



Docket SUA-13-14 (West Edge Appeal)

Appeal of Commission Approval of
Docket SU-13-14 (West Edge)

Board of Supervisors
November 5, 2013



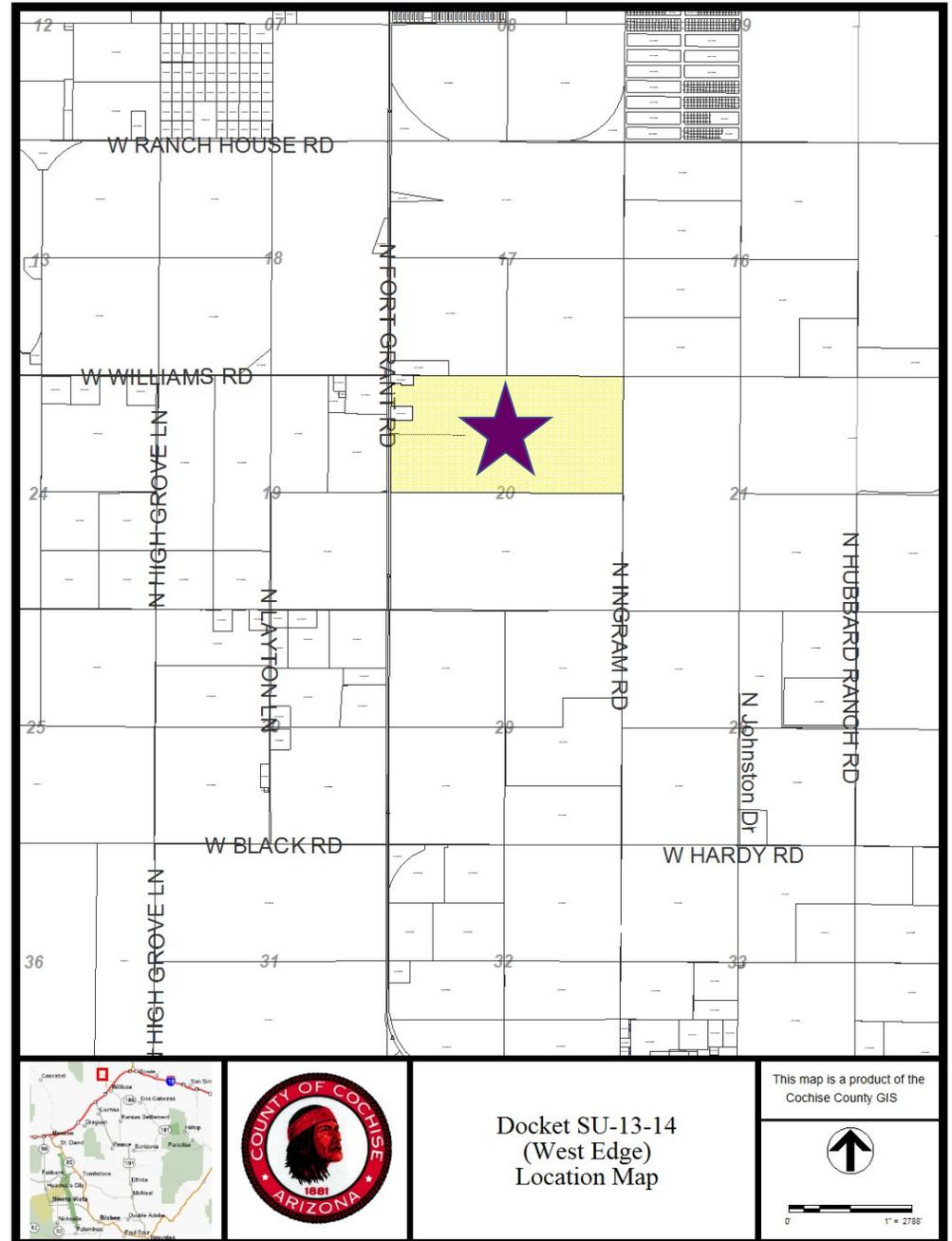
Docket SUA-13-14 (West Edge Appeal)

- Appellant John Curran Jr. has filed an Appeal against a decision made by the Cochise County Planning and Zoning Commission on Wednesday, September 11, 2013.
- On a 5 – 3 vote, the Commission approved a request for Special Use authorization to use a portion of the existing 7.75-acre Willcox Greenhouse for Medical Marijuana Cultivation and Infusion.
- The subject Parcel is located at 5900 W. Greenhouse Road in Willcox.
- The Applicant for Docket SU-13-14 is Withey Morris PC, Adam Baugh Esq., for West Edge, LLC.



Location

The 311-acre site is in far northern Cochise County, north of Willcox along Fort Grant Rd.



Docket SU-13-14
(West Edge)
Location Map

This map is a product of the Cochise County GIS



0' 1" = 2788'



1992

Imagery Date: 6/11/2011 32°22'53.56" N 109°55'13.53" W elev 4257 ft eye alt 5154 ft

Site Photos



Northeast view of the greenhouse superstructure.

Site Photos



Greenhouse interior

Site Photos



View of the southeast quarter of the greenhouse, where Phase 1 of the operation would be located.

Site Photos



Primary entrance area of the current operation (west side). West Edge, LLC., will install a separate entrance on the opposite side of the greenhouse.

Site Photos



Looking south along the east side of the building. The medical marijuana operation would use a separate, secure entrance here. Separate parking and loading areas would also be here.

Site Photos



The apron at Fort Grant Rd. is in need of upgrading (Condition #2).



Factor in Favor of Granting the Appeal

1. One concerned citizen has expressed opposition to the request in writing.



Factors in Favor of Denying the Appeal

1. On a 5–3 vote, the Planning Commission approved Docket SU-13-14;
2. With the recommended Conditions of Approval, the proposed use would comply with each of the eight applicable Special Use factors used by staff to analyze such requests;
3. Per Section 601.03 of the Zoning Regulations, the proposed use is appropriate in the Rural Districts and one that would be in keeping with the agricultural character of the area;
4. The proposed use can meet the minimum site development standards for the Rural Zoning Districts as well as those dedicated to medical marijuana uses per Article 18;
5. The proposed use would generate no appreciable off-site impacts;
6. The proposed use would use existing agricultural land, structures, and infrastructure; and
7. 10 neighbors have indicated support for the proposal.



Discussion

Google earth

1992

Imagery Date: 6/11/2011 32°22'53.56" N 109°55'13.53" W elev 4257 ft eye alt 5154 ft



Recommendation:

Staff recommends the Board of Supervisors deny the Appeal, and Conditionally Approve Special Use Docket SU-13-14.



Conditions of 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 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;



Conditions of Approval

2. As part of the commercial permit process, the Applicant shall obtain a right-of-way permit from County staff, and work to bring the apron at the Fort Grant Road access into compliance with County Highway Department standards;
3. 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; and
4. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission.