

# **Index File**

## **UP-781-10**

### **Drag-N-Fly Powersports**

#### **1204 George Washington Memorial Highway**

#### **Assessor's Parcel No. 37-4-1**

Request for a Special Use Permit, pursuant to Section 24.1-306 [Category 5, No. 5(a)] of the York County Zoning Ordinance, to authorize a motorcycle sales business on a 0.70 acre parcel of land located at 1204 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-4-1. The property, located on the east side of George Washington Memorial Highway approximately 1000 feet south of its intersection with Coventry Boulevard (Route 1763), is zoned GB (General Business) and is designated General Business in the *Comprehensive Plan*.

#### Attachments:

- Staff report
- Zoning map
- Vicinity map
- Applicant's sketch plan
- Floor plan sketch
- Applicant's Business Plan
- Proposed Resolution No. PC10-14

# COUNTY OF YORK

## MEMORANDUM

**DATE:** August 25, 2010 (PC Mtg. 9/8/10)

**TO:** York County Planning Commission

**FROM:** Amy M. Parker, Senior Planner

**SUBJECT:** Application No. UP-781-10; Drag-N-Fly Powersports (Brenmarie Velez)

### ISSUE

This application seeks a Special Use Permit, pursuant to Section 24.1-306 of the Zoning Ordinance (Category 12, No. 5a), to authorize motorcycle sales (without body work and painting) with accessory retail sales of parts and apparel in an existing commercial building located at 1204 George Washington Memorial Highway (Route 17). The 0.70-acre parcel, located approximately 1,000 feet south of the intersection of George Washington Memorial Highway and Coventry Boulevard (Route 1763) and further identified as Assessor's Parcel No. 37-4-1, is zoned GB (General Business) and is designated General Business in the Comprehensive Plan. Existing development consists of a vacant 1,253-square foot commercial building with two storage buildings of 836 and 335 square feet.

### DESCRIPTION

- Property Owner: Nova Development Corporation (applicant would be property owner's lessee)
- Location: 1204 George Washington Memorial Highway (Route 17)
- Area: 0.70 acre
- Frontage: 100 feet on George Washington Memorial Highway
- Utilities: Public sewer and water
- Topography: Flat
- 2025 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business  
WMP – Watershed Management and Protection Area Overlay
- Existing Development: Vacant commercial building with two accessory storage buildings
- Surrounding Development:

North: Convenience store, church beyond

East: York Meadows single-family detached residential subdivision

South: Office building, veterinarian clinic beyond

West: Kiln Creek Shopping Center (across Route 17)

- Proposed Development: Motorcycle sales with accessory retail sales of parts and apparel in an existing vacant commercial building

## **BACKGROUND**

According to Commissioner of the Revenue records, the principal structure on the property was built in 1933 as a residence. At the time of adoption of the Zoning Ordinance in 1957, the property was zoned B-1 (Business) and has been designated commercial/business zoning since that time. According to County Assessor's records, the property has been used for commercial purposes since the 1980's, including a flower shop, cosmetology school, and interior design shop. The property has been vacant for less than a year.

## **CONSIDERATIONS/CONCLUSIONS**

1. The subject property is occupied by a vacant commercial building with associated parking and two accessory storage buildings. The applicant wishes to lease the property for motorcycle sales with accessory retail sales of parts and apparel. There would be no body work or painting. The applicant has indicated that servicing of motorcycles would not be offered. However, under the terms of the Zoning Ordinance, minor repairs and servicing (e.g., engine tune-ups, oil changes, brakes, etc.) would be permitted if the application is approved and the applicant wished to offer such services at a later date. No changes or expansions are proposed to the existing buildings or parking areas.

According to the applicant's business plan (copy attached), sales of recreational watercraft may be offered in the future. This use is permitted as a matter of right in the GB district. Therefore, the addition of the use would not require amendment of the use permit unless changes were proposed to the site layout or business operations that would affect use permit approval conditions.

2. The subject parcel is located on the east side of Route 17 just north of the Newport News city line. The property is located in the GB district, which is the zoning classification along both sides of Route 17 at the lower end of the County. Adjacent development consists of a mix of commercial uses (retail stores, church, offices) and a single-family detached residential subdivision (York Meadows) adjacent to the rear property line.
3. The applicant would be required to obtain a motorcycle dealer license from the Virginia Department of Motor Vehicles (DMV) in order to establish the proposed business. Licensing requirements include the provision that space be provided for the

display of at least ten motorcycles (§46.2-1993.8 of the *Code of Virginia*). The applicant has indicated that motorcycles for sale would be displayed only in the showroom area of the main sales building. According to the applicant's sketch plan, approximately 800 square feet of floor area is designated as showroom, which is sufficient to meet minimum DMV requirements.

4. The property is the subject of a site plan approved in 2000 (used as the base for the applicant's sketch plan). A fire lane is indicated along the north side of the main commercial building. The Fire Chief has indicated that current regulations require the fire lane to be at least 20 feet in width. There is a narrow gravel driveway around that side of the main building that would need to be upgraded to meet current standards. A proposed approval condition addresses this issue.
5. The noted site plan depicts a 35-foot transitional landscape buffer along the rear property line where the subject parcel abuts property zoned R13 (High density single-family residential). This buffer has been installed as shown on the plan. Additional landscaping may be required to meet current front and side yard landscape requirements. A proposed approval condition addresses this issue.
6. According to the parking standards set forth in the Zoning Ordinance, a minimum of six (6) regular spaces and one loading space would be required for the proposed use (1 space per 500 square feet of office, showroom, or storage area; 1 space per 250 feet of accessory retail sales area). There are nine (9) existing paved parking spaces (including one handicap space) located at the front of the property. The above-noted site plan indicates a proposed loading space at the rear of the main commercial building; however, the space was not installed.
7. The proposed motorcycle dealership would generate a minimal amount of traffic. The ITE (Institute of Transportation Engineers) *Trip Generation* manual (8<sup>th</sup> edition) does not include data specifically for motorcycle dealerships. Using data for an auto dealership, the most comparable use for which trip data is available, indicates that a use of this size, including the small retail sales area, can be expected to generate an average of five (5) trips per day, including no more than one in the AM and PM peak hours. The actual amount of traffic generated would probably be lower since no servicing of vehicles would be offered.
8. The subject site is located in the Route 17 Corridor overlay district. According to Section 24.1-378(a) of the Zoning Ordinance, this district "*is intended to provide a positive visual experience for those visitors coming into and through the county along this corridor.*" Any changes to the existing buildings or signage would need to meet minimum overlay district standards related to building and sign façade design, colors and materials.
9. The site is located in the Watershed Management and Protection Area (WMP) overlay district because of its proximity to Big Bethel Reservoir. Since the property lies within 700 feet of a tributary stream feeding into the reservoir, the applicant would be required to comply with applicable Zoning Ordinance regulations, including

requirements for dumpster covers and environmentally safe storage of oil and gasoline products. A hazardous material plan would be required prior to occupancy of the site for the proposed use. A proposed approval condition addresses this issue.

10. The 335-square foot storage building located to the rear of the main sales building is quite dilapidated and cannot be used in its current condition. The structure would need to be restored to meet current building codes before it could be used for storage purposes. Alternatively, the structure could be replaced with a new structure or removed altogether. A proposed approval condition addresses this issue.

### **RECOMMENDATION**

Staff is of the opinion that the proposed use is appropriate on this site in an area of the Route 17 corridor containing a mix of retail and service uses. A substantial evergreen landscape area that serves to buffer the subject property from the adjacent residential properties exists along the east side of the parcel. The expected amount of traffic accessing the site would be negligible, and there is ample existing parking on the site to accommodate the proposed use. Noted concerns related to licensing, fire lane installation, WMP overlay district regulations, and building code requirements for storage structures are addressed in proposed conditions of approval. Therefore, staff recommends that the Commission forward this application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC10-14.

AMP

Attachments:

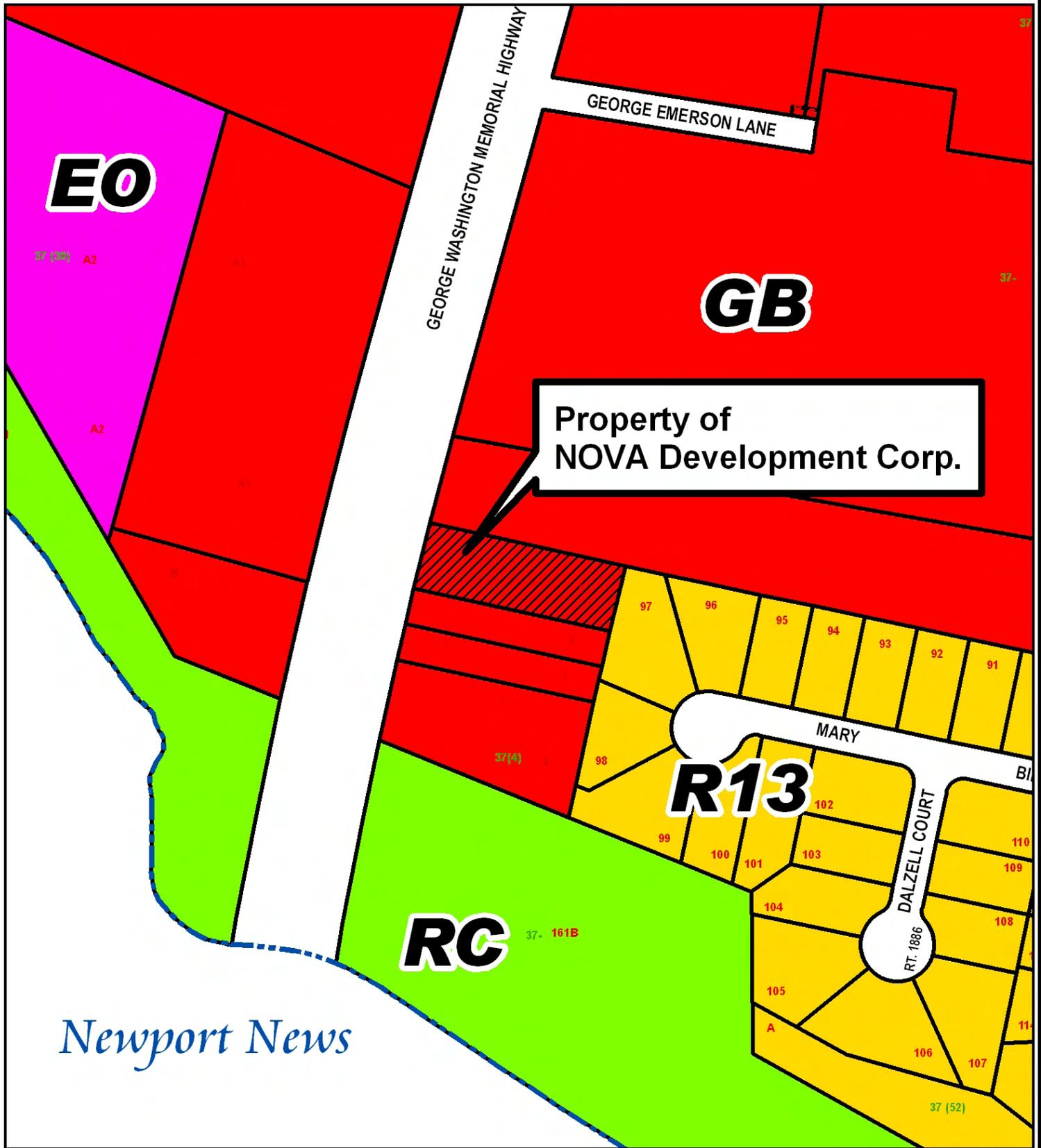
- Zoning Map
- Vicinity map
- Applicant's sketch plan
- Floor plan sketch
- Applicant's Business Plan
- Proposed Resolution No. PC10-14

**APPLICANT: Brenmarie Velez, Drag-N-Fly Powersports**

# ZONING MAP

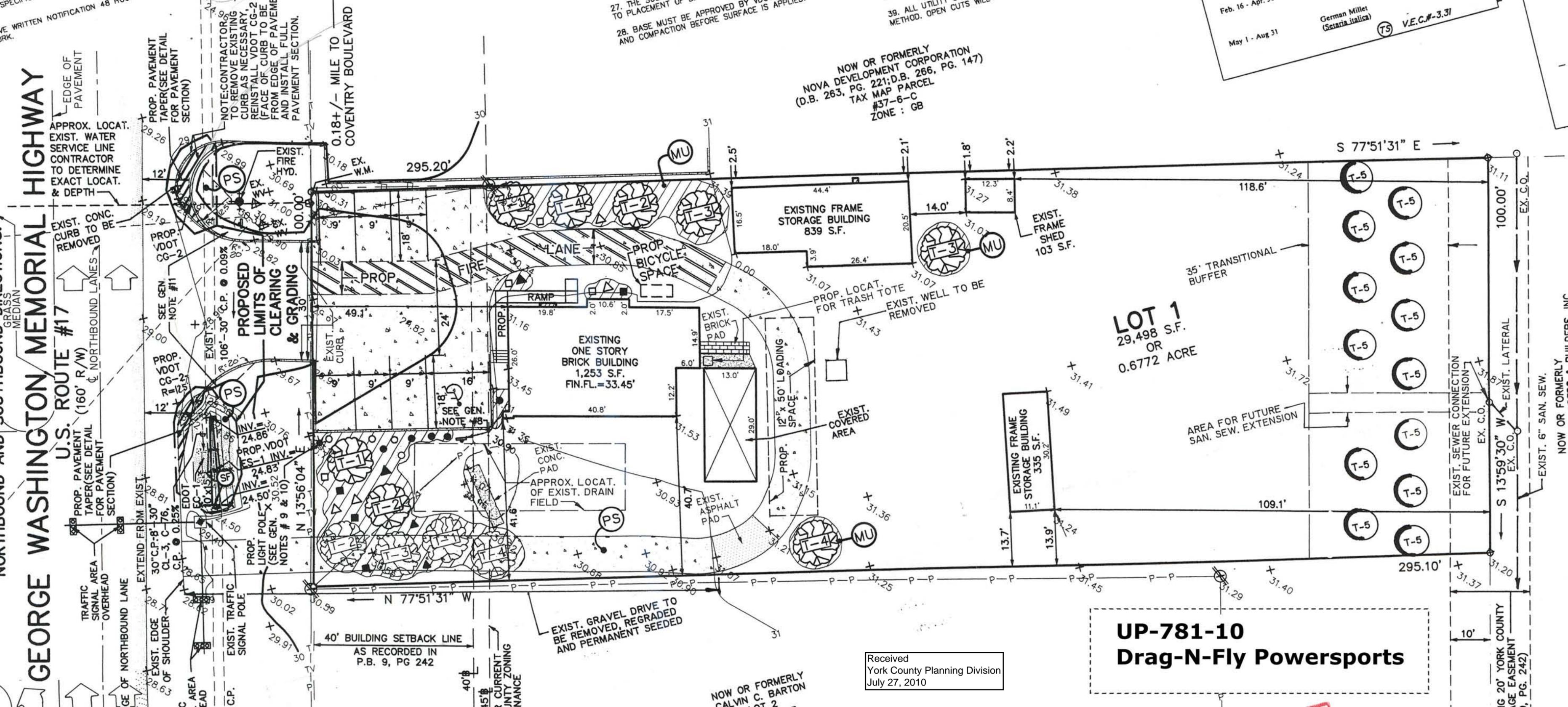
Special Use Permit for motorcycle sales with accessory retail sales of parts and apparel  
1204 George Washington Memorial Hwy.

**Application No. UP-781-10**



SOURCE: YORK COUNTY GIS PARCEL DATA and ZONING COVERAGE

THIS IS NOT A LEGAL PLAT. This map should be used for information purposes only. It is not suitable for detailed site planning.



**GEORGE WASHINGTON MEMORIAL HIGHWAY**  
**U.S. ROUTE #17**  
 (160' R/W)  
 NORTHBOUND AND SOUTHBOUND LANES  
 GRASS MEDIAN  
 PROP. PAVEMENT TAPER (SEE DETAIL FOR PAVEMENT SECTION)  
 APPROX. LOCAT. EXIST. WATER SERVICE LINE CONTRACTOR TO DETERMINE EXACT LOCAT. & DEPTH  
 EXIST. CONC. CURB TO BE REMOVED  
 EXIST. VDOT CG-2  
 PROP. VDOT CG-2  
 R=12.5'

NOTE: CONTRACTOR TO REMOVE EXISTING CURB AS NECESSARY, REINSTALL VDOT CG-2 (FACE OF CURB TO BE FROM EDGE OF PAVEMENT AND INSTALL FULL PAVEMENT SECTION.)

0.18+/- MILE TO COVENTRY BOULEVARD

27. THE BASE MUST BE APPROVED BY VDOT TO PLACEMENT OF ASPHALT.

39. ALL UTILITIES TO BE EXPOSED AND COMPACTED BEFORE SURFACE IS APPLIED.

NOW OR FORMERLY NOVA DEVELOPMENT CORPORATION (D.B. 263, PG. 221; D.B. 266, PG. 147)  
 TAX MAP PARCEL #37-6-C  
 ZONE: GB

Feb. 16 - Apr. 15  
 May 1 - Aug 31  
 German Millet (Sctaria italica) (75) V.E.C.#-3.31

**LOT 1**  
 29,498 S.F.  
 OR  
 0.6772 ACRE

**UP-781-10**  
**Drag-N-Fly Powersports**

Received  
 York County Planning Division  
 July 27, 2010

NOW OR FORMERLY CALVIN C. BARTON

YORK COUNTY PLANNING DIVISION (PG. 242)

NOW OR FORMERLY CALVIN C. BARTON



# *Drag-N-Fly Powersports*

## *Business Plan*

RECEIVED  
York County

AUG 5 2010

Planning Division

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## **Executive Summary**

### **Mission**

Our company's mission is to provide superb service to our clients by bringing to them refined motorcycles at an inexpensive price.

### **Company**

Drag-N-Fly Powersports was founded in 2010 by Edwin Mendoza, projective opening in the tidewater area of Virginia.

### **Business**

The service that we provide is fixing and updating motorcycles, as well as selling refined bikes and parts. Our company is at the start up stage of business. We have a strong team in place to make this a success once the ball gets to rolling.

### **Product**

Our product is: motorcycles, parts, and attire

Presently, our products are in the introductory and growth stage. We plan to follow this company with extensions to our line such as Jet Ski's in the future, to help with the expansion of the business. Critical factors in the product and services are having a powerful team in place and location. Our product is unique because it would be the first used motorcycle shop in the tidewater area. We have a great advantage with there being a high demand for the product and limited to no competition.

### **The Market**

We define our market as used motorcycle sales. We have researched and have found a successful business that runs exactly like Drag-N-Fly Powersports approximately 85 miles away from the tidewater area called Motorcycle Authority. MA has been operating for 5 years and every year has seen an increase in sales and dividends. This market was approximately \$850,000 at retail value in 2008, and it grew to over \$1,000,000 in 2009 and is expected to grow \$1.5 million by the end of 2010.

### **Competition**

We compete directly with other motorcycle shops but due to the price difference between new and used motorcycles at this time we have no direct competition. Drag-N-Fly Powersports is able to bring slightly used motorcycles to our customers at hundreds less than our competitor. We stay on top of the market by being the ground breakers in this type of business in the area.

## **Risk/Opportunity**

The risks we have in our business are very slim because we are located in an area that is strongly based on military and government work.. It is an area that is still developing and growing even with today's economy.

## **Mission**

### **Mission Statement**

Our goal is to become the leading provider of used motorcycles in the tidewater area, known for providing excellent service and superb equipment (motorcycles). We aspire to carry a reputation in the marketplace for delivering a great product and services at a fair price. We can achieve this because we have studied our market and understand the demand and need of our customers. Due to statistics given by fellow owners of shops 80% of the clientele purchasing right now is military or government employees. Why? They are the only ones that in a shaken economy are guaranteed their jobs. Many soldiers are coming back from deployment with their bonuses and investments that they have accumulated during the time they were overseas ready to purchase their toys. Cars and motorcycles happen to be two of the most popular purchases enlisted men and women invest in. At the location that Drag-N-Fly Powersports is looking forward to open its doors there's not only one military branch but several (air force, army, and navy) setting it up for great success within the community. We understand that right now is a risky time for a new business to open but we are sure that it will succeed due to the research and reports that we have received from fellow owners and the community. We have asked around within the community and demand is great, many are awaiting the grand opening of Drag-N-Fly Powersports.

## **The Company**

Drag-N-Fly Powersports was founded in 2010 by Edwin Mendoza, projective opening in the tidewater area of Virginia.

## **The Business**

### **Unique features or proprietary aspects of Product**

Our products and services are unique because we are the only used motorcycle dealership within the tidewater area. Others in the market are able to provide somewhat similar product or services but we are able to differentiate ourselves in the market because of our passion, drive, and excellence provided not just in our product but from the time you enter Drag-N-Fly Powersports to the time you leave you are not just a client but part of a family who all have the same goal; to make sure that you are 100% satisfied from beginning to end.

### **New and Follow-On Products**

Responding to market needs, we plan to follow the motorcycles with extensions to our line which includes jet skis. Our target introduction dates for these products is summer of 2011.

### **Production**

Our motorcycles come from various auctions that are licensed and run thorough inspections on every bike that they sell providing Drag-N-Fly Powersports as well as our customers a quality used product. The additional products carried at Drag-N-Fly Powersports such as accessories and apparel are brought to you by various name brand distributors. All services provided are done by the staff and team member.

### **Uniqueness**

Our products are unique because we are the leading company in the marketplace. We are determined to making sure that the reputation of Drag-N-Fly Powersports is superb and that it becomes the talk within every one of the bases within the area.

## **The Market**

### **Market Definition**

We are competing in the sales and service department of the motorcycle industry. This market has seen a steady increase in retail sales over the last couple of years. With the rise of gasoline prices more and more people are looking for vehicles that can save them money in transportation. Motorcycles are not as expensive as vehicles. A quality used motorcycle can range anywhere in average from \$4,500 to \$12,000. This average cost estimate does not reflect off-road powersports. Market research suggests this market will continue to grow with the increase of gas prices and economy being such that many people are looking for savings anywhere they can get it. We expect the market in which we compete to continue to grow during this time. The greatest growth within the industry will be in the tidewater area exactly where Drag-N-Fly Powersports will be located.

### **Market Segment**

We define our market segment as used motorcycle sales. The segment has been steady in the last few years in its growth. The experts forecast millions of dollars to be spent in this industry within the next few years. The major market segment that Drag-N-Fly Powersports is reaching out to is primarily but not limited to military and government employees between the ages of 20 thru 45. These are young and driven people ready and able to make such purchases. A typical customer for our product is a person who currently may use a motorcycle for getting to and from work. It cuts down on many transportation expenses. They are motivated to buy our product because of its value, quality, and popularity. We know this from customer responses and inquiries from other owners in the same business.

## **Marketing**

Our marketing plan is based on the following fundamentals:

We expect to penetrate the military segment of the market and achieve this by using multi-level marketing as our primary distribution channel; everything from word of mouth to radio advertising.

## **Pricing**

Our pricing strategy is always to come in cheaper than our competitor. Bringing high quality products to the market at bargain prices that can't be beat. We arrive at our pricing based on gross retail and market pricing. We review this pricing monthly to ensure that potential profits are not squandered and that every motorcycle is sold at the best value possible.

## **Competition**

Drag-N-Fly Powersports has no direct competition besides the alternatives to our product such as new motorcycle dealers within the market segment. Drag-N-Fly Powersports would actually be offering potential motorcycle buyers a choice between a new or used vehicle, competitive pricing and the luxury of being within close range of their residence since there aren't any used motorcycle dealers, to our knowledge, at the time of this research within a thirty to forty mile radius.

## **Management Team**

Our team has the following members to achieve our plan. Drag-N-Fly Powersports has a strong administrative assistant, sales manager, and mechanic.

PLANNING COMMISSION  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2010:

\_\_\_\_\_

Present

Vote

Christopher A. Abel, Chair  
M. Sean Fisher, Vice Chair  
Alexander T. Hamilton  
Mario C. Buffa  
Richard M. Myer, Jr.  
Anne C. H. Conner  
John R. Davis

\_\_\_\_\_

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO AUTHORIZE MOTORCYCLE SALES IN EXISTING COMMERCIAL BUILDINGS LOCATED AT 1204 GEORGE WASHINGTON MEMORIAL HIGHWAY

WHEREAS, Brenmarie Velez dba Drag-N-Fly Powersports, has submitted Application No. UP-781-10 to request a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 5a), to authorize motorcycle sales (without body work and painting) with accessory sales of parts and apparel in existing commercial buildings on a 0.70-acre parcel of land located at 1204 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-4-1 (GPIN S02d-3616-2228); and

WHEREAS, said application has been forward to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the \_\_\_\_ day of \_\_\_\_\_, 2010 that Application No. UP-781-10 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval of a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 5a), to authorize the establishment of motorcycle sales (without body work and painting) with accessory sales of parts and apparel in existing commercial buildings on a 0.70-acre parcel of land located at 1204 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-4-1 (GPIN S02d-3616-2228), subject to the following conditions:

1. This Special Use Permit shall authorize the establishment, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 5a), of motorcycle sales (without body work and painting) with accessory sales of parts and apparel in existing commercial buildings on a 0.70-acre parcel of land located at 1204 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-4-1 (GPIN S02d-3616-2228).
2. This Special Use Permit shall not be construed to authorize sales, rental or service of automobiles, light trucks, or recreational vehicles.
3. A site plan amendment, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any site modifications or motorcycle or accessory retail sales activity on the site. Said site plan amendment shall be in general conformance with the sketch plan received by the Planning Division on July 27, 2010, and the floor plan received on August 3, 2010, copies of which shall remain on file in the office of the Planning Division.
4. Off-street parking for the proposed use shall be provided in accordance with the standards set forth in Section 24.1-606 (Category 12 – Motor Vehicle Transportation) of the Zoning Ordinance.
5. Prior to issuance of a Certificate of Occupancy for the site, a fire lane meeting minimum requirements of the 2006 Virginia Statewide Fire Prevention Code shall be established in coordination with the Fire Chief.
6. Prior to issuance of a Certificate of Occupancy for the site, all structures located on the site shall conform to minimum standards of the Virginia Uniform Statewide Building Code and International Code Council, subject to the approval of the Building Code Official.

7. The motorcycle sales establishment shall be operated in conformance with the provisions of Section 24.1-473 of the Zoning Ordinance, *Standards for all motor vehicle and transportation related uses*.
8. Use of the property shall be in conformance with Section 24.1-376 of the Zoning Ordinance, *Watershed Management and Protection Area overlay district*.
9. Prior to issuance of a Certificate of Occupancy for the site, landscaping shall be provided in accordance with Sections 24.1-242, 243 and 244 of the Zoning Ordinance.
10. Body work and painting of motorcycles shall not be permitted on the subject property.
11. All motorcycles displayed for sale on the property shall be kept within the building area designated as “showroom” on the floor plan referenced in Condition #2 above.
12. No portion of the site shall be used as a motor vehicle graveyard or junkyard as defined in Section 24.1-104 of the Zoning Ordinance or for storage of inoperable motorcycles or other inoperable motor vehicles.
13. Outside storage of parts and supplies shall be prohibited.
14. The side and rear yards of the property shall not be used for motorcycle test drives or other motorcycle or motor vehicle operations.
15. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.

BE IT FURTHER RESOLVED that this Special Use Permit is severable and invalidation of any word, phrase, clause, sentence, or paragraph shall not invalidate the remainder.