



MEMO

TO: Planning and Zoning Commission

FROM: Doni Wilbanks
Planning Technician

DATE: October 14, 2013

SUBJECT: Conditional Use Permit Request
1315 W. Red Baron Road

CUP13-004

Background

This is a request by Allen Rislund and Dennis & Victoria Baker, property owners; Griffin's Propane, applicant; to consider the allowance of storage and transfer of hazardous material, bulk propane dispensing at 1315 W. Red Baron Road, parcel numbers 302-77-037 and 302-77-038B in an M-1 zoning district. The applicant proposes to use the site for a sales office, dispensing tank, and display of tanks, and parking of service vehicles.

Analysis

The site consists of two vacant parcels within Skypark Industrial Subdivision, lot 37 and portion of lot 38, and is zoned M-1, Light Industrial. The eastern most portion of the site (portion of lot 38) is not a legal parcel; both tax parcels shall be consolidated. The site is bordered by developed industrial properties on both sides and a vacant parcel to the south/rear, all zoned M-1. The property adjacent to the site to the east, which includes the easterly portion of lot 38 similarly, has a CUP for the storage of hazardous material (bulk storage of propane). The Unified Development Code (UDC) requires a CUP in M-1 Zoning Districts for the manufacturing, disposal, distribution, warehousing or transfer of hazardous materials (i.e., propane).

A new sales office will be constructed on the site with paved customer parking and driveway. The applicant plans to construct a wall around the proposed area for outside storage of excess and/or large items not including the display tanks. There will be an area in the rear for truck parking/storage. Six foot chain link will fence in the display tanks, truck storage, and large dispensing/storage tank. Prior to building permit application, all industrial development must be approved by Design Review.

The height of the proposed metal storage tank could make it susceptible to lightning strikes. The applicant will need to explain what safety provisions would be in place to mitigate the lightning danger. The proposed storage tank would be approximately 1,000' from the end of the airport runway. Although it is somewhat close, the site is to the southwest from the end of the runway and take-offs and landings are to the west and northwest. With its close proximity to the airport and the height of the tank, the Town Engineer will determine any lighting requirements at the top of the storage tank.

Staff Recommendation:

Because the applicant’s request could meet the development standards and could be compatible with existing land uses in the surrounding area, Community Development staff recommends approval of this application subject to the conditions listed below:

1. Exterior land uses shall substantially conform to the site plan submitted and attached to the zoning application filed on September 6, 2013.
2. A building permit shall be obtained for the installation of the propane storage tank and all applicable Building and Fire Codes shall be met. The project shall meet all development standards, including but not limited to: building, fire safety, and signage.
3. A lot consolidation of the two tax parcels must be completed prior to building permit application.
4. A building permit must be obtained within twelve (12) months of the approval date of this CUP.
5. A Certificate of Occupancy must be obtained within twenty four (24) months of the approval date of this CUP.
6. The length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for bulk propane storage and distribution use then the use permit is applicable. Change in uses or additional uses may require separate approvals or a modification to this Conditional Use Permit.
7. Failure to comply with the above conditions shall be grounds for zoning citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the Community Development Department, a request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

Suggested Motion to Approve:

“I move the Planning & Zoning Commission approve CUP13-004, a request to allow the storage and transfer of hazardous material, bulk propane dispensing, in an M-1 zoning district at 1315 W. Red Baron Road subject to the conditions recommended by staff.”

Neighborhood Involvement

A Citizens Participation meeting was conducted on September 4, 2013, at 328 N. McLane Road, Payson Public Library. The Citizens Participation Report and related correspondence received by staff are attached for review.

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

300' Map for Parcels 302-77-037 & 038B



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.

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





WIRED BARON RD

1311

1315

1317

1319

1310



6' chain link fence

135'

1315 Red Baron Rd

154'



Storage tanks

Tank 50'



Tank 50'

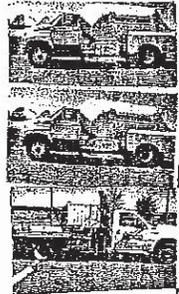
Tank 50'

Gate 20'

Tank 85'

Tank 50' to bld

Trucks



Parking Paved



10' Property line

10' property line

145'

170'

**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 type="checkbox"/> Annexation |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat | <input type="checkbox"/> Mobile Storage |
| <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 | |

Jul, 2012

Project Address: 1315 W Red Baron Rd Tax Parcel Number: 302-77-037 & 038 B
 Subdivision: SKY PARK INDUSTRIAL Lot Number: 37 + ptn 38
 Name of Applicant(s): GRIFFINS PROPANE INC Phone #: 928-532-6665
 Mailing Address: PO Box 940 Town: Showlow St: AZ Zip: 85901
 Name of Property Owner(s): Ann Rishlund & Dennis Baker
 Mailing Address: _____ Town: _____ St: _____ Zip: _____
 Contact Person: Tom Brotz Phone #: 928-242-2458 Fax #: 928-537-0348
 Payson Business License # P09628 Sales Tax # 05-00-5555 W

Detailed Description of Request:

Conditional use permit for propane storage

(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.

Tom Brotz
Print Name

[Signature] 9-6-13
Signature Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	9/6/13	Sld	Conditional Use (non residential SFR) \$500 ⁰⁰
COMPLETED APPLICATION	9/6/13	Sld	
NEWSPAPER PUBLICATION	9/24/13	Sld	
300' NOTIFICATION MAILOUT	9/26/13	Sld	
POSTING DATE	9/26/13	Sld	
			CHECK NUMBER: <u>CL</u> DATE: <u>9/6/13</u>

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

**CITIZENS
PARTICIPATION
MATERIAL**



SILVER CITY P.O. Box 2737 Silver City, NM 88062 575-388-4433 800-924-4437	DEMING P.O. Box 1491 Deming, NM 88031 575-546-4166 800-997-7672	LAS CRUCES P.O. Box 15068 Las Cruces, NM 88004 575-523-7775 575-523-1747	LORDSBURG P.O. Box 2737 Silver City, NM 88062 575-388-4433 800-924-4437	SAFFORD 4223 Highway 191 Safford AZ 85546 928-428-0071 800-929-1898	SHOW LOW P.O. Box 940 Show Low, AZ 85902 928-532-6665 800-869-5119
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August 15, 2013

RE: Request of issuance of a Conditional Use Permit

Dear Property Owner,

On behalf of Griffin's Propane, Inc. you are invited to a Citizen Participation Meeting regarding a request to approve a conditional use permit to allow Griffin's Propane Inc. to construct and occupy a new facility located at 1315 W. Red Baron Rd, Payson Az.

This meeting will be held on Wednesday the 4th of September 2013 at 10:00 a.m. at the Payson Public Library located at 328 N. Mclane Rd, Payson, AZ. The purpose of the meeting will be to provide information to property owners and residents adjacent to subject property regarding the proposed improvements and to allow you the opportunity to share your questions, concerns or comments about this project.

If you cannot attend the meeting and/or have questions regarding the proposed development, please call Jon Brotz at 800-869-5119 and he will be happy to provide you with any information you may like to have.

Please plan to attend.

Sincerely,

Jon T. Brotz

GRIFFIN'S PROPANE, INC P O BOX 940 SHOWLOW, AZ 85902

300' Map for Parcels 302-77-037 & 038B



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GIS:PaysonGIS_Master.mxd 11/28/2007



TO: TOWN OF PAYSON

FROM: JON BROTZ – GRIFFIN'S PROPANE, INC.

SUBJECT: CITIZENS PARTICIPATION MEETING HELD AT THE PUBLIC LIBRARY IN PAYSON, AZ AT 10:00 A.M. FOR CONDITIONAL USE PERMIT

ATTENDEES:

LARRY HANSON 1311 W. BRAVO TAXIWAY

PATRICK AND BARBARA UNDERWOOD 1606 E. BECKY CIRCLE PAYSON, AZ

BROOK SMITH 1312 W. RED BARON RD PAYSON, AZ

CLARK JONES PLANNING AND ZONING DEPT PAYSON, AZ

TELEPHONE CALL FROM WILLIAM GOLDMAN ON 8/26/2013 NO OBJECTIONS

JON BROTZ GAVE A DESCRIPTION OF THE PROPOSED PROJECT WITH BOOKLETS DETAILING PROPANE IN YOUR COMMUNITY AND A SITE MAP SHOWING PLANS FOR THE PROPERTY.

LARRY HANSON ASKED WHAT PURPOSE THE SPRINKLER SYSTEM OVER THE TANKS HAD AND JUST HOW THEY WORKED. JON, EXPLAINED THAT SPRINKLERS WERE USED MAINLY FOR COOLING OF TANKS IN CASE OF FIRE.

NO OBJECTIONS, WERE EXPRESSED BY ANY PARTICIPATE OF THE MEETING AND ATTENDEES WERE FAVORABLY IMPRESSED WITH THE PROJECT.

RESPECTFULLY,

JON T. BROTZ

A handwritten signature in black ink, appearing to read "Jon Brotz", written over a horizontal line.

ATTACHMENTS:

LETTER OF REQUEST OF ISSUANCE

TOWN OF PAYSON ZONING SUBMITTAL

MAILING LABELS

CITIZEN'S PARTICIPATION SIGN IN SHEET/COMMENTS