



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 2/7/2023

\*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

**\*Title:**

P22CU00018 ARIVACA DANCE HALL, LLC -W. 5TH STREET

**\*Introduction/Background:**

This is a request for a Type II Conditional Use Permit for a community service agency/community center in accordance with Section 18.17.030C of the Pima County Zoning Code.

**\*Discussion:**

The proposed Type II Conditional Use Permit is for a community multi-purpose center that will host local music performances, family/teen movie nights, community dances and classes, historical & local art exhibits, community meetings, and social events for local seniors. The subject property is addressed as 17271 W. 5th St and is zoned GR-1 (Rural Residential).

**\*Conclusion:**

This Type II Conditional Use request will provide needed services to local residents that are not currently available and create a community gathering space.

**\*Recommendation:**

Staff and the Hearing Administrator recommend APPROVAL of the request.

**\*Fiscal Impact:**

N/A


**\*Board of Supervisor District:**

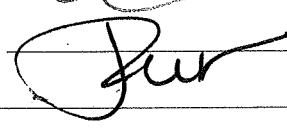
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Department: Development Services, Planning Division Telephone: 520-724-8800

Contact: Thomas Drzazgowski, Chief Zoning Inspector Telephone: 520-724-6675

Department Director Signature:  Date: 1/24/23

Deputy County Administrator Signature:  Date: 1/24/23

County Administrator Signature: \_\_\_\_\_ Date: 1/24/23



**TO:** Honorable Sharon Bronson, District #3

**FROM:** Chris Poirier, Deputy Director  
Public Works-Development Services Department-Planning Division

**DATE:** January 17, 2023

**SUBJECT:** **P22CU00018 ARIVACA DANCE HALL, LLC –W. 5TH STREET**  
(Conditional Use Type II – Community Service/Community Center)

The above referenced Conditional Use Permit is within your district and is scheduled for the Board of Supervisors' **TUESDAY, February 7, 2023** hearing.

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**REQUEST:** Arivaca Dance Hall, LLC requests a **Type II Conditional Use Permit for a Community Service/Community Center** (parcel 302-29-189A) in accordance with Section 18.17.030C of the Pima County Zoning Code in the GR-1 (Rural Residential) zone on property located at the southwest corner of W. 5<sup>th</sup> St. and N addressed as 17271 W. 5<sup>th</sup> St..

**OWNER:** Arivaca Dance Hall, LLC

**DISTRICT:** 3

**STAFF CONTACT:** Anita McNamara, AICP, Senior Planner

**PUBLIC COMMENT TO DATE:** As of January 17, 2023, no comments have been received.

**STAFF RECOMMENDATION:** **APPROVAL**

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (CLS):** The subject property is located within the Maeveen Behan Conservation Lands System Multiple Use Management Areas.

TD/AM/ds  
Attachments



## BOARD OF SUPERVISORS MEMORANDUM

Subject: P22CU00018

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### FOR FEBRUARY 7, 2023 MEETING OF THE BOARD OF SUPERVISORS

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Deputy Director  
Public Works-Development Services Department-Planning Division

**DATE:** January 17, 2023

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### ADVERTISED ITEM FOR PUBLIC HEARING

#### CONDITIONAL USE PERMIT

#### P22CU00018 ARIVACA DANCE HALL, LLC –W. 5TH STREET

Arivaca Dance Hall, LLC requests a Type II Conditional Use Permit for a community service/community center (parcel code 302-29-189A) in accordance with Section 18.17.030.C. of the Pima County Zoning Code in the GR-1 (Rural Residential) zone, located at the southeast corner of W. 5<sup>th</sup> Street and S. Ruby Road, addressed as 17271 W. 5th Street. Staff and the Hearing Administrator recommend **APPROVAL**. (District 3)

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#### Summary of the Hearing Administrator Hearing (December 14, 2022)

In accordance with Pima County Zoning Code Section 18.97.030.F.3, a public hearing was held on this application on December 14, 2022 via Microsoft Teams. The applicant presented the case to the hearing administrator and answered his various questions.

One (1) member of the public attended the hearing to speak on the matter, expressed full support for the proposed use and complimented the applicant's for their efforts in working with the community. Five (5) separate letters/emails of support had also been received prior to the public hearing.

After hearing all of the above and allowing the applicant to make their final comments, the Hearing Administrator closed the public hearing, explaining that he felt that this particular proposed use at this particular location will provide a valuable service to the Arivaca community, and that he intended to recommend approval of the request, subject to standard and special conditions that simply require the applicant adhere to the details represented in their submittal package. He also complimented the applicant on their robust work with their neighboring property owners and with the Arivaca community at large.

Should the Board of Supervisors agree with the Hearing Administrator's recommendation for approval, it is suggested that this approval be granted subject to the following standard **and**

**P22CU00018**

**Page 2 of 2**

special conditions:

*Standard Conditions & Requirements per the Pima County Zoning Code*

1. Adherence to all requirements of Pima County Zoning Code Section 18.17.030.C.7, excluding sub-section 7.a, b &c, together with Section 18.14.030.

*Special Conditions*

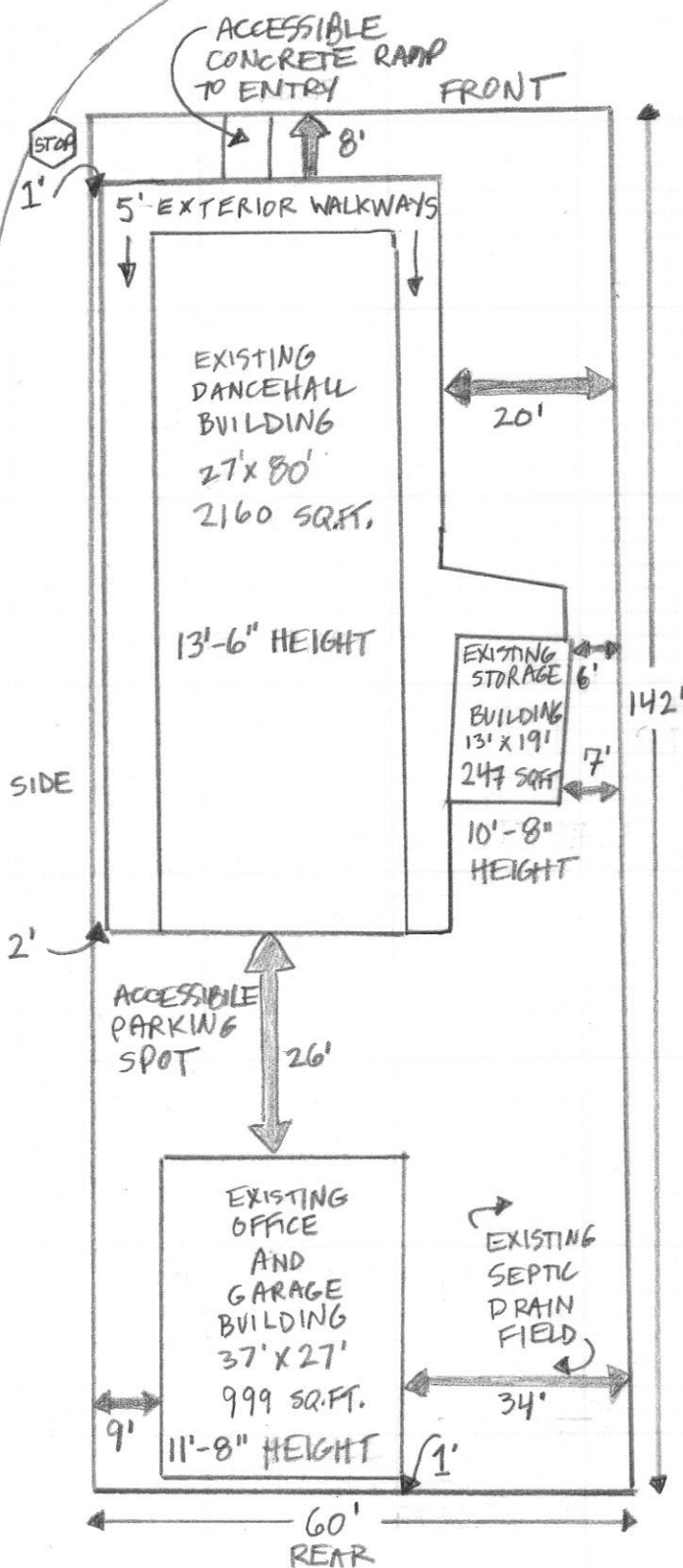
1. The proposed use shall be effectuated and permitted as presented in the applicant's submittal materials and on the preliminary sketches contained therein.

TD/AM/ds  
Attachments

C: Arivaca Dance Hall, LLC  
Tom Drzazgowski, Chief Zoning Inspector

W. 5TH ST.  
(AKA ARIVACA ROAD)

RUBY ROAD



SITE PLAN  
17271 W. 5TH ST.  
ARIVACA, AZ  
85601

NOTES: BUILDING DIMENSIONS SHOWN ARE EXTERIOR WALLS, AND THE BUILDING ARE ALL 12"-14" THICK ADOBE. ALL WALKWAYS ARE ACCESSIBLE.  
SUBMITTED BY  
ARIVACA DANCEHALL, LLC.  
EMILY BISHON AND  
CONRAD VNO  
PO BOX 186  
ARIVACA AZ 85601



## MEMORANDUM

### PUBLIC HEARING – December 14, 2022

DATE: December 5, 2022

TO: Jim Portner, AICP, Hearing Administrator

FROM: Anita McNamara, AICP, Senior Planner

SUBJECT: **P22CU00018 ARIVACA DANCE HALL, LLC –W. 5<sup>TH</sup> STREET**  
(Arivaca Dance Hall, LLC – Applicant/Owner)  
Type II Conditional Use – Community Service/Community Center

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#### **LOCATION:**

The subject property, addressed as 17271 W. 5<sup>th</sup> Street is located in central (downtown) Arivaca at the southeast corner of W. 5<sup>th</sup> Street and S. Ruby Road. The site along with the surrounding area was originally platted as part of the Arivaca Townsite. The property is approximately 0.22 acres and zoned GR-1 (Rural Residential).

#### **SURROUNDING LAND USE OR CONTEXT:**

Zoning in the immediate vicinity is GR-1 and includes low density residential with some commercial uses such as the post office, a food bank/thrift store, the Arivaca Mercantile (grocery), the Arivaca Hotel and restaurants. Approximately one-quarter mile to the south and to the east is property zoned RH, primarily outside the Townsite, and which includes the Buenos Aires Wildlife Refuge.

#### **PUBLIC COMMENT:**

As of the writing of this report staff has received two letters in support.

#### **PREVIOUS CASES ON PROPERTY:**

None.

#### **BACKGROUND INFORMATION**

The application states that the proposed Type II Conditional Use Permit is for a community multi-purpose center that will host local music performances and recordings, family/teen movie nights, community dances and classes, historical & local art exhibits, community meetings, and social events for local seniors. These activities will provide needed services to local residents that are not currently available and create a community gathering space. The GR-1 zoning district is silent on this particular use. Section 18.14.030.B.25 allows the Chief Zoning Inspector to determine when a use is similar in type, scale, and intensity to other uses which are specifically listed as requiring either Type 1, Type 2 or Type 3 conditional use procedures. 18.03.020 defines a community service agency as an "organization such as an orphanage, home for the aged, Y.M.C.A., Y.W.C.A., Boy Scouts, C.Y.O., Y.M.H.A., Campfire Girls, or any similar organization organized as a nonprofit corporation or supported in whole

or in part by public subscription and primarily established to serve the social or welfare needs of the community or any part thereof, and not organized for the personal profit of any individual, group of individuals, or corporation.” The proposed use similar in type, scale and intensity as these uses. 18.17.030.C of the Pima County Zoning Code requires a Type II Conditional Use for a community service agency in SR (suburban ranch). SR uses are similar in scope to GR-1 uses.

The multi-purpose/community center will provide activities for local residents, many of whom that live within walking distance. This along with existing on-street parking is sufficient to serve demand. Therefore, no additional on-site parking spaces are required.

The adobe structure was constructed circa 1934 per the Pima County Assessor’s office. Many of the area structures are historic but the area itself is not a historic district. The applicant is working with the State Historic Preservation Office (SHPO) on obtaining an individual landmark designation for the building. Attaining the Historic Landmark Zone designation will require action of the Board of Supervisors.

The proposed use is supported by Pima County Comprehensive Plan Policies:

*4.7 Public Buildings and Facilities Element*

*The provisions of services to rural areas through existing or new multipurpose community centers.*

*5.3 Parks and Recreation Element*

*Community centers act as the social and civic hub for recreation, human services, elder care, youth programs, nutrition and a variety of other social service programs.*

*Goal 1 Implementation Measures:*

*d. Develop intergenerational recreation programs housed in community centers and designed to meet the specific needs of rural communities.*

**DEPARTMENT OF TRANSPORTATION**

The proposed use will be located within a commercial building where traffic has already been attributed to the roadway network. The proposed conditional use permit will not have an impact on the capacity of nearby roadways given the low development intensity in the area. The Department of Transportation recommends approval the requested conditional use permit.

**CULTURAL RESOURCES**



The Office of Cultural Resources has reviewed and has the following comment. Review complete--with the assumption that no changes to the facade of the historic building will be made nor parking lot expansions will be added.

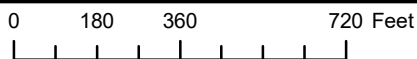
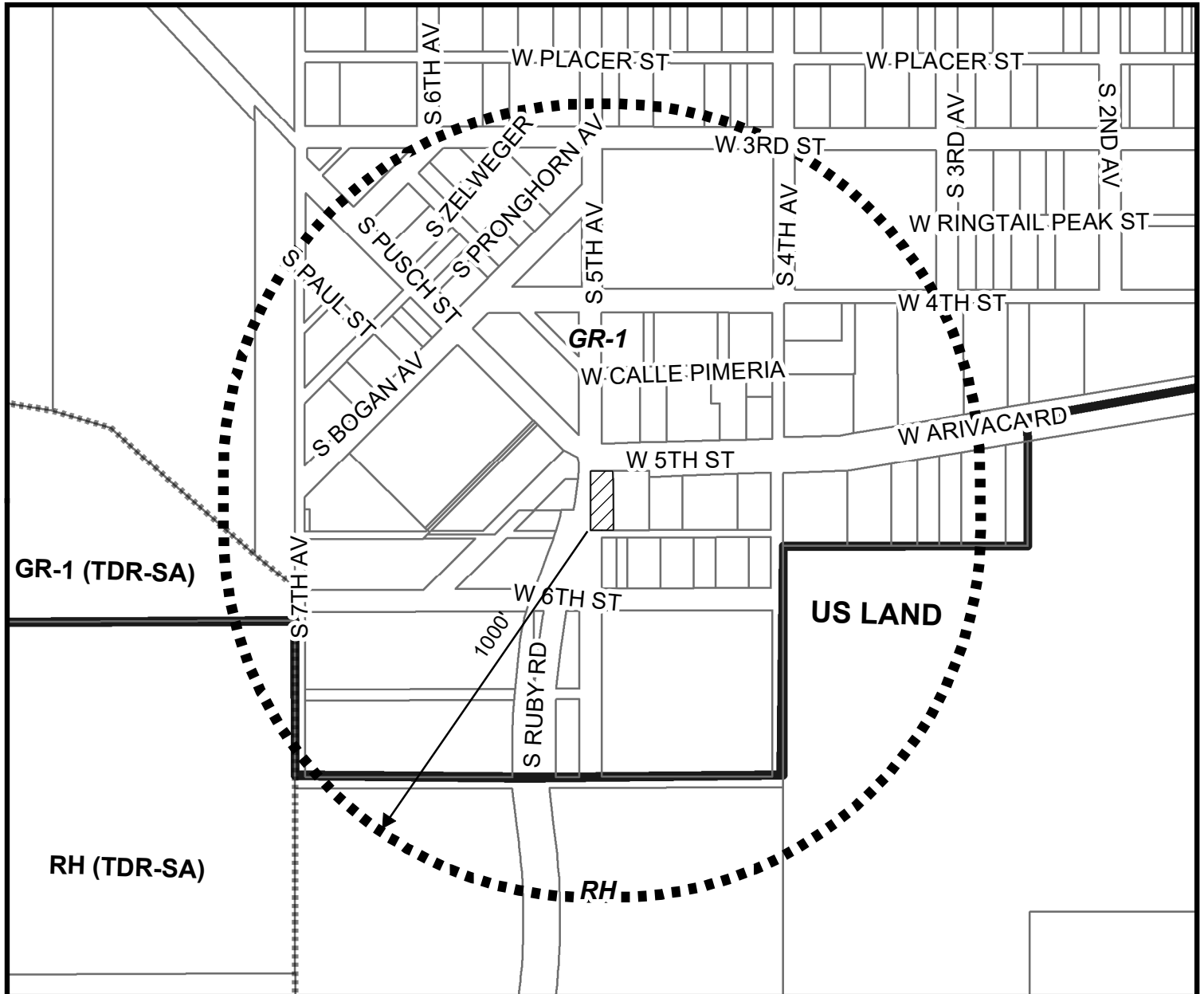
**STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the Conditional Use Permit subject to standard conditions of Section 18.17.030.C.7 excluding a., b., and c., and of Section 18.14.030.

c: Tom Drzazgowski – Chief Zoning Inspector  
Arivaca Dance Hall, LLC – Applicant/Owner

Case #: P22CU00018  
 Case Name: ARIVACA DANCE HALL, LLC - W. 5TH STREET  
 Tax Code(s): 302-29-189A

 Subject Property  
 1000' Notification Area



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION**

Notes: **CONDITIONAL USE PERMIT - TYPE II**



Map Scale: 1:5,000

Map Date: 11/8/2022 - ds





## Conditional Use Permit Application

Property Owner: Arivaca Dancehall, LLC Phone: 206-523-1774

Owner's Mailing Address, City, State & Zip: PO Box 186, Arivaca AZ 85601

Applicant (if different from owner): same Phone: same

Applicant's Mailing Address, City, State & Zip: same

Applicant's or Owner's Email Address: arivacadancehall@gmail.com

Property Address or Tax Code: 17271 W. 5th St., Arivaca AZ 85601

Type of Use Proposed for the Property: Community multi-purpose building, to be used for local music performances and recordings, family/teen movie nights, community dances & classes, historical & local art exhibits, community meetings, & social events for local seniors

Discuss the proposed use and it's compatibility with the surrounding area: It is a historic building located on Arivaca's "main street", surrounded by other historic buildings in use as businesses and non-profit organizations, and short walking distance from residential areas.

The applicant agrees to contact the [Regional Flood Control District](#) to discuss the proposal prior to application submittal.

The applicant agrees to contact United States Fish and Wildlife Service at [scott\\_richardson@fws.gov](mailto:scott_richardson@fws.gov) and provide a written notice that an application for a conditional use permit has been submitted a minimum of 15 days prior to the public hearing date.

### This application is for a (Select one):

Type I Conditional Use  Type II Conditional Use  Type III Conditional Use


### Terms and Conditions

I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.)

Date: 11-3-22



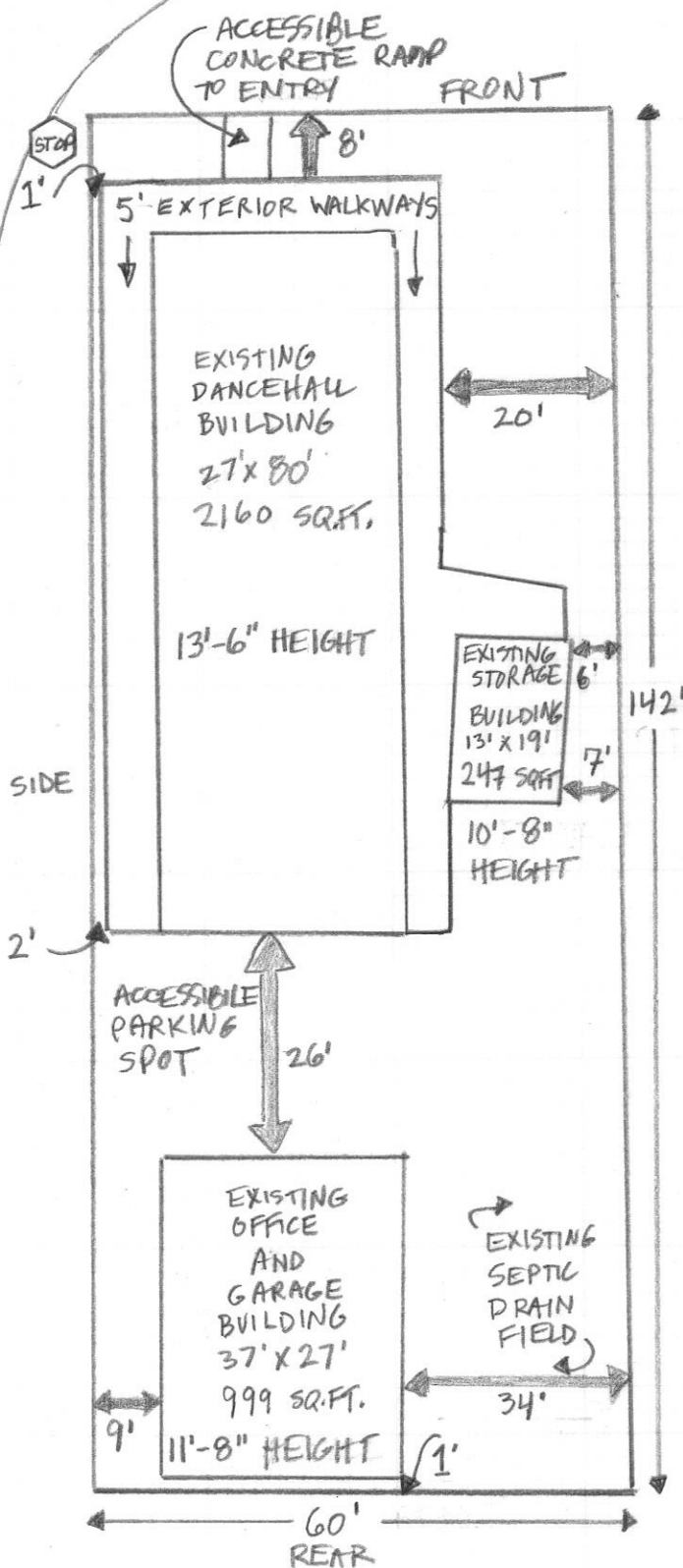
CURRENT STREET PARKING IN USE WITHIN 2 BLOCKS OF THE ARIVACA DANCE HALL BUILDING @ 17271 W. 5th ST. ARIVACA, AZ 85601

 = PARKING SPOT  
 RES. = RESIDENCE  
 (BOTH HAVE THEIR OWN OFF-STREET PARKING SPOTS)



W. 5TH ST.  
(AKA ARIVACA ROAD)

RUBY ROAD



SITE PLAN  
17271 W. 5TH ST.  
ARIVACA, AZ  
85601

NOTES: BUILDING DIMENSIONS SHOWN ARE EXTERIOR WALLS, AND THE BUILDING ARE ALL 12"-14" THICK ADOBE. ALL WALKWAYS ARE ACCESSIBLE.  
SUBMITTED BY  
ARIVACA DANCEHALL, LLC.  
EMILY BISHON AND  
CONRAD VNO  
PO BOX 186  
ARIVACA AZ 85601



201 N. Stone Avenue, Tucson, AZ 85701

(520) 724-9000

[www.pima.gov/developmentservices](http://www.pima.gov/developmentservices)

## **BIOLOGICAL IMPACT REPORT**

*(Not applicable for rezonings that require a site analysis)*

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

**INSTRUCTIONS FOR SAVING FORM:** 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. **If you fill out the form before you download it, the info you entered will not be saved.**

**Project ID** *(case no., APN no., address, or other identifying info):*

### **Part I. Information Provided by Pima County Staff**

Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections)
  
2. Is the project within a CLS Special Species Management Area?
3. Is the project in the vicinity of any of the six Critical Landscape Linkages?
4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property?
5. Is the project located within a Priority Conservation Area for any of the following species?
  - a. Cactus ferruginous pygmy-owl:
  - b. Western burrowing owl:
  - c. Pima pineapple cactus:
  - d. Needle-spined pineapple cactus:

**Part II. Information Provided by the Applicant**

The Applicant will provide the following information to the best of their knowledge, as applicable:

1. Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property?  
If yes, provide a summary of those communications:
2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

<b>Species</b>	<b>Ever found on project site?</b>	<b>If yes, date of last observation/survey?</b>	<b>Future surveys planned?</b>
<b>Cactus ferruginous pygmy owl</b>			
<b>Western burrowing owl</b>			
<b>Pima pineapple cactus</b>			
<b>Needle-spined pineapple cactus</b>			

**Questions about this form?  
Contact the Office of Sustainability and Conservation at (520) 724-6940.**

**From:** [DSD Planning](#)  
**To:** [Anita McNamara](#)  
**Subject:** FW: Case # P22CU00018  
**Date:** Thursday, December 1, 2022 12:53:16 PM

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**From:** Deborah Walls <aznative75@aol.com>  
**Sent:** Thursday, December 1, 2022 11:07 AM  
**To:** DSD Planning <DSDPlanning@pima.gov>  
**Subject:** Case # P22CU00018

**CAUTION:** This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

To Whom it May Concern,

I received a notice about the Conditional Use Permit for the Arivaca Dance Hall, LLC. I am unable to attend the meeting, but want to express my upmost support. This is a fine addition to our community and I do not foresee any negative reasons for not allowing this permit to be granted.

Thank you,

Deborah Walls

Sent from the all new AOL app for Android



ARIVACA HELPING HEARTS  
17191 W Arivaca Rd  
P.O. Box 201  
Arivaca, AZ 85601  
Phone: 520-419-5506

December 8, 2022

Development Services Department  
Planning Division  
201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701

Re: Conditional Use Permit,  
Case#: P22CU00018, Case Name ARIVACA DANCE HALL, LLC - W. 5<sup>TH</sup> STREET  
A Type II Conditional Use Permit for a community service agency (community center).

I am a 35 year resident of Arivaca and have worked with nonprofit organizations in this community for most of the time I have been here. I now work with Arivaca Helping Hearts, a 501.c.3 nonprofit providing emergency assistance to members of our community, and in return the support of this community is very important for our very survival.

I understand that donations will be accepted at the door at many of the events at the dance hall in the form of support rotating among all of the nonprofits and other community organizations. This is a perfect example of cooperation, and of the members of the Arivaca community taking care of each other as is shown by the 4 other nonprofits and 7 service organizations who work together to support the large percentage of low income individuals and families as well as veterans, retired and the elderly residing here in Arivaca.

Emily Bishton and Conrad Uno are caring and generous and are proving themselves to be a wonderful addition to our very eclectic community. The entertainment and other types of events in their plans are new and different in style from our present organizations.

My husband, Michael Lusby and I are enthusiastically in favor of this new entity and ask that you approve the Conditional Use Permit.

Sena Lusby, Arivaca Resident and Treasurer, Arivaca Helping Hearts  
PO Box 154, Arivaca, AZ 85601                      PO Box 201, Arivaca, AZ 85601