



Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Matthew Taylor, AICP, Planner II
FOR: Christine McLachlan, AICP, Planning Division Manager
SUBJECT: SU24-09 (Dragoon Store)
DATE: June 12, 2024

Docket SU24-09 (Dragoon Store)

A Special Use Authorization request for a grocery store within an existing building in Dragoon, AZ.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Gere Enterprises LLC (Travis and Heather Gere)
Location: 1835 N. Old Ranch Road
APN: 208-78-028
Parcel Size: .28 acres (12,197 square feet)
Zoning: R-9 (Residential District, one dwelling per 9,000 square feet)
Growth Area: C – Rural Community Areas
Plan Designation: Neighborhood Conservation
Existing Use: Airbnb
Proposed Use: Grocery Store and Airbnb

Surrounding Zoning and Uses

North	R-9	Southern Pacific Railroad Right-of-Way
South	R-9	Single family residences, undeveloped
East	R-9	Single family residences, undeveloped
West	R-9	Single family residences, undeveloped

II. SITE HISTORY

The property has an existing building dating to 1915. The building’s historic living quarters are used as an Airbnb while the proposed store portion has undergone extensive remodeling. The building was originally constructed as a general store and filling station and was added to the National Register in 2004.

III. SPECIAL USE AUTHORIZATION REQUEST

The applicant requests special use approval for a grocery store. Products include fresh produce, convenient grab-and-go items, coffee, ice cream, baked goods, and souvenirs. Uses allowed by the existing residential zoning district will not be changed. Operating times are likely to be 7am-5pm, 5 days per week, with most activity occurring between October and March.

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 2.48.160 of the Zoning Regulations identifies ten (10) factors to evaluate Special Use applications. Staff uses these factors to determine the suitability of a special use request, whether to recommend approval, and to determine if conditions and/or modifications are needed to mitigate potentially negative impacts on surrounding properties. With the information provided, nine (9) factors apply to this special use request with nine (9) factors complying.

1. Compliance with Duly Adopted Plans: Complies

The subject property is designated Neighborhood Conservation by the comprehensive plan and falls within Growth Area C (Community Rural Areas). Existing R-9 zoning is consistent with this plan designation which identifies areas with an established character for protection, typically areas that are predominately residential. Non-residential uses are allowed at a small scale as Neighborhood Business is a compatible zoning district. Two parcels in the vicinity of Dagoon Road are zoned General Business.



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N.T.S



Neighborhood Conservation is typically established when an area is developed as a residential neighborhood that warrants protection from non-residential uses or is an approved subdivision constructed to minimum county standards. The subject property was identified in the original Dagoon plat of 1909 and is in an area with limited residential and commercial buildings. The property’s location along Dagoon Road and proximity to Southern Pacific Railroad line lend it to non-residential retail use.



2. Compliance with the Zoning District Purpose: Complies

The property’s R-9 zoning is a residential zoning district with sub-categories ranging in minimum site areas from 9000 SF to 36,000 SF. The district accommodates small to medium single-family residential development to achieve the following:

- 1. Provide an area for families living at a variety of low to medium densities.

2. Provide an area where single-household dwellings, rehabilitated mobile homes, and manufactured homes can co-exist.

The proposed special use does not comply with the purposes of the zoning district as currently identified in zoning regulations. However, residential zoning districts allow non-residential uses without special use approval, including mobile, manufactured, and recreation vehicle parks; utility installations which may include substations, booster stations, water tanks, and communications towers; churches or places of religious worship; emergency vehicle stations; and community gardens and numerous non-residential land uses with special use approval including grocery stores, personal and professional services, and health clinics. With limited retail opportunities in the area, the proposed grocery store provides convenient shopping opportunities for nearby residents who otherwise would travel several miles for those services.

3. Development Along Major Streets: Not Applicable

The intent of this factor is to consider limiting the number of access points on major thoroughfares, arterials, or collectors by using frontage roads, shared access, and no access easements. Fewer road cuts can avoid potentially unsafe traffic conflicts, hazardous traffic congestion, and roadway obstructions caused by vehicular traffic.

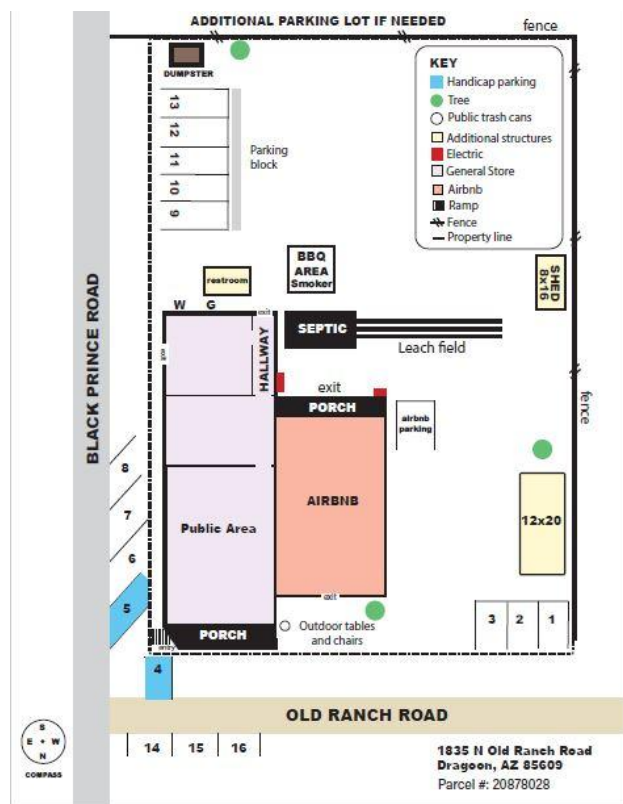
The property is located at the approximate southwest corner of Old Ranch and Black Prince Roads (rural local road) which intersect at Dragoon Road, a major rural collector. The property does not have frontage along Dragoon Road, being located at the southwest corner and taking access from improved and county-maintained Black Prince Road and unimproved Old Ranch Road.

4. Traffic Circulation: Complies

This Special Use Authorization factor stipulates:

1. The request is consistent with the preservation of the functions of surrounding streets as defined in the County Comprehensive Plan.
2. The request does not result in the use of any residential street for non-residential traffic.
3. Consideration of future circulation needs in the surrounding area has been considered through right-of-way dedication and off-site improvements if warranted.

The scale of the proposed grocery store will not require off-site improvements such as traffic control devices, turn lanes, or deceleration lanes. Existing street functional classifications will not require re-evaluation. The property is located about 85’ feet from Dragoon Road, so visitor traffic is unlikely to encroach into established residential areas.



5. Adequate Services and Infrastructure: Complies

The property is served by Dragoon Water Company and has an existing septic system. Sunsites-Pearce Fire Station 2 is about 12 miles east, and electricity is provided by Sulphur Springs Valley (SSVEC).

6. Significant Site Development Standards: Complies

Development standards contained in Sections 2.18 (Residential Districts) of the zoning regulations applies to R-9 parcels regardless of use, and additional development standards may be required based on a property's growth area category. The existing primary building does not meet required setbacks and qualifies as a legal nonconforming structure. Staff recommends on-site parking to avoid unusual turning movements or vehicles backing directly onto Black Prince and Old Ranch Roads. The applicant owns a parcel to the north which is separated from the subject property by an easement on the recorded subdivision plat. These parcels could be combined to accommodate additional on-site customer parking. The applicant has not requested waivers from other standards such as signage, lighting, or screening requirements.

**7. Public Input: Complies**

Section 2.48.160 of the Zoning Regulations states, "If public concerns have been raised, it is fair to ask if the applicant has made a reasonable effort to address these concerns through the Citizen Review Process." The applicant sent letters to surrounding property owners on April 20, 2024, without receiving concerns or opposition.

8. Hazardous Materials: Complies

Hazardous or dangerous materials are not proposed for this special use.

9. Off-Site Impacts: Complies

Staff recommends on-site customer parking only to minimize potentially unsafe traffic movements in the unusual Dragoon-Old Ranch-Black Prince Road alignment. Parking within the right-of-way requires county approval and would be restricted to parallel parking along Black Prince Road with appropriate signage. Zoning regulations require a minimum of one parking space per 350 square feet which equates to 5 spaces for the grocery store – the applicant is proposing 8 spaces. Outdoor activities or events potentially generating significant noise or traffic are not proposed and off-site impacts including noise, vibration, or odors are likely to be unintrusive along a major roadway in proximity to an active rail line. The applicant is not requesting waivers from site development standards associated with non-residential uses such as lighting, signage, or screening.

10. Water Conservation: Complies

County-wide requirements identified in Section 2.51.170 of the zoning regulations apply to non-residential uses and properties. These include drought tolerant vegetation identified on the county's plant list for landscaping; non-

erosive, soil stabilizing ground cover materials; misters are prohibited; new water features must utilize harvested rainwater. The subject property is located within Growth Area C, which does not require landscaping. The applicant is not proposing water-intensive improvements to the property.

V. PUBLIC COMMENT

Staff mailed neighborhood letters to property owners within 300', posted the property, and published legal notice between May 22 and May 24, 2024.

VI. WAIVERS

The applicant has not requested waivers.

VII. SUMMARY AND CONCLUSION

The applicant requests special use authorization for a grocery store within an existing historic building along Dragoon Road originally built as a general store and filling station. Living quarters are being used as an Airbnb, which is allowed by the current residential zoning district. The property's location along a major rural road renders the proposed retail use viable in addition to the limited opportunities in the area for groceries and other convenience goods.

Factors in Favor of Approval

1. Complies with 9 of 9 applicable factors.
2. Business uses are appropriate in rural areas at intersections and in proximity to major collector roads.
3. Adaptive reuse promotes rehabilitation and preservation of a historically significant building.
4. Support from nearby property owners and broader community.

Factors Against Approval

None identified.

VIII. RECOMMENDATION

Based on the factors in favor of approval, staff recommends approval of Docket SU24-09 for a grocery store with the following conditions:

1. The applicant shall provide on-site parking for site users that meets or exceeds the requirements of Section 2.51.040 of the Zoning Regulations.
 2. 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 substantial conformance with the approved special use concept plan, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 12-months of the Special Use approval otherwise, the Special Use may be deemed void upon 30-day notification to the applicant.
 3. It is the applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may apply to the proposed use pursuant to other federal, state, or local laws or regulations.
 4. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.
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Sample Motion

Madam Chair, I move to approve Docket SU24-09 with conditions of approval recommended by staff, the factors in favor of approval constituting the findings of fact.
