



MEMO

TO: Planning and Zoning Commission

FROM: Doni Wilbanks
Planning Specialist

DATE: August 3, 2015

SUBJECT: **Conditional Use Permit Request**
425 N. Beeline Highway; outside sales, display, and storage

CUP15-009

Background

This is a request by Beeline Property, LLC, property owner; Payson Area Habitat for Humanity applicant; Cindy Kofile, agent, to allow a Conditional Use Permit for outside sales, display, and storage of merchandise in a C-2 zoning district at 425 N. Beeline Highway, parcel number 304-02-015M.

Analysis

The property is zoned C-2, General Commercial. The Unified Development Code (UDC) requires a conditional use permit (CUP) for “outside display” and “storage”. The site is bordered on the North and South by C-2 zoned properties and to the East (rear) R3-MH.

There are three (3) areas proposed for display/sales use. One is located along the front of the property along North Beeline Highway for occasional crafters sales events in the summer. The second proposed area consists of a sidewalk display area along the front of the building. The third area is a parking space for possible a hot dog cart/food vendor. The south side of the building is proposed for storage and sorting of drop-offs/merchandise. It will be fenced with proposed privacy fencing. A 24' x 60' carport is also proposed for this area. The property is located within the Design Review Overlay District and any additional structures, including the fencing and carport, shall match the dark brown color of the existing building exterior. The proposed display areas were reviewed by the Development Services Committee prior to application.

The display/sales area proposed for along Beeline Highway is shown between the parking area and the street right-of-way. This area was originally intended for landscaping and at the time of permitting for this building a 10' landscape buffer was required. This area was to include one tree of 15 gallon minimum size or six shrubs of 5 gallon minimum per 200 square feet of the yard setback area. If this area is to be used for display purposes there shall be a landscape buffer to mitigate adjacent uses.

Staff finds that the applicant's request could be compatible with the surrounding area.

Staff Recommendation:

Staff recommends approval of CUP15-009 with the conditions listed below.

1. Display area shall be limited to the areas depicted on the site plan as submitted, stamped July 22, 2015.
2. Display areas shall not interfere with ADA accessibility
3. Storage/drop-off area shall meet fire and building safety requirements which will require revisions to site plan submitted and stamped July 22, 2015.
4. Carport and fencing shall be required to comply with Design Review.
5. A landscape buffer shall be planted along the front property line between the proposed display area and street right-of-way
6. All display and storage areas shall be on private property.
7. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as outside display, sales, and storage use at 425 N. Beeline Highway 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 CUP15-009, a request to allow outside display, sales, and storage of merchandise in a C-2 zoning district at 425 N. Beeline Highway subject to the conditions recommended by staff."

Neighborhood Involvement

A Citizens Participation meeting was held July 10, 2015 at 9am. The Citizens Participation Report is attached for review.

TOWN OF PAYSON PLANNING AND ZONING APPLICATION

The undersigned Applicant(s) hereby applies for:

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

Jul, 2014

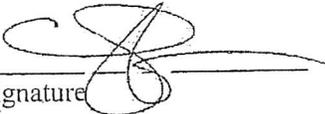
Project Address: 425 N. Beeline Highway **Tax Parcel Number:** 304-06-147
Subdivision: _____ **Lot Number:** _____
Name of Applicant(s): Payson Area Habitat for Humanity **Phone #:** 928-474-0330
Mailing Address: PO Box 1131 **Town:** Payson **St:** AZ **Zip:** 85547
Name of Property Owner(s): Beeline Property LLC
Mailing Address: 1 Bates Boulevard #110 **Town:** Orinda **St:** CA **Zip:** 94563
Contact Person: David Zimmerman **Phone #:** 928-323-8678 **Fax #:** _____
Payson Business License # n/a **Sales Tax #** n/a

Detailed Description of Request:

April thru September Craft Tents & Sales at West side of parkinglot, Gated side yard with 8 ft privacy cyclone fencing like the Town Yard at S Green Valley Parkway & Summit, up to 24' x 60' covered metal carport for outside storage, swing gates at parkinglot entry to stop evening & weekend dumping, front sidewalk sales dispays
(Note: Additional Description area can be included in an attachment)

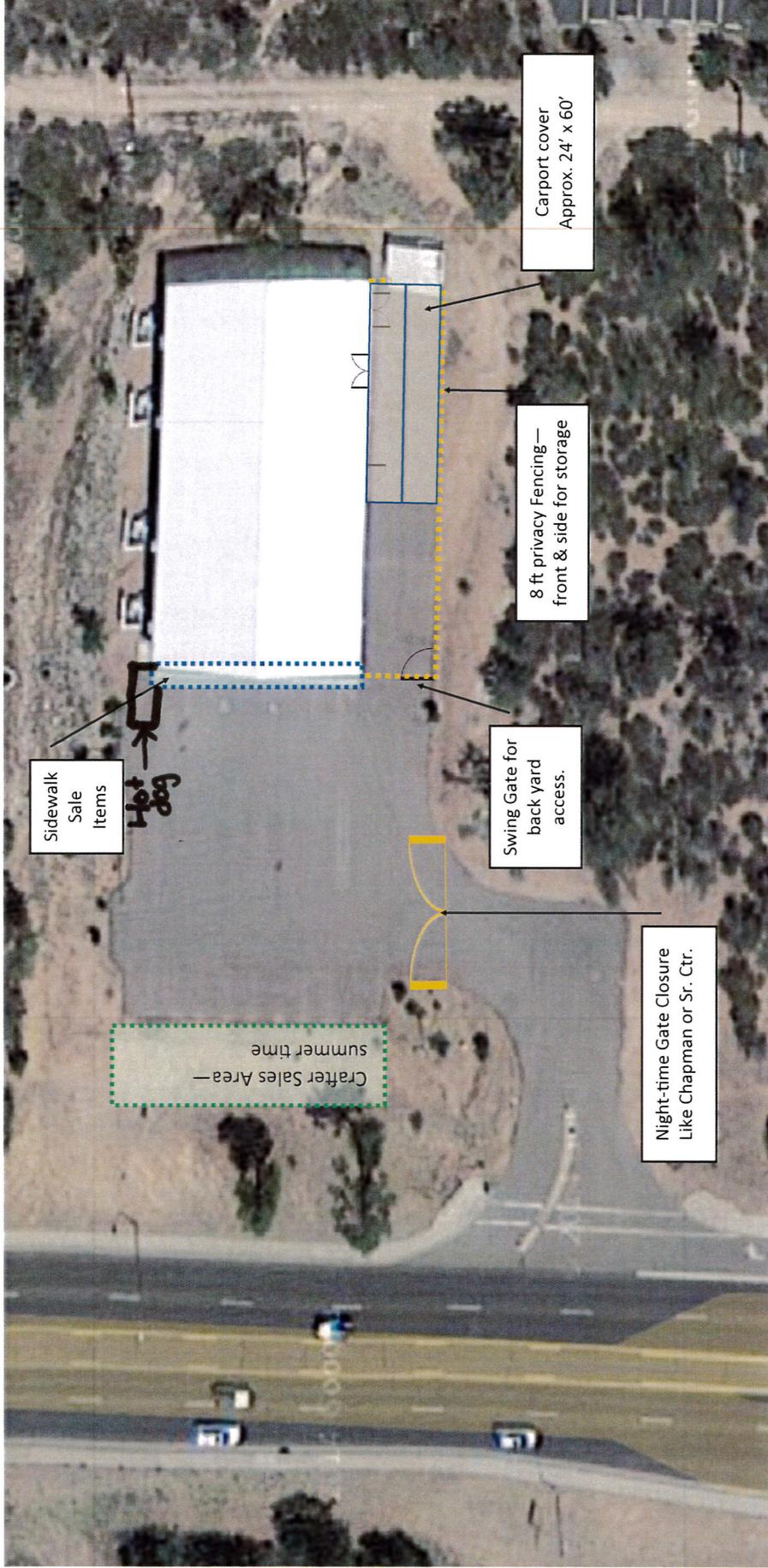
Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent in his/her behalf.

Cindy Kofile
 Print Name


 Signature

04/14/2015
 Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	6/19/15	DW	<div style="color: red; font-size: 1.5em; font-weight: bold;">\$500</div> <div style="color: red; font-size: 1.2em; font-weight: bold; margin-top: 10px;">waived by Council 7/23/15</div>
COMPLETED APPLICATION	7/16/15	DW	
NEWSPAPER PUBLICATION	7/17/15	DW	
300' NOTIFICATION MAILOUT	7/16/15	DW	
POSTING DATE	7/16/15	DW	
			CHECK NUMBER: NA DATE:
RECOMMENDATION		DECISIONS	
By: _____	Date: _____	By: _____	Date: _____



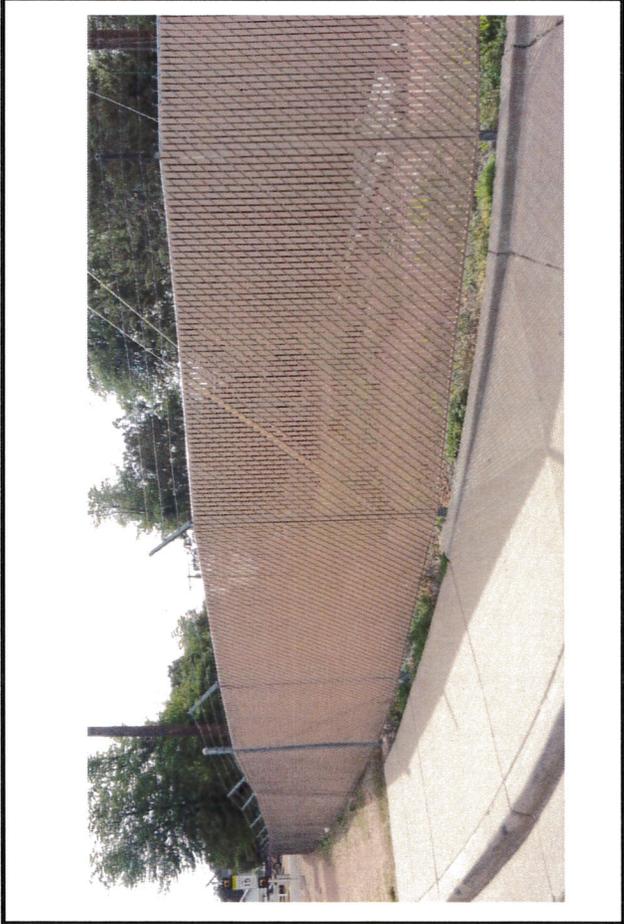
Proposed items for Conditional Use Permit—425 N. Beeline highway



Executive Director: Cindy Kofile
 (928) 474-0330

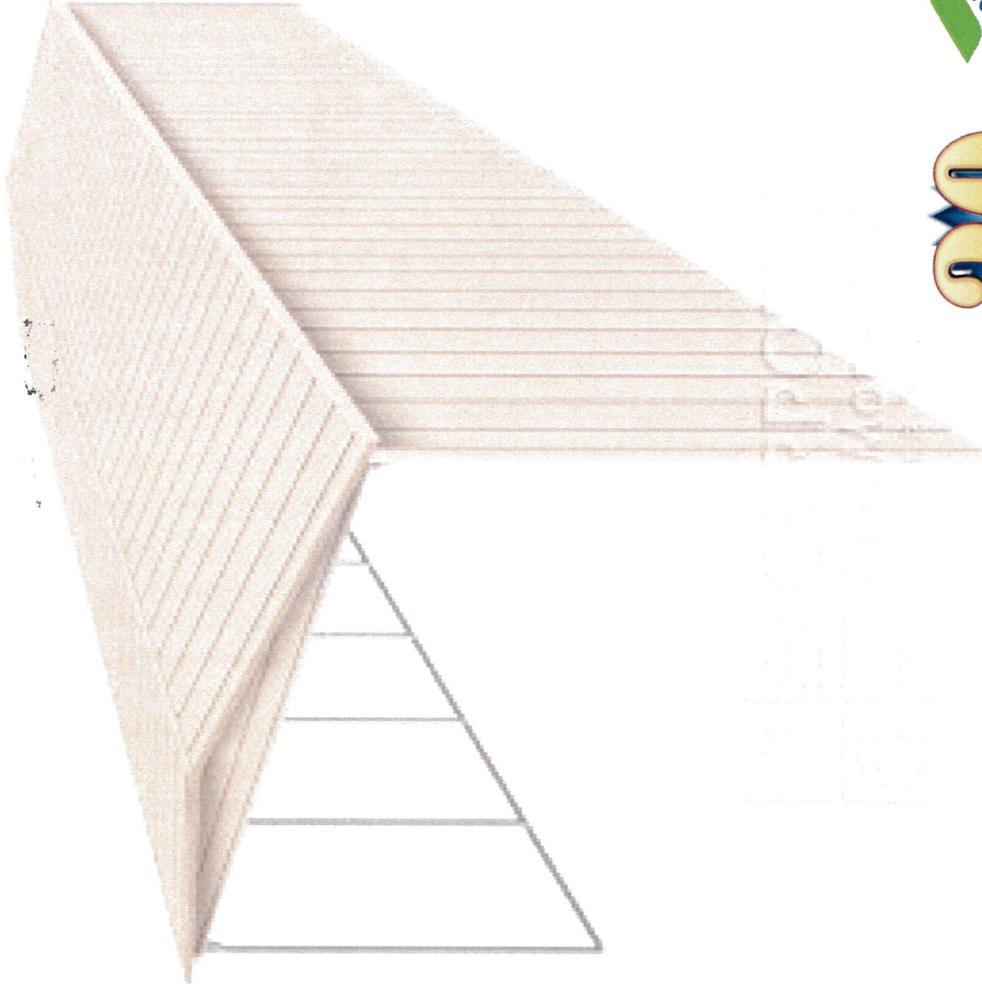


8 ft. privacy fencing similar to that at the Town yard in the next to Julia Randall elementary.



Executive Director: Cindy Kofile
(928) 474-0330

Proposed carport back yard cover



Executive Director: Cindy Kofile
(928) 474-0330

June 22, 2015

Dear Property Owner,

As you may be aware, we moved our ReStore Thrift Store to the former Dollar General building. For the last 20 years, Payson Area Habitat for Humanity has served our community by helping low income families with housing and housing repairs in our Rim Country. We have built 27 homes in Payson and are working today on our 28th home for a family in need.

Our new location offers us a much better presence in our community and we are thrilled to have additional space for donated items which help us raise funds to build affordable housing for families in need.

On behalf of Payson Habitat for Humanity, you are invited to a Citizen Participation Meeting regarding a request to approve a conditional use permit to allow us;

1. An outside storage area to be located behind a privacy fence on the South side of the building located at 425 N. Beeline Highway
2. Craft sales in the parking lot from Memorial Day through Labor Day each year
3. Outside yard sales of overstock items in the parking lot & storage area monthly throughout the year.
4. Display of items on the front sidewalk during business hours.

This meeting will be held on Friday, July 10th at 9:00am at the Payson Habitat ReStore located at 425 N. Beeline Highway, Payson AZ. The purpose of the meeting is to provide information to property owners and residents that are adjacent to the subject property regarding the storage area and events planned on the property. This is also your opportunity to ask questions or comment about the programs of Habitat for Humanity and the ReStore.

If you are unable to attend the meeting and have questions regarding the CUP for this property, please feel free to contact me at my office at (928) 474-0330.

Sincerely,



Cindy Kofile
Executive Director, Payson Area HFH

CURRENT RESIDENT
400 N BEELINE HWY
PAYSON, 85541

CURRENT RESIDENT
401 N BEELINE HWY
PAYSON, 85541

CURRENT RESIDENT
200 E MALIBU DR BLDG B
PAYSON, 85541

CURRENT RESIDENT
, 85541

CURRENT RESIDENT
200 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
202 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
204 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
414 N EASY ST
PAYSON, 85541

CURRENT RESIDENT
607 N BEELINE HWY
PAYSON, 85541

CURRENT RESIDENT
601 N BEELINE HWY
PAYSON, 85541

CURRENT RESIDENT
209 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
207 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
205 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
203 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
201 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
103 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
101 E ZURICH DR
PAYSON, 85541

CURRENT RESIDENT
505 N BEELINE HWY
PAYSON, 85541

CURRENT RESIDENT
507 N BEELINE HWY
PAYSON, 85541

CURRENT RESIDENT
512 N BEELINE HWY
PAYSON, 85541

CURRENT RESIDENT
425 N BEELINE HWY
PAYSON, 85541

RUMSEY COMPANY
PO BOX 6235
PEORIA, AZ 85385

KKR & L LLC 3/4 INT AND
13018 PINEHURST
WITCHITA, KS 67230

YALE CHARLES B & SUZANNE L
809 E PHOENIX ST
PAYSON, AZ 85541

SEVEN MILE MAX LLC
TEMPE, AZ 85281

SLONE KINDRED LESLIE DELL TRUSTEE
PO BOX 3549
SHOW LOW, AZ 85902

SCHOPPMAN LUCINDA MAE
202 E ZURICH DR
PAYSON, AZ 85541

MONTIJO FERNANDO A & ROBIN J
1309 W PEBBLE CT
GILBERT, AZ 85233

PAYSON UNITED METHODIST CHURCH
414 N EASY ST
PAYSON, AZ 85541

LEE PHILLIP
1255 ELM STREET
WINNETKA, IL 60093

E & L ENTERPRISES
9430 N 43 PL
PHOENIX, AZ 85028

GILLAN NORMAN R & PATRICIA M
TRUSTEES
8560 APPERSON ST
SUNLAND, CA 91040

RETIREMENT RESTORATIONS LLC
513 S FORT MACDONALD DR
PAYSON, AZ 85541

PAYSON UNITED METHODIST CHURCH
414 N EASY ST
PAYSON, AZ 85541

MIRANDA LORENZO &
736 S ROSE
MESA, AZ 85204

BAKER DENNIS R TRUSTEE
PO BOX 2128
PAYSON, AZ 85547

PETTET HERBERT THEODORE TRUSTEE AND
2800 E POSEY CT
PAYSON, AZ 85541

CJP PROPERTIES LLC
PO BOX 939
PAYSON, AZ 85547

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PO BOX 939
PAYSON, AZ 85547

AZITAL THREE LLC
9832 E DESERT COVE AVE
SCOTTSDALE, AZ 85260

BEELINE PROPERTY LLC
1 BATES BLVD STE #110
ORINDA, CA 94563

Comments from meeting – GO FOR IT! Good luck and happy to see Habitat is growing!
Full support, no bad comments.

Sincerely,

Cindy Kofile

Executive Director, Payson Area HFH

(928) 474-0330

paysonhabitat@gmail.com

