



MEMO

TO: Planning and Zoning Commission

FROM: Sheila DeSchaaf, AICP
Planner II

DATE: April 11, 2011

SUBJECT: **Conditional Use Permit Request** **CUP11-002**
405 W. Main Street, Woody's Performance Motorsports LLC

Background

A request has been submitted by Lincoln Electric Garage Door Co., property owner, Douglas Woody, Woody's Performance Motorsports LLC, applicant to allow a vehicle repair use in a C-2 zoning district at 405 W. Main Street.

Analysis

Woody's Performance Motorsports is a motorcycle and all terrain vehicle parts and service shop. The existing building in which this business would be located was previously used for sales of motorcycle parts and accessories, but did not include the major vehicular repair uses that are conditional uses in a C-2 district.

It is important that vehicles in need of repair be screened from public view, either behind the slatted chain link fence at the rear of the property or inside the building. Also, vehicle repair or maintenance shall only be allowed inside of the building or behind the opaque fencing so that the site does not become visually obtrusive.

It appears that the plants installed in the landscape island between the parking area on this site and the road, either did not survive or were not installed per the original permit for construction of this building. Staff suggests the property owner or applicant install new landscaping with adequate provisions for irrigation in this landscape area north of designated parking spaces along Main Street frontage to bring the site into compliance with minimum Unified Development Code standards.

Staff finds that the applicant's request could be compatible with the surrounding area, if the recommended conditions are met.

Staff Recommendation:

Approval with conditions listed below:

1. All vehicles in need of repair shall be stored behind opaque fencing at the rear of the site or inside the building during non-business hours.
2. All repair/maintenance shall be done within garage bay or behind fencing.
3. Install new landscaping with adequate provisions for irrigation in designated landscape area north of designated parking spaces along Main Street frontage in accordance with the Unified Development Code standards.
4. The length of this conditional use permit shall run concurrent with the use of this property. So long as the site is used for vehicle repair use, then this permit is valid. Expansion of the approved use, change in uses, or additional uses shall be subject to review and approval if not expressly permitted in the C-2 zoning district.
5. Failure to comply with the above conditions shall be grounds for zoning enforcement action which may include, at the discretion of the Zoning Administrator, a review by the P & Z Commission.

Suggested Motion to Approve:

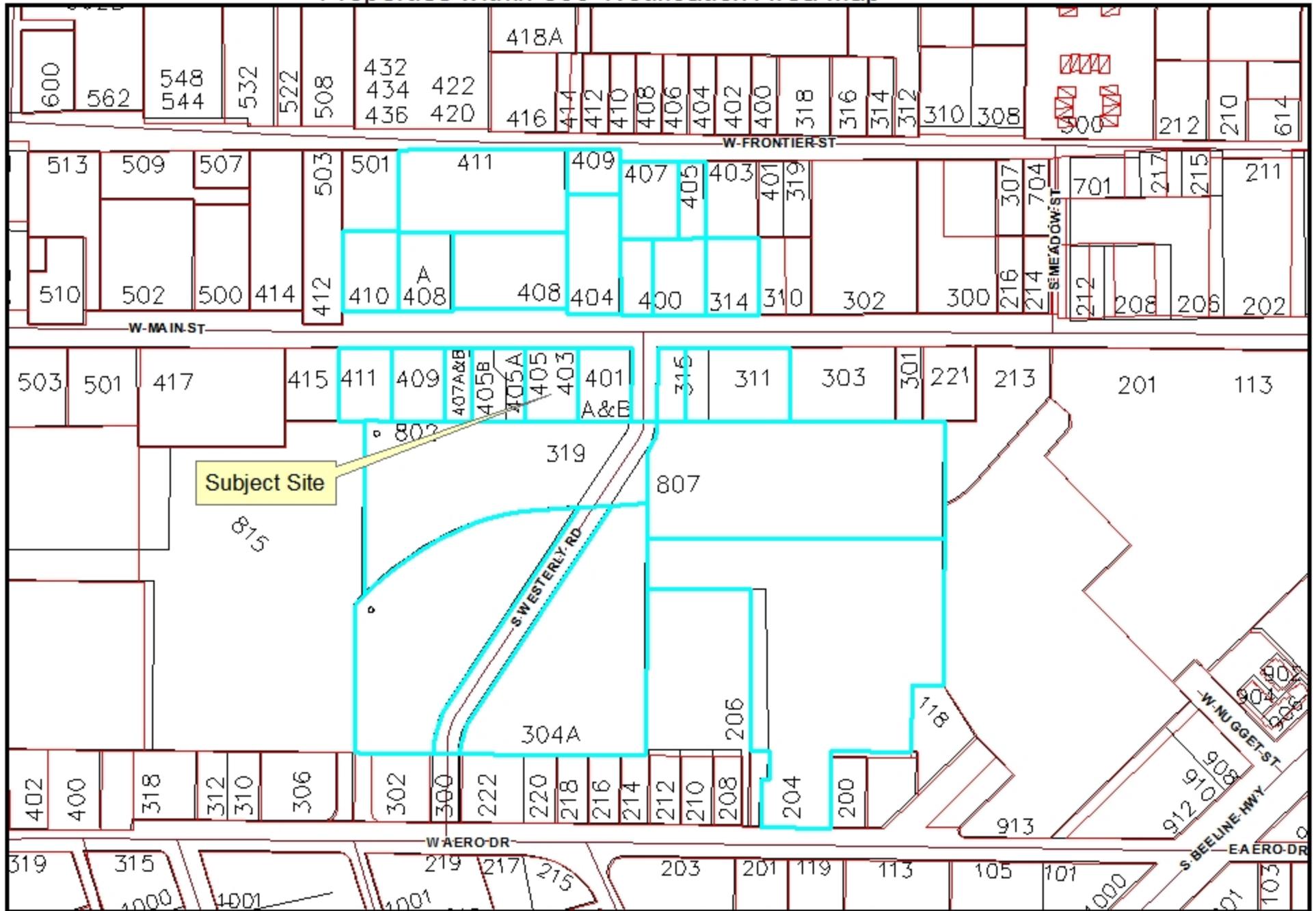
“I move the Planning & Zoning Commission approve CUP11-002, a request to allow a vehicle repair use in a C-2 zoning district at 405 W. Main Street, with the conditions as recommended by staff.”

Neighborhood Involvement

A Citizens Participation meeting was conducted on March 4, 2011, at 405 W. Main Street. The Citizens Participation Report is attached for review.

* Note: There is a 30 day appeal period before the action of the Planning and Zoning Commission becomes effective.

Properties within 300' Notification Area Map



Subject Site



A
408

408

404

400

311

W MAIN ST

409

407A&B

405B

405A

405
403

401

A&B

315

311

802

319

SWESTERN RD

807

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION OR
BOARD OF ADJUSTMENTS APPLICATION**

The undersigned Applicant(s) hereby applies for:

- | | | |
|--|--|---|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment | <input type="checkbox"/> Guest Quarters |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division | <input type="checkbox"/> ADU |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals | |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat | |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit | |
| <input type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance | |
| <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Zone Change | |

Aug, 2009

Project Address: 405 W Main St Payson AZ Tax Parcel Number: 304-16-103
 Subdivision: Rim View ADD - PLAT A Lot Number: 19
 Name of Applicant(s): Douglas Woody Phone #: 928 970 1757
 Mailing Address: 3256 PO Box Payson Town: Payson St: AZ Zip: 85547
 Name of Property Owner(s): Lincoln Electric Garage Door Co.
 Mailing Address: 706 W Sherwood Dr Town: Payson St: AZ Zip: 85541
 Contact Person: Kevin Kelly Phone #: 928 978 3344 Fax #: _____
 Payson Business License # _____ Sales Tax # 20601971

Detailed Description of Request:

Requesting permit of the Town of Payson to open a motorcycle & ATV parts & service shop in Payson AZ on Main St. @ 405 W main st Payson AZ 85541

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent in his behalf.

Douglas W Woody
Print Name

[Signature]
Signature

2/14/2011
Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	3-11-11	Sld	Conditional Use Permit Application: \$1000.00
COMPLETED APPLICATION	3-28-11	Sld	
NEWSPAPER PUBLICATION	3-22-11	Sld	
300' NOTIFICATION MAILOUT	3-17-11	Sld	
POSTING DATE	3-17-11	Sld	
			CHECK NUMBER: _____ DATE: <u>3/28/11</u>

RECOMMENDATION	DECISIONS
By: _____ Date: _____	By: _____ Date: _____

**CITIZENS
PARTICIPATION
MATERIAL**

**To: Town of Payson
Community Development Department**

**From: Douglas Woody
Woody's Performance Motorsports LLC**

**Subject: Citizens Participation Report on Conditional use permit
Date: March 8, 2011**

A Citizens Participation meeting was held at Woody's Performance Motorsports at the address of 405 W. Main Street at 9am on Friday March 4th 2011.

**Attendees were:
Jeanie Langham
Judith Harrison
Kevin Kelly
Douglas Woody**

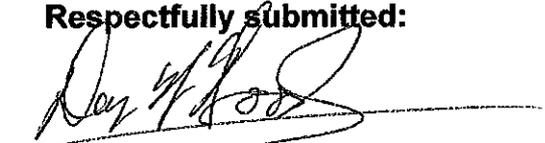
Douglas Woody gave a detailed description of proposed business and its daily operations. There were expressed concerns about bikes and clutter stored out where it would be visible. after hours noise and sign color.

Concerns were addressed as follows:

- 1. To the concern about clutter and bikes stored out where it would be visible:
All running and serviceable motorcycles/atvs well be stored inside at night and pushed outside during working hours. Non serviceable units well be stored outside in the back storage area that is fenced in with 6' tall privacy fence.**
- 2. To the concern about after hours noise: Douglas Woody explained that when unit are to run in the shop that an exhaust vent hose will be attached to reduce noise. Judith Harrison then explained that her main noise concern was loud motorcycles ridding up and down Main Street at 8 & 9 o'clock at night in the summer. Doug Woody explained the hours of operations as being 8:30 AM to 6PM Tuesday through Saturday. And that most offroad units will be transported to a test ride area.**
- 3. To concern of sign color: Doug Woody explained that the yellow colored sign is only a temporary sign and that a Main Street friendly sign is in the works.**

With the exception of the comments expressed. The attendees were all in favor and welcomed a new business to Payson and wished my luck and success.

Respectfully submitted:



Douglas Woody

Attachments:

- 1. Meeting comment sheets**
- 2. Meeting notice**
- 3. 300' radius map**
- 4. List of property and businesses invited to the meeting**

**WOODY'S PERFORMANCE MOTORSPORTS
Citizen Participation Meeting**

Name: *Judith Harrison*

Business Name:

Address: *411 W Frontier*

Comments:

*Just concerned about after hours noise,
Doug Woody addressed this issue and if you
~~would~~ have any questions call me 474-6763*

Thank you for you Participation.

**WOODY'S PERFORMANCE MOTORSPORTS
Citizen Participation Meeting**

Name: *Juanita Lopez*

Business Name:

Address: *402 E. CONTINENTAL DR, PAYSON*

Comments:

- concerned about buses, etc stored
out when it's possible.*
- SIGN COLOR*

Thank you for you Participation.

**WOODY'S PERFORMANCE MOTORSPORTS
Citizen Participation Meeting**

Name: Kevin Kelley

Business Name: LINCOLN DUCATI

Address: 413 W. MAIN ST

Comments:

APPROVE THE OPENING OF WOODY'S
AND WISH HIM ALL THE LUCK.

Thank you for you Participation.

WOODY'S PERFORMANCE MOTORSPORTS LLC

405 W Main Street
Payson, AZ 85541

February 17, 2011

Re: Request for issuance of a Conditional Use Permit

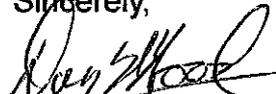
Dear Property Owner:

On behalf of Woody's performance motorsports, you are invited to a Citizen Participation meeting regarding a request to approve a conditional use permit to allow Woody's performance motorsports to occupy and establish itself as a new business in Payson at the address of 405 W Main Street

This meeting will be held on Friday March 4, 2011 at 9:00 AM at 405 W Main Street in Payson, AZ. The purpose for the meeting is to provide property and business owners adjacent to the subject property regarding the proposed new business and to provide you an opportunity to share your questions and comments about our new business.

If you can not attend the meeting and/or have any questions regarding the proposed new business, please call Doug Woody, (928) 970-1757 Thank you and I hope to see you there.

Sincerely,



Douglas Woody

Woody's performance motorsports llc
Owner/President