

CITY OF ELOY
REQUEST FOR PLANNING & ZONING COMMISSION ACTION

Agenda item: VII. E & F
Date: 10/19/2016

Date submitted:
09/12/2016
Date requested:
10/12/2016

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject: Approval for a Conditional Use Permit request by EPS Group, Inc. in c/o Jackie Guthrie on behalf of the property owner (Danny L. Curtis) to allow the operation of a Bed and Breakfast establishment as permitted ONLY under the R-4 (High Density Residential) Zoning District with a Conditional Use Permit (CUP).

TO: Planning & Zoning Commission

FROM: Jon Vlaming, Community Development Director

RECOMMENDATION: The Community Development Department Staff recommends that the Planning and Zoning Commission recommend approval to the Mayor and Eloy City Council for a Conditional Use Permit (CUP) request by the EPS Group, Inc. on behalf of Mr. Danny L. Curtis to allow a Bed & Breakfast operation located at 3930 N. Tumbleweed Road, Pinal County Assessor's Parcel Number: 404-08-364A, subject to the five (5) stipulations listed below:

1. That the Conditional Use Permit shall be subject only to the parcel (identified above) owned by Mr. Danny L. Curtis;
2. That signage may be erected (under separate permit) that clearly identifies the type of business and/or businesses, hours of operation, and physical address as per Chapter 21, Article XVI;
3. That a landscape plan shall be submitted and approved by the Community Development Director prior to approval of a business license, and that all landscaping shall be installed within six (6) months of Council approval of this Conditional Use Permit;
4. That the Conditional Use Permit shall be reviewed by the City within five (5) years from the date of Council approval for reapproval, reapproval with conditions or denial; and

5. Amendments to the Conditional Use Permit shall be processed in the same manner as the original application, except that the Zoning Administrator may authorize minor amendments.

DISCUSSION: Conditional uses are those uses which are generally compatible with the land uses permitted by right in a particular zoning district. However such uses require specific scrutiny to ensure that the location, building design and configuration, vehicle ingress/egress and parking and proposed activities are compatible and do not create nuisances for adjacent property owners.



STAFF FINDINGS: Staff has reviewed this use and finds it is compatible with the adjacent future land uses of the surrounding area based on the fact that:

- The proposed use is located at the intersection of two roadways that are identified as minor arterials on the General Plan Circulation Map.
- The proposed use can act as a noise buffer from the roadway intersection for the adjacent existing and future residential uses located to the west of the property.
- No expansion of the livable area is contemplated, so the provision of off-street parking is adequate and vehicular egress and access occurs directly on Tumbleweed Road.
- This property is located less than two miles south of the Eloy Municipal Airport and offers good visibility for potential patrons.

The request for a Conditional Use Permit is subject to prior Planning and Zoning Commission approval of the applicants' Minor General Plan Amendment (Case No.: GPA16-22) request and Rezoning (Case No.: RZ16-23) request. A Bed and Breakfast operation may be allowed, with a Conditional Use Permit, in the R-4 zoning district. If approved, this request would be in conformance with the Eloy General Plan and the Eloy Zoning Ordinance (if the two cases identified above are approved).

Notice of the public hearing for the requested CUP was provided at least fifteen (15) days prior to the public hearing through its publication in the *Eloy Enterprise* and posting of the Planning and Zoning Commission meeting agenda at the official City posting locations.



Roadrunner Bed & Breakfast Conditional Use Permit Application

August 15, 2016

Revised September 15, 2016

Owner/Applicant

Danny L. Curtis
3930 N Tumbleweed Road
Eloy AZ 85131
Contact: Dan Curtis
Tel: 251-718-9382

Planner

EPS Group Inc.
2045 S Vineyard Ave Suite 100
Mesa AZ 85210
Contact: Jackie Guthrie
Tel: 480-503-2250

Introduction

EPS Group, on behalf of Danny Curtis , submits this Conditional Use Permit (CUP) Application to allow for a bed and breakfast (B&B) establishment on approximately .83 acres located at the southwest corner of W. Shedd and N. Tumbleweed Roads. The Pinal County Tax Assessor Parcel Number (APN) is 404-08-364A. This CUP application is being processed concurrently with a minor General Plan Amendment and a zoning amendment request. The site includes one residential lot with an existing single-family home, detached garage and swimming pool on the property.

Request

The applicant proposes to operate a bed and breakfast establishment on the subject site. The Eloy Zoning Code permits bed and breakfast establishments in R-4 zoning districts with a Conditional Use Permit. This request is for a Conditional Use Permit as required by the Eloy Zoning Code, Chapter 21 Article VII, 21-68: B.

The owner/resident of the property desires to manage a bed and breakfast in his home. Four bedrooms within the home will be used as guest rooms. Bed and Breakfast establishments typically provide overnight accommodations with a morning meal. Guests often prefer the hospitality of a local resident and the experience of local culture, rather than a typical hotel or motel. B&B's also offer guests the opportunity to meet other visitors in an informal and social setting. Skydive Arizona, located at the Eloy Airport, less than a mile north of the site, hosts thousands of skydivers a year. The Roadrunner B&B is ideally located to offer accommodations to skydivers visiting the area.

The single family home is existing and perfectly suited for a bed and breakfast. The home is approximately 4,000 square feet in size and sits on a 36,253 square foot lot. The home was built in 2007. The master suite, including a kitchen and bath is located on the east side of the home. Four additional bedrooms, one and 1/2 baths, kitchen, laundry and common areas are



located within the home. A fenced swimming pool and outdoor courtyard area also exists for guest use.

Dawn to dusk lights may be installed by APS on the two power poles that exist along the alleyway on the west side of the property. Lights will be directional and will not spill over onto any adjoining property.

A low profile sign, not to exceed 3' x 4', will be installed with visibility from Tumbleweed and Shedd Roads, per City standards.

CUP Approval Criteria

This application is in compliance with the approval criteria as stated in the Eloy Zoning Code as outlined below.

1. The proposed use is in compliance with the regulations of the R-4 zoning district requirements.

Setbacks minimum	Required	Existing
Front	25'	31'± (Tumbleweed Rd)
Side (south)	10'	87'± to home 31'± to garage
Street Side	10'	123'± (Shed Rd)
Rear (west)	25'	25'±

2. The use will not be detrimental to the health, safety and general welfare of occupants of the surrounding neighborhood. The proposed B&B will not cause vibration, noise, odor, dust, smoke or gas.
3. The proposed B&B will not be materially injurious to properties or improvements and will not diminish or impair property values in the immediate vicinity.
4. The proposed B&B has access to Tumbleweed Road, a minor arterial and the limited traffic generated by the use will not burden the existing roadway. Adequate public utilities exist at the site.
5. The proposed use as a B&B will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the underlying zoning district. The proposed use will be in compliance with the General Plan land use category, as requested concurrently with this application.
6. The proposed use as a B&B is desirable and will provide a service that supports the Skydive Arizona facility and visitors to the City of Eloy. The proposed use will contribute to the general well being of the area and the economy of the general community.
7. The proposed use as a B&B will not create adverse impacts on existing or future uses in the surrounding area.



Zoning

The existing zoning is R1-12, a single family residential zoning district that requires a minimum lot size of 12,000 square feet per dwelling unit. The subject lot exceeds the minimum lot size, however, a bed and breakfast is not a permitted use. To operate the bed and breakfast the applicable zoning category is R-4, a high density zoning district, which allows a B&B with a Conditional Use Permit. The CUP allows the City of Eloy to condition the approval to assure that the use is compatible with the surrounding uses.

The subject site is located at the intersection of two minor arterial roadways, with direct access to Tumbleweed Road. Any vehicular access will be directly to Tumbleweed Road and will not impact the residents to the west. The proposed use will maintain the character of a single family home and it will not have any negative impacts on the neighborhood. The subject site will act as a buffer between the homes to the west and the potential for vehicular noise at the intersection of two minor arterial roadways.

Bed and Breakfast use is permitted in the R-4 zone with a CUP, provided that no more than four bedrooms per residence are used for the business, no more than two adults per room are accommodated and one off street parking space is provided per bedroom. The existing site can accommodate four parking spaces, located at the southeast corner of the site. The parking area will be treated with a dust free surface. The owner is anticipating that some guests visiting the skydive facility will not have vehicular transportation and the owner will shuttle the guests to the Eloy Airport.

Compliance with General Plan

With a successful General Plan Amendment to HDR, the R-4 zoning category is consistent with the Goals and Policies of the General Plan. The site is within Growth Area 1, the Golden Corridor, which includes a mix of medium and high density residential uses. The request is also in compliance with Land Use Goal 2.0, 'Provide a range of land uses to encourage and maintain a sustainable community'. Permitting the bed and breakfast encourages a home business that adds to the economy of the community supporting Eloy's sustainability.

Conclusion

We respectfully request your favorable consideration of the Conditional Use Permit to allow the operation of the Roadrunner Bed and Breakfast. The owner and consultant team look forward to working with the City of Eloy to establish a successful local business.

