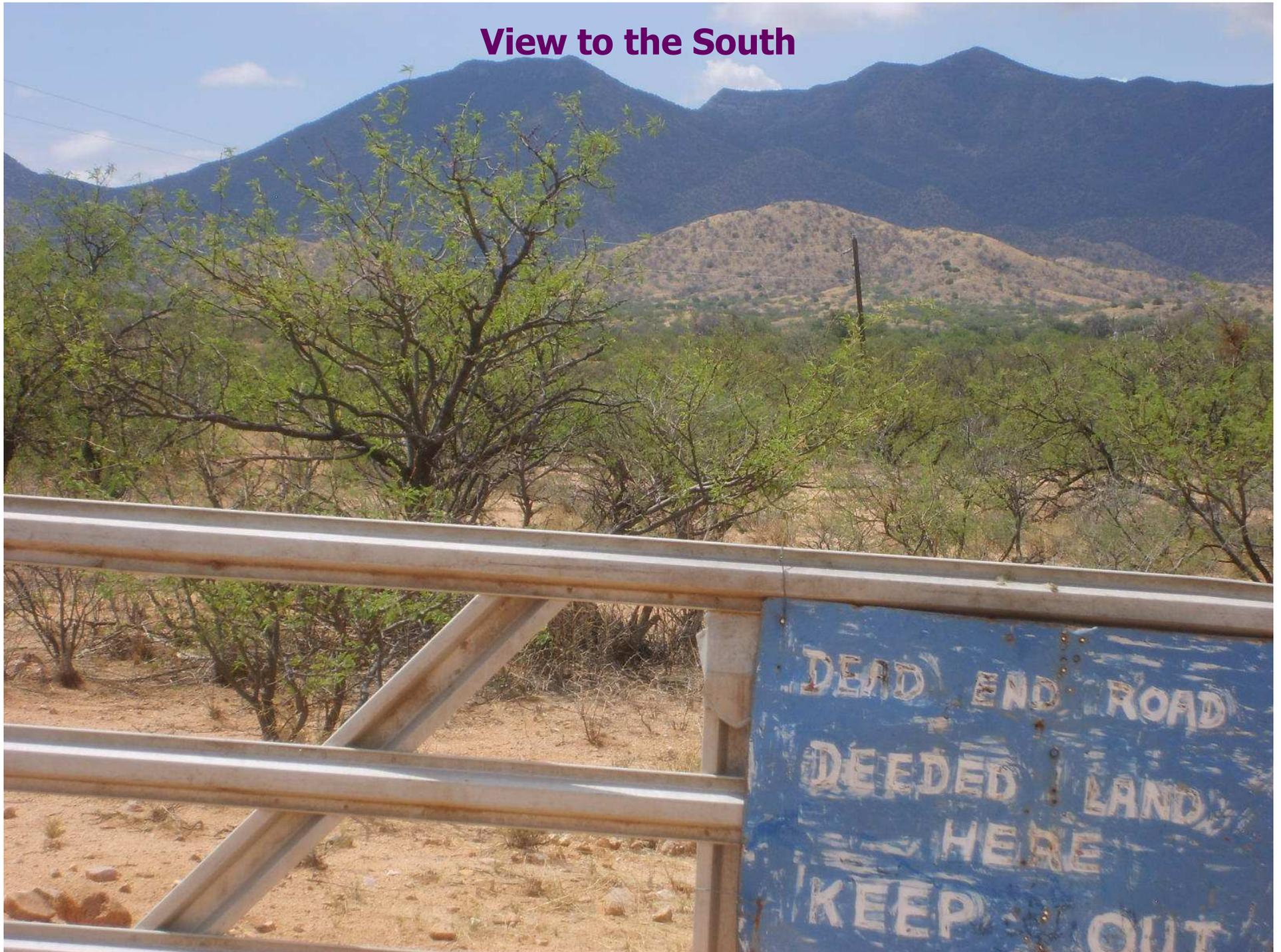


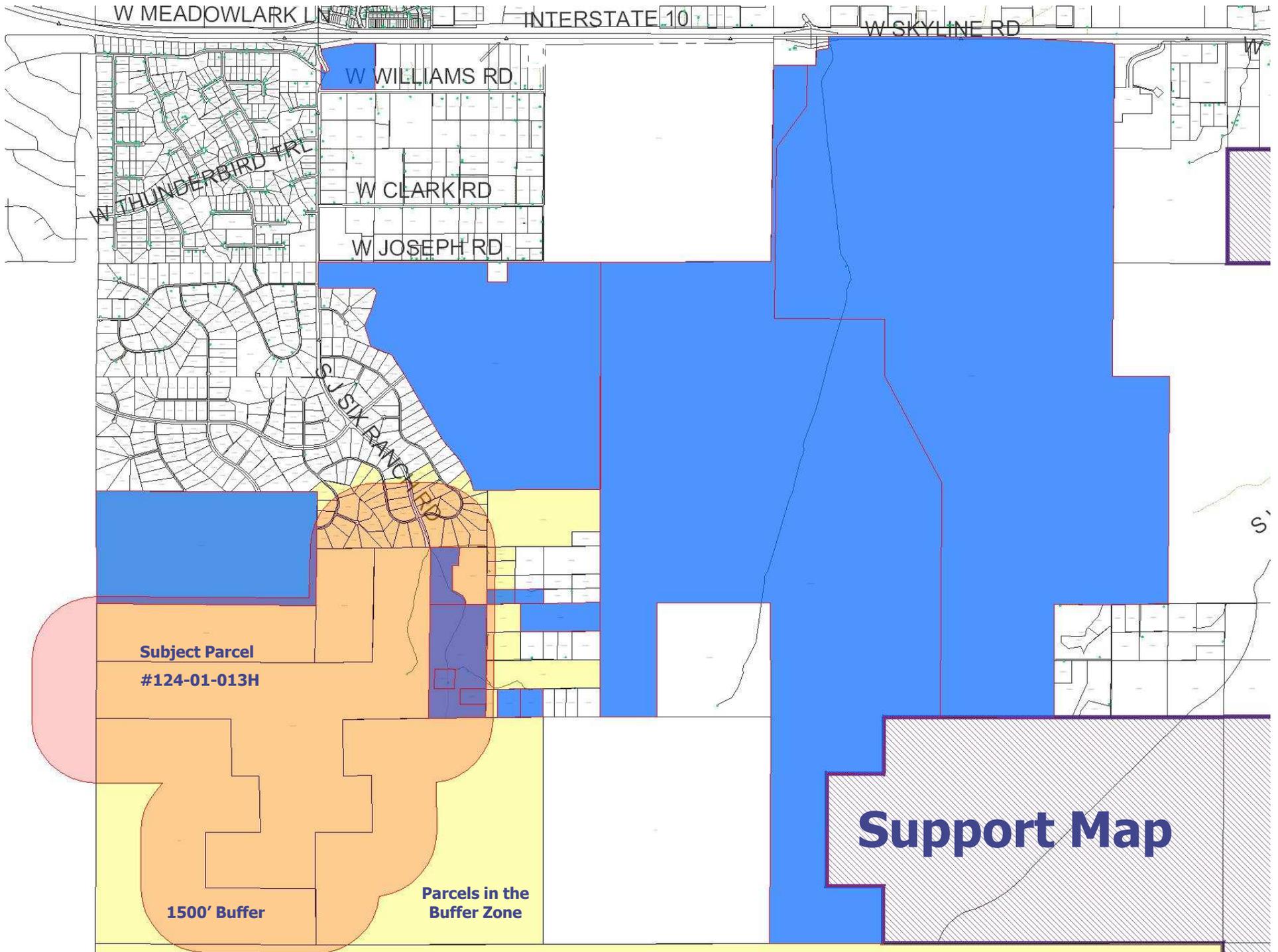


## View to the South near Entry Gate



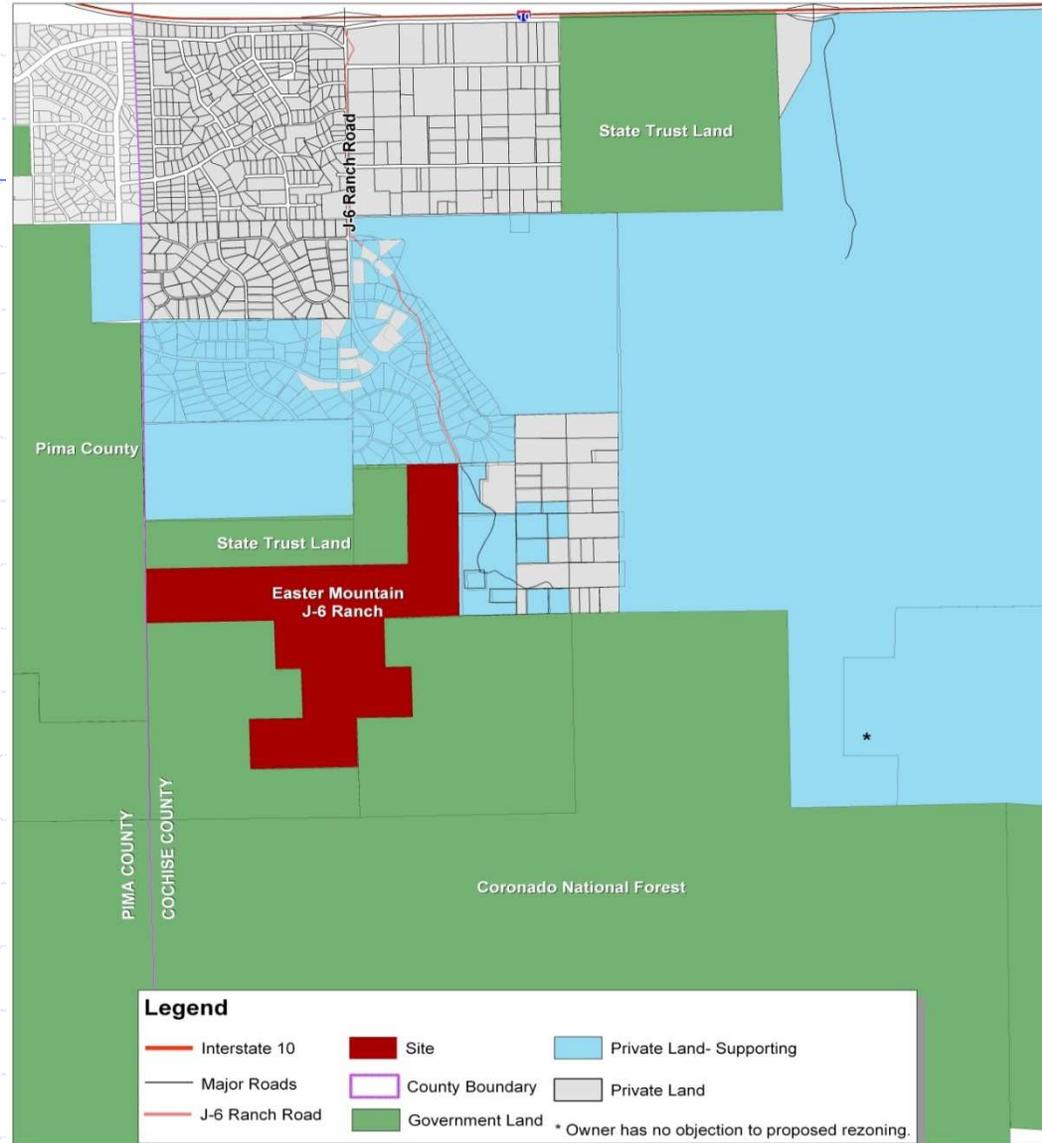
## View to the South







## SUPPORTING NEIGHBORS



verify



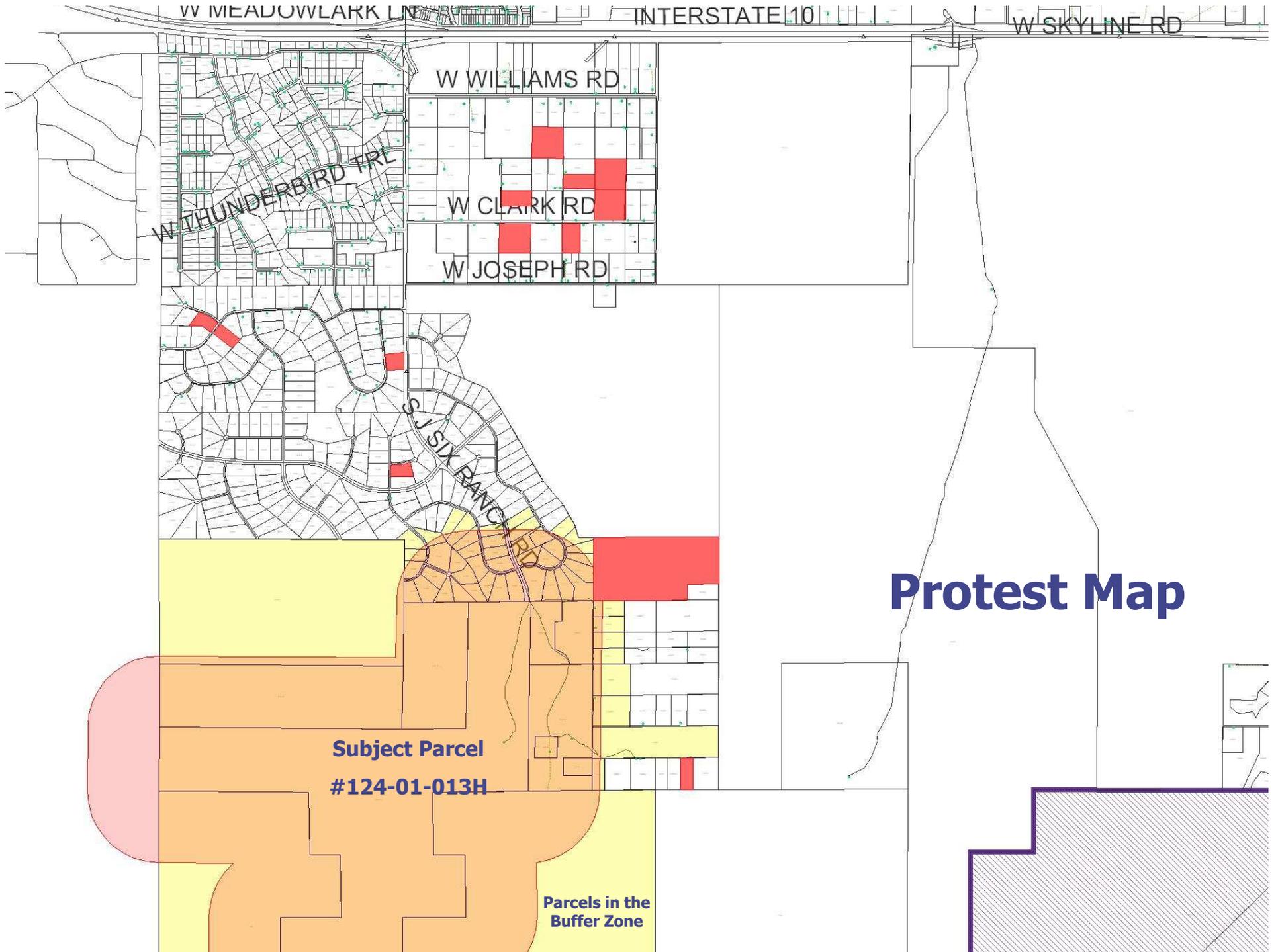
SCALE: 1" = 1000'  
DATE: 8/2/11  
FILE NAME: Supporting\_Neighbors.mxd





# Support Letters

- **Nine Additional Support Letters received from interested parties to include:**
  - ◆ **University of Arizona Tech Park at Rita Road, Tucson**
  - ◆ **Southeast Arizona Economic Development Group of Benson**
  - ◆ **Bisbee, St. David, Benson, and a nearby property owner in Pima County**
  
- **Positive Comments referenced:**
  - ◆ **A water company instead of private wells**
  - ◆ **Organized development**
  - ◆ **Private property rights**
  - ◆ **Water conservation and recharge**
  - ◆ **Stewardship of historical and beautiful area**
  - ◆ **Planned development instead of wildcatting**
  - ◆ **Provide an asset to the area**
  - ◆ **Proper light restrictions**
  - ◆ **Integration of Smart Growth Policies**

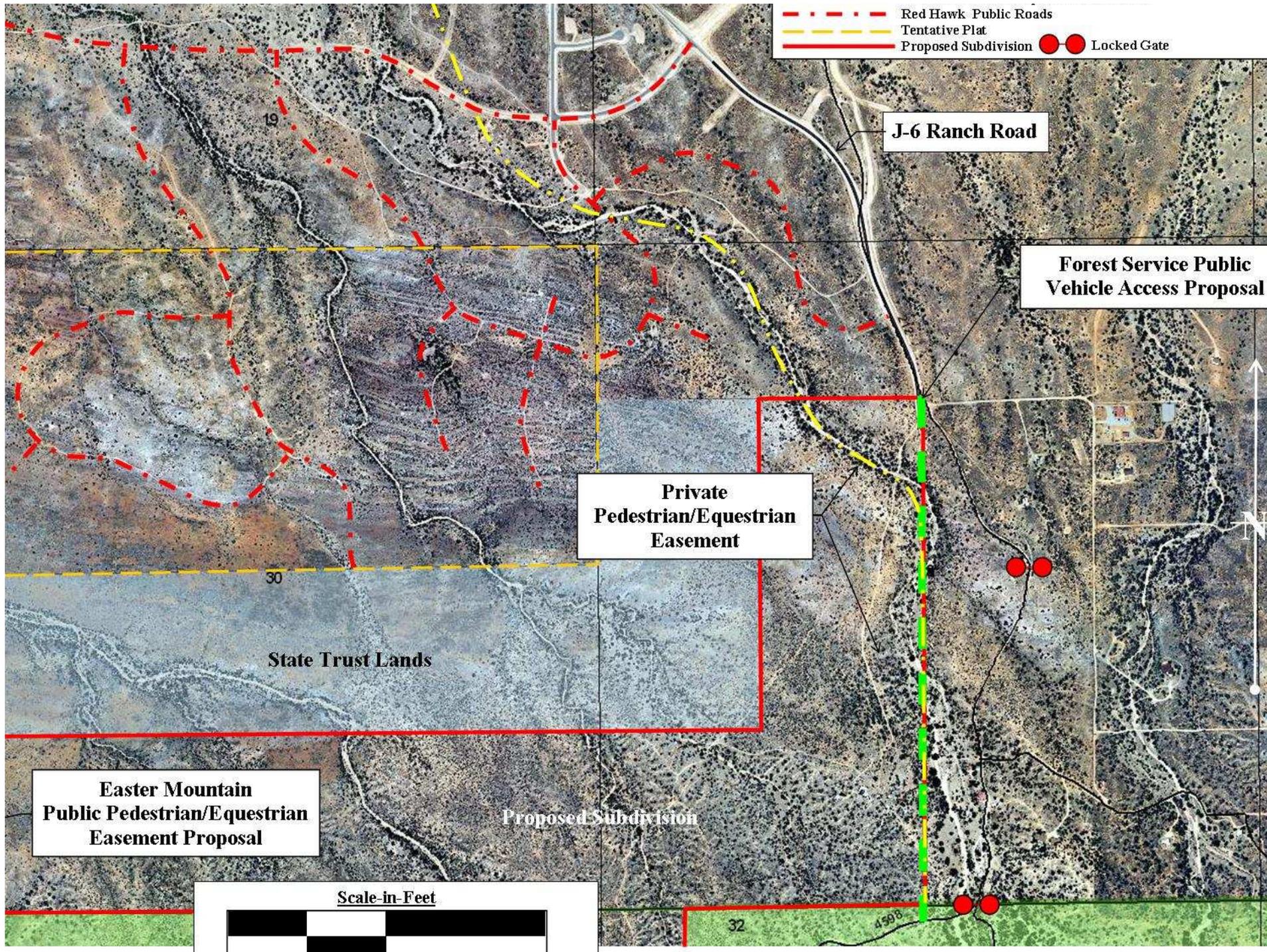


# Protest Map



# Protest Letters

- **Protest Comments referenced:**
  - ◆ **Setting precedence for higher housing density in neighborhood**
  - ◆ **Concerns about water availability**
  - ◆ **Potential for traffic congestion**
  - ◆ **Access to the National Forest**
  - ◆ **Concerns about property values**





# Factors Favoring Approval

- ◆ **Complies with 11 of the 12 applicable rezoning evaluation factors;**
- ◆ **The development has been included in the service area of the Empirita Water Company by the Arizona Corporation Commission and a "Determination of Physical Water Adequacy" by the Arizona Department of Water Resources;**
- ◆ **The Applicant conducted a Citizen Review Process and Staff has received 21 letters in support of this proposal**



# Factors Against Approval

- ◆ **A doubling of density may be considered incompatible with surrounding development**
- ◆ **The issue of public access to Forest Service Lands has not been resolved**
- ◆ **15 letters of protest were received**

# Commission Discussion





## Staff Recommendation

**The Planning Department recommends forwarding this request to the BOS for Conditional Approval, based on the following conditions:**

1. The Applicant shall provide the County a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning;
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. The Applicant will submit a subdivision plat within one year, with a phasing plan for all future development. All construction to be completed within 10 years or a length of time as determined by the Board of Supervisors. If these conditions are not met, the Board of Supervisors may revert the zoning of any portions of the parcels that are not subdivided back to the RU-4 District; and
4. The Applicant will work with the Arizona Fish and Game, the National Forest Service, and Cochise County to develop Public Access through the parcel to the Public Lands, which surround portions of the eastern, southern, and western edges of this parcel, to be reflected on all future subdivision plats.



# Water

1. The Applicant shall provide the County a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning;
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;
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