



MEMO

TO: Planning and Zoning Commission
FROM: Doni Wilbanks
Planning Technician
DATE: June 13, 2011
SUBJECT: **Conditional Use Permit
Pet Shop in C-2 zoning district
105 E. Highway 260**

AMENDED

6/8/11

CUP11-003

Background:

The applicant, Arizona Exotics, is requesting approval of a conditional use permit to allow a pet shop in a C-2 zoning district at 105 E. Highway 260, Gila County Tax Parcel #304-02-023Q . The Commission approved the conditional use permit for Arizona Exotics previously located at 1103 S. Beeline Highway on September 13, 2010. ~~This request is for the same use, less the outside display of merchandise.~~ *This request is for the same use, less the outside display of merchandise and expanding to include cats and dogs.*

The Unified Development Code (UDC) requires a conditional use permit (CUP) for “uses with unique compatibility concerns,” which specifically includes pet shops in all commercial zoning districts.

Analysis:

Attached is a site plan that depicts the Pet shop location within the Payson Plaza Shopping Center.

Certain aspects of pet shops, such as potential noise disturbance from barking dogs, exterior animal use areas, and the risk of contaminants from bathing or treatment of animals and animal waste precipitate the need for conditional use permit approval. ~~Because this is an exotic pet store, the applicant does not intend to offer dogs for sale.~~

Staff Recommendation:

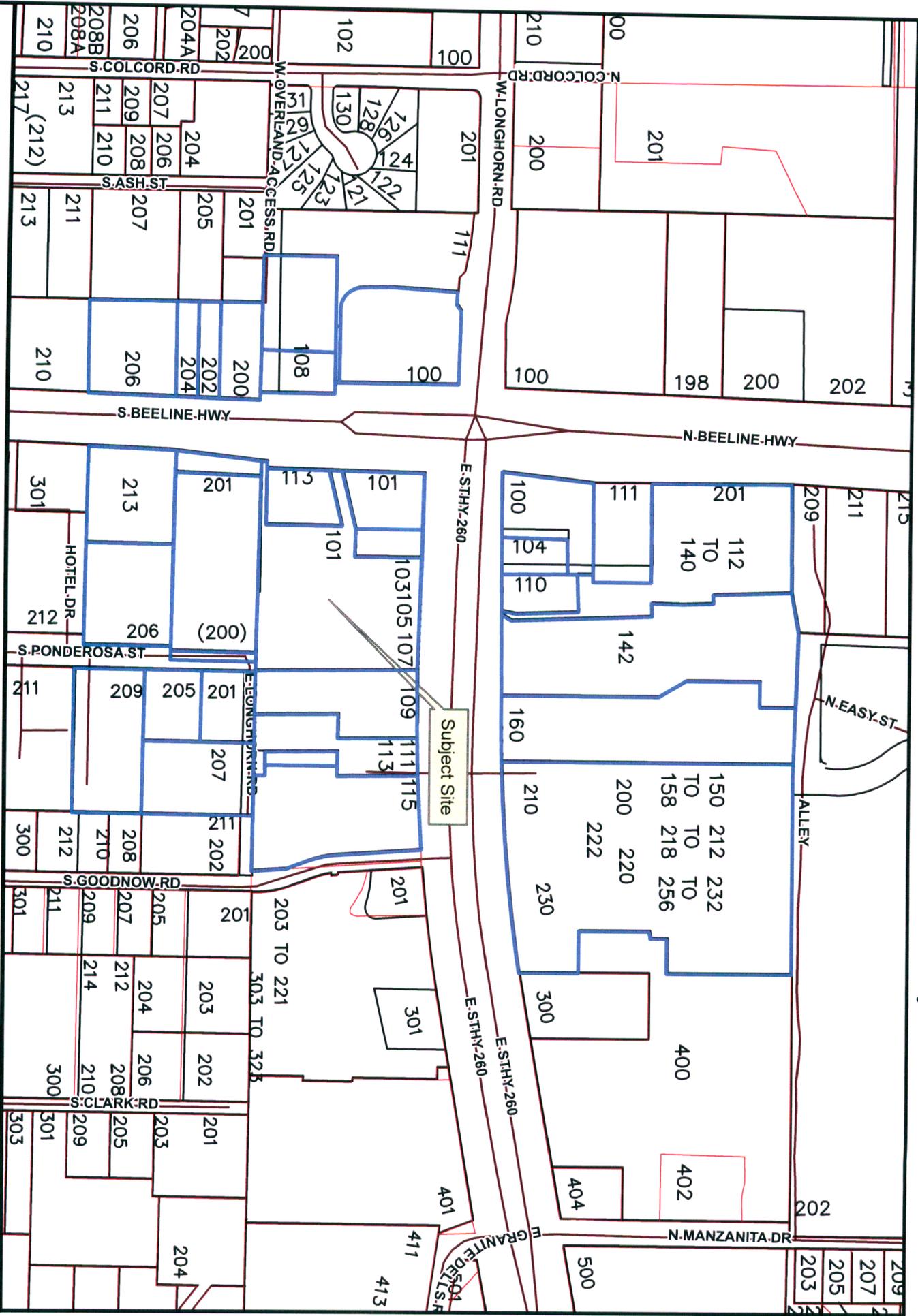
Staff recommends approval of CUP11-003 with the conditions listed below.

1. Business shall comply with all Town of Payson regulations, including the keeping of exotic animals requirements.
2. ~~No dogs or other animals, which may create noise discernable by the human ear at the property lines shall be kept, maintained, bred or offered for sale on the premises.~~ *No noise or odors are to be discernable outside the business suite.*
3. An approved business occupancy permit (BOP) is required prior to this CUP becoming effective.
4. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as the pet shop use at 105 E. Highway 260 conforms to the above conditions, this CUP is valid. Change in uses or additional uses shall require approval through the CUP process.

Suggested Motion to Approve:

“I move the Planning & Zoning Commission approve CUP11-003, a request to allow a pet shop in a C-2 zoning district at 105 E. Highway 260 with the conditions listed in the staff report.”

Properties within 500' Notification Area of 105 E Hwy 260



303 North Beeline Highway
 Payson, Arizona 85541
 (928) 474-5242 www.d.payson.az.us
 GIS/PaysonGIS_Master.mxd 11/28/2007

This map has been provided for informational purposes only and is not accurate for engineering design. Every effort has been made to ensure this map is as accurate as possible. The Town of Payson shall assume no liability for the base information contained in this map.

0 105 210 420 630 840 Feet
 1:3,569





N BEE LINE HWY

W LONGHORN RD

ESTHY 260

ESTHY 260

ELONGHORN RD

S BEE LINE HWY

S SPENDEROSA ST

HOTEL DR

S GOODNOW RD

S CLARK RD

58 218 258

200 220

230

300

100 110 115

103 05 107

203 TO 221

108

200

202

206

210

203 202

212

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AE PETS
 CONDITIONAL USE PERMIT
 105 EAST HIGHWAY 260
 PAYSON, AZ 85541

LONGS DRAFTING & DESIGN
 615 S. TOWNSTE CIR.
 PAYSON, AZ 85541
 DESIGN@LONGSDRAFTINGANDDESIGN.COM
 PHONE: (928) 488-1745 FAX: (928) 488-1741

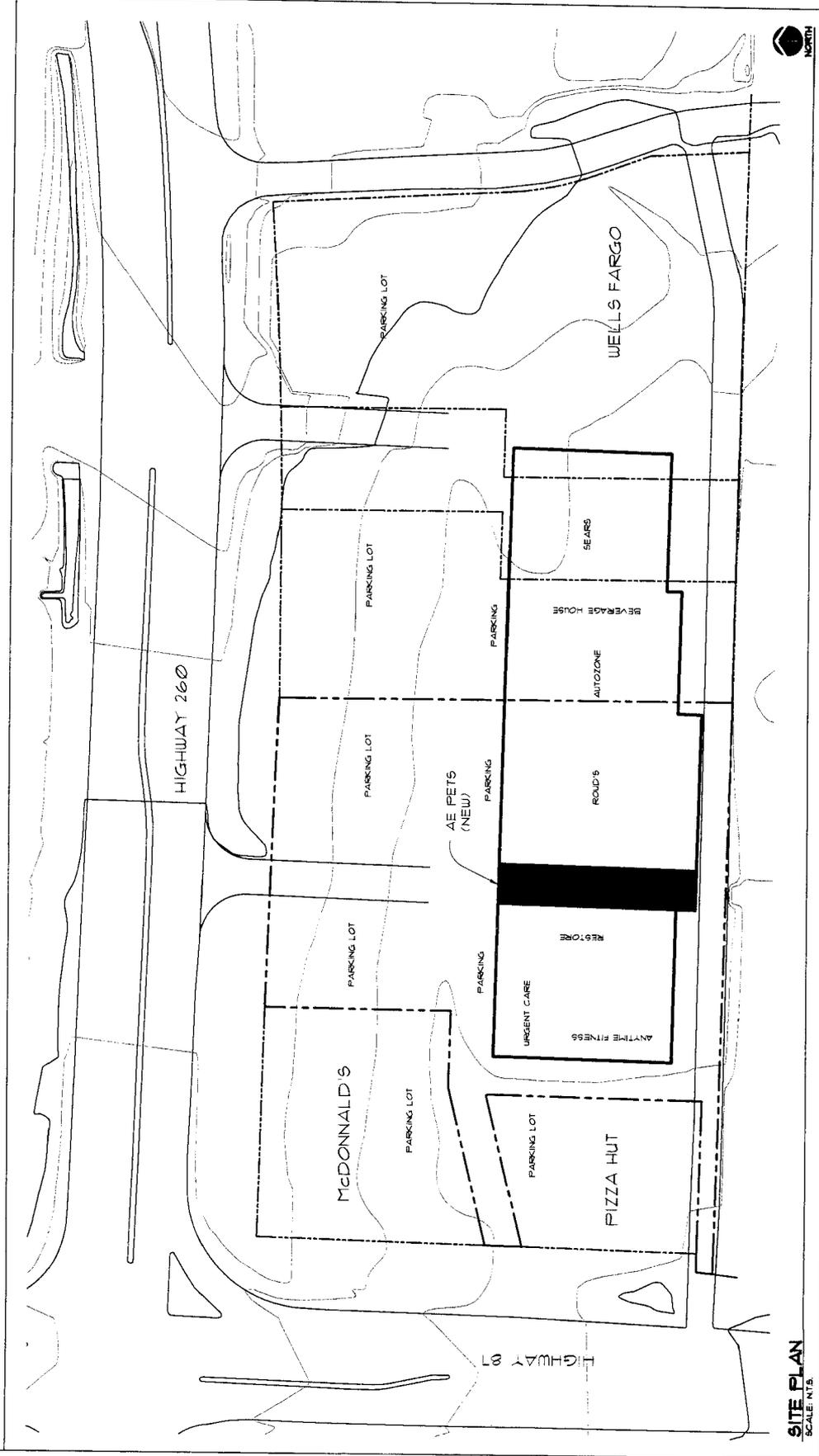


AE PETS CONDITIONAL USE PERMIT
 105 EAST HIGHWAY 260
 PAYSON, AZ

CD:105-SD1
 6/2/11
 105 E HWY 260

DESIGN BY:
 DRAWN BY:
 CHECKED BY:
 DATE:

SITE PLAN
 SD-1
 105 E HWY 260



SITE PLAN
 SCALE: NTS

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

The undersigned Applicant(s) hereby applies for:

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

Aug, 2009

Project Address: 105 E. HWY. 260 Tax Parcel Number: 304-02-023Q
 Subdivision: _____ Lot Number: _____
 Name of Applicant(s): Susie & Shannon Long Phone #: 928-474-3070
 Mailing Address: 802 N. Briarwood Rd. Town: Payson St: AZ Zip: 85541
 Name of Property Owner(s): Payson Plaza Shopping Center LLC
 Mailing Address: PMB 451, 11445 E. Via Linda, Suite 2 Town: Scottsdale St: AZ Zip: 85259
 Contact Person: Lore Bernhardt Phone #: 602-908-4488 Fax #: _____
 Payson Business License #PY9204 Sales Tax # 20191244

Detailed Description of Request:

Conditional Use Permit for retail pet store. Existing pet store Arizona Exotics is moving locations to expand into dogs & cats to provide Payson with a full line pet store. New location is between the Restore and Roud's furniture store on the corner of Hwy 87 and Hwy 260. The new store will be fully contained inside the suite with no outside displays.

(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.

Shannon Long
Print Name


Signature

5/20/11
Date

STAFF USE ONLY - PERTINENT DATA

APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	5/24/11	DW	Conditional Use Permit Fee: \$1000 ⁰⁰
COMPLETED APPLICATION	6/3/11	Sld	
NEWSPAPER PUBLICATION	5/27/11	DW	
300' NOTIFICATION MAILOUT	5/24/11	DW	
POSTING DATE	5/30/11	DW	

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

Gila County Parcel and Tax Information Search

Assessor Information 304-02-023Q

Parcel/Tax ID	304-02-023Q
Tax Year	2011
Site Address	101 E HWY 260 , PAYSON
Owner Name	PAYSON PLAZA SHOPPING CENTER LLC,
Owner Address	C/O PABCOR EQUITIES 664 MILWAUKEE AVE STE200 PROSPECT HEIGHTS, IL 60070
Tax Area	1053
Land Value	\$587,886.00
Improvement Value	\$725,060.00
Full Cash Value	\$1,312,946.00
Assessed Full Cash Value	\$262,589.00
Limited Value	\$1,312,946.00
Assessed Limited Value	\$262,589.00
Value Method	Assr Ovrd
Exempt Amount	\$0.00
Exempt Type	
Use Code	1410
Property Use	1410-NEIGH SHOP CTR
Class Code	Commercial
Assessment Ratio	20.000000
Sale Price	
Sale Date	
Instrument Type	
Book	
Page	
Parcel Size	2.80
Township, Range, Section	10N, 10E, 03
Legal Description	COMM AT W1/4COR SEC3 T10N R10E,TH S89D30'37 E 894.31' TO POB,TH N01D37'13 E 24.00',TH S89D30'37 E 129.00',TH N00D31'26 E 173.68', TH S76D42'34 W 130.03',TH N01D37'13 E 30.00',TH N76D42'34 E 135.68',TH S00D34'24 W 0.35',TH S88D24'50 E 63.00',TH N00D34'24 E 152.60',TH S88D24'50 E 263.13',TH S00D31'26 W 375.04',TH N89D30'37 W 461.54'TO POB. NW1/4 SEC03 T10N R10E;=2.80 AC (OUT OF 304-02-023F)

TOWN OF PAYSON
PRINCIPAL / AGENT FOR ZONING SUBMITTALS

A Principal (owner) / Agent (acts for the owner) relationship has been created between

PAYSON PLAZA SHOPPING CENTER LLC [Principal(s)] and
AZ. EXOTIC PETS (AZ. EXOTICS LLC) (Agent),

for the purpose of:

RE USE PERMIT FOR PET STORE

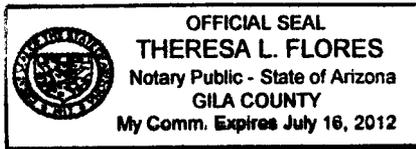
PAYSON PLAZA SHOPPING CENTER LLC
By Eleanor Bernhardt
Principal

(Need both signatures, if husband and wife)

Principal

The foregoing Principal / Agent Relationship Statement was signed before me this 2 day of
June, 20011, by ELEONORE Bernhardt [Principal(s)],
known to me to be the person(s) who signed said statement.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Theresa Flores
Notary Public

My commission expires:

July 16, 2012

CITIZENS
PARTICIPATION
MATERIAL

AE Pets
105 E Hwy 260
Payson AZ 85541

To Whom It May Concern:

AE Pets (aka: Arizona Exotics) held a public meeting at our new store location (105 E Hwy 260) on May 4th 2011 at 6:30pm. This meeting was held in order to provide our new neighbors an opportunity to voice any concerns or questions they may have with our business.

We had zero people attend our meeting and received no questions of any kind.

Sincerely,

AE Pets LLC

AE Pets
105 E Hwy 260
Payson, AZ 85541

03/18/2011

To Whom It May Concern:

AE Pets also known as Arizona Exotic Pets is reopening at a new location and will be expanding our inventory to become a full line pet store. As a courtesy we will be holding a meeting for all our new neighbors at 105 E Hwy 260 on May 4th 2011 starting at 6:30pm going till 7:00 pm. At this meeting we will address any questions or concerns that you may have.

Thank you for your time.
Sincerely,

AE Pets