#26

NOV 07 2013
Chandler

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All-America City 2010

MEMORANDUM **Transportation & Development – CC Memo No. 13-137**

DATE: NOVEMBER 7, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD
MARSHA REED, ASSISTANT CITY MANAGER MR
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR RZ
JEFF KURTZ, PLANNING ADMINISTRATOR JK
KEVIN MAYO, PLANNING MANAGER KM

FROM: SUSAN FIALA, CITY PLANNER SAF

SUBJECT: ZUP13-0018 SHOPPERS SUPPLY

Request: Use Permit approval to install a 500 gallon dispensing propane tank in an outdoor fenced storage area

Location: 2880 South Alma School Road, west of the northwest corner of Alma School and Queen Creek roads

Applicant: Jon Herges, General Manager of Shoppers Supply

RECOMMENDATION

Planning Commission and Planning Staff, finding consistency with the General Plan and the Planned Area Development (PAD) zoning, recommend approval subject to conditions.

BACKGROUND

The subject site is located at 2880 South Alma School Road, west of the northwest corner of Alma School and Queen Creek roads and is zoned Planned Area Development (PAD). The business is in the former Target location in Ocotillo Plaza. The surrounding uses include: agriculture to the west and north, Clemente Ranch single-family residential to the northwest, and retail and commercial developments at the remaining three corners of the intersection.

The request is for Use Permit approval to install a 500 gallon dispensing propane tank in an outdoor fenced storage area. The dispensing propane tank will be above-ground and installed in an existing screened outdoor side yard, located on the southwest side of the building. Access to the tank will be by company certified personnel through a locked gate.

Shoppers Supply started in 1966, by George Schmidt. The business started out as a small Fleet and Farm store operation in Spencer, Iowa. The business grew into a family owned, multi-store retailing business and in 1989, George's son, Jim, took over the stores. Today, Shoppers Supply is operated by Jim and his son Tyler. Shoppers Supply opened its first store outside of Iowa, in December 2011, expanding to Apache Junction, Arizona.

The Chandler Shoppers Supply is the second store in Arizona. Shoppers Supply carries a large selection of merchandise including: automotive, clothing and footwear, hand and power tools, electrical, farm and ranch supplies, feed, housewares, lawn and garden, pet supplies, and plumbing.

Hours of operation are Monday through Saturday, from 8 a.m. to 7 p.m., and from 9 a.m. to 5 p.m. on Sunday. The business employs approximately 40 to 50 staff members.

Bulk storage fuel tanks that dispense fuels, regardless of the total gallons, require approval of a Use Permit. In all instances, fuel tanks need to receive building permit approval, which includes Fire Department review and approval. The fuel tank will also need to meet all other applicable State and Federal Laws.

Planning Staff supports the request, finding the request for the installation of a 500 gallon dispensing propane fuel storage tank as an ancillary use to the direct operation and services provided by Shoppers Supply.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on September 25, 2013. No one other than the applicant attended the meeting.
- As of this writing, Planning Staff received a phone call from a resident concerning their opposition. A follow up email, see attached, outlines their concerns. One other resident spoke in person to Planning Staff at the customer counter to voice their concerns and issues. In brief, the issues stated were: public notification, hay fires at the agricultural property, propane tank explosions, and safety. This resident attended and spoke at the Planning Commission public hearing held on October 16, 2013, see following section.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.
In Favor: 5 Opposed: 1 (Ryan) Absent: 1 (Donaldson)

The item was moved from the consent agenda for a presentation and discussion at Planning Commission. The speakers included two residents of Clemente Ranch subdivision, to the north of Shoppers Supply, and the other resident did not live in the area but is a concerned Chandler resident. The following is only a summary of the concerns conveyed at the hearing; the meeting minutes provide further detail.

The first resident who spoke was the same person who came to the customer counter. The resident indicated the following concerns and issues, in summary: the public notification process, in reference to the notice for the neighborhood meeting, signage, lack of residents knowing the process and application; adding the propane tank as a dispensing tank is unfair to other propane retailers who have exchange tanks and already supply propane; the dispensing propane tank affects property values; the safety of residents in the event of a tank explosion; hay fires have occurred at the agriculture property; state and city fire marshal inspections; who is the contractor installing the tank; who conducts the training and certifies staff; and also he read news articles on past propane tank explosions.

The next speaker did not live in the area but stated she is a taxpayer and resident concerned about the safety of the propane tank being installed. The third speaker was a property owner in Clemente Ranch and spoke of the safety of propane tanks, previous hay fires, and the height of the hay stacks on the agricultural property.

Planning Commission discussed the request in reference to the safety of the propane tank related to the fire and building codes. Planning Staff stressed that the use permit is to determine the land use compatibility of the request. The dissenting Planning Commissioner wanted a report from the Fire Marshall to determine safety of the tank and its compatibility before approving the use permit. Planning Staff indicated the first step is to approve the use permit for the requested land use which is followed by a building permit application. The building permit process reviews compliance of the tank with Building Codes and Fire Codes.

Planning Staff communicated these concerns to the Fire Marshall. The Fire Marshall said the proposed tank will be reviewed for Fire Code compliance as part of the building permit process, also stating there are no issues related to the tank's proposed location. Additionally, the Fire Marshall conveyed that there are inspections of above ground tanks conducted annually by the Fire Department to insure safety measures are being met.

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan and zoning, recommend approval of ZUP13-0018 SHOPPERS SUPPLY, subject to the following conditions:

1. Development shall be in substantial conformance with the narrative, site plan, and associated conditions of approval.

2. The tank shall be constructed to comply with all City of Chandler Building and Fire Codes.

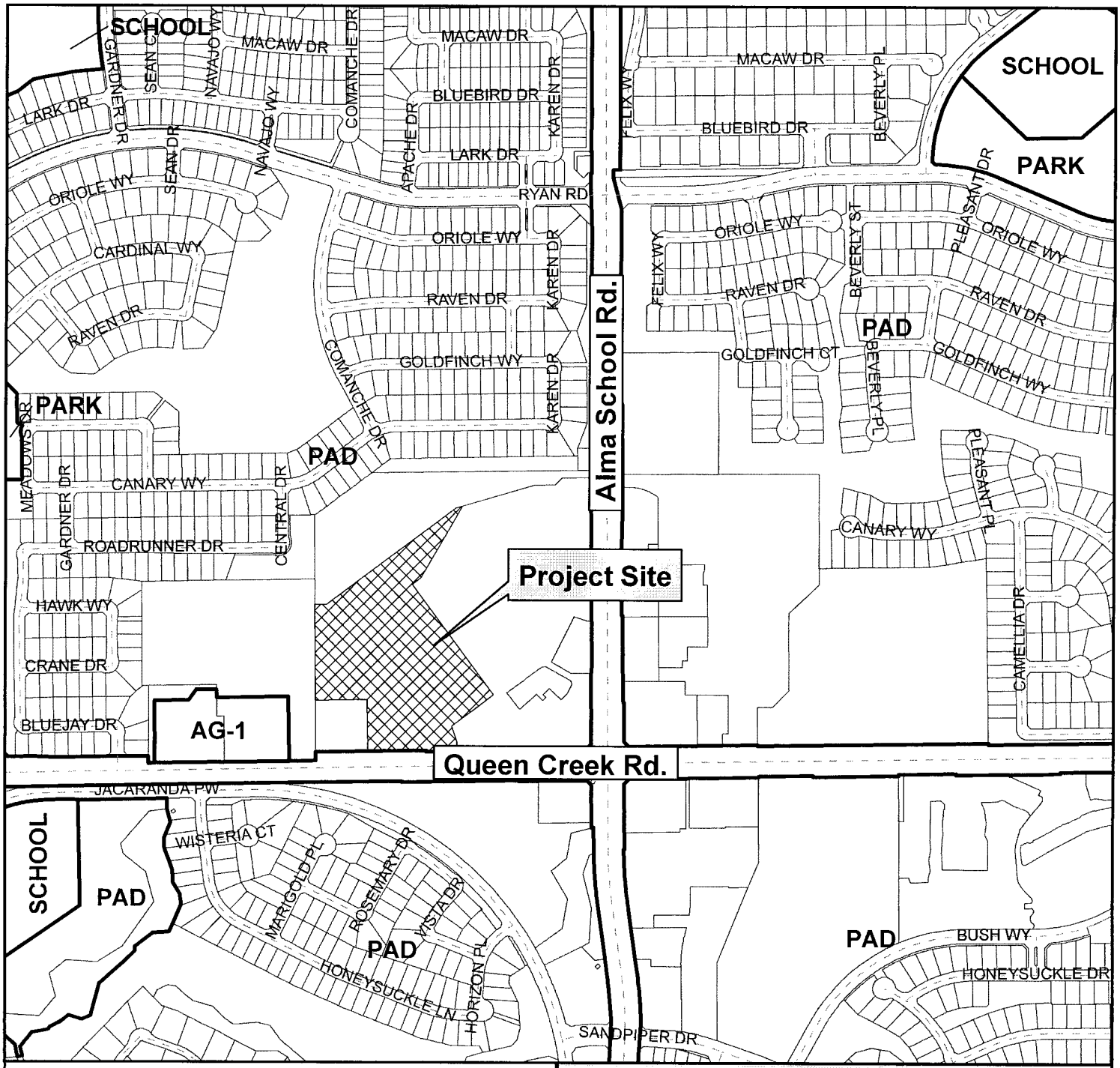
3. Fuel containment shall be in accordance with all State and Federal laws.

PROPOSED MOTION

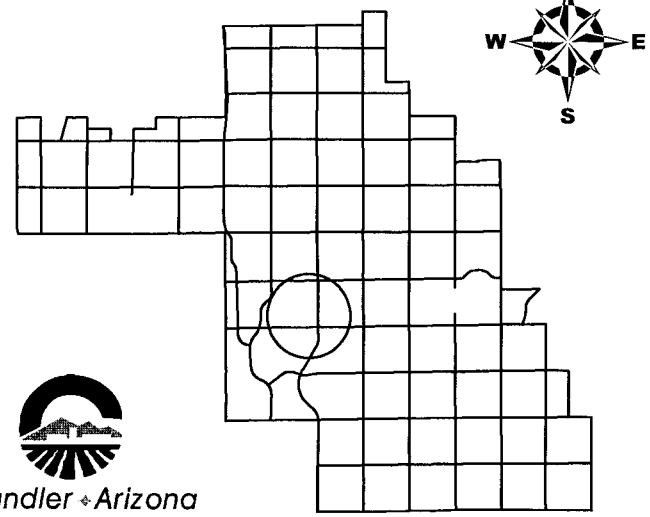
Move to approve Use Permit, ZUP13-0018 SHOPPERS SUPPLY, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Manufacturer Product Specifications
4. Narrative
5. Photos
6. Citizen Correspondence



Vicinity Map



ZUP13-0018

Shoppers Supply

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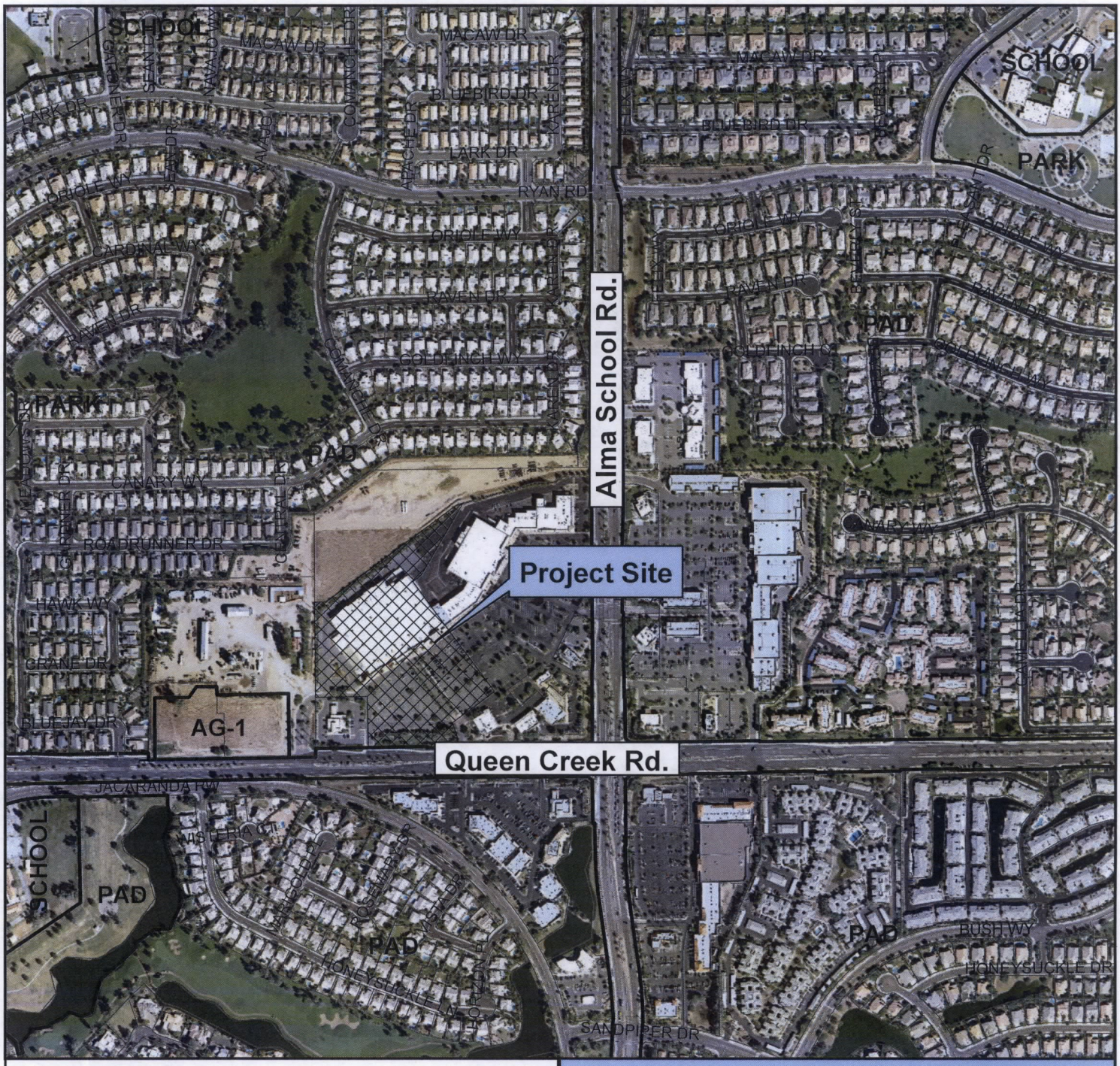
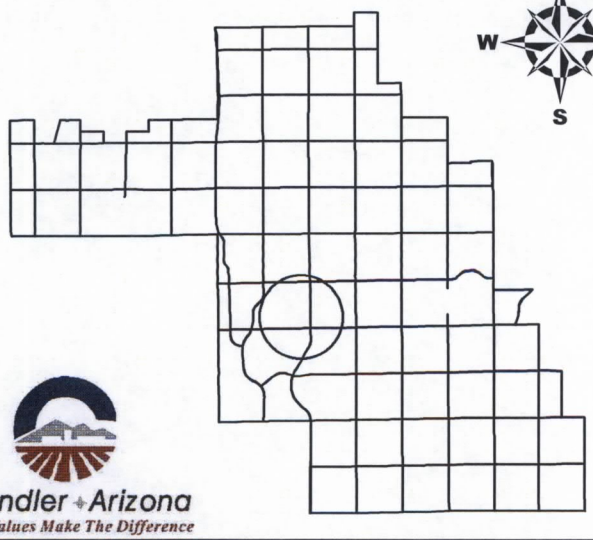
CITY OF CHANDLER 7/30/2013



Vicinity Map



ZUP13-0018

Shoppers Supply

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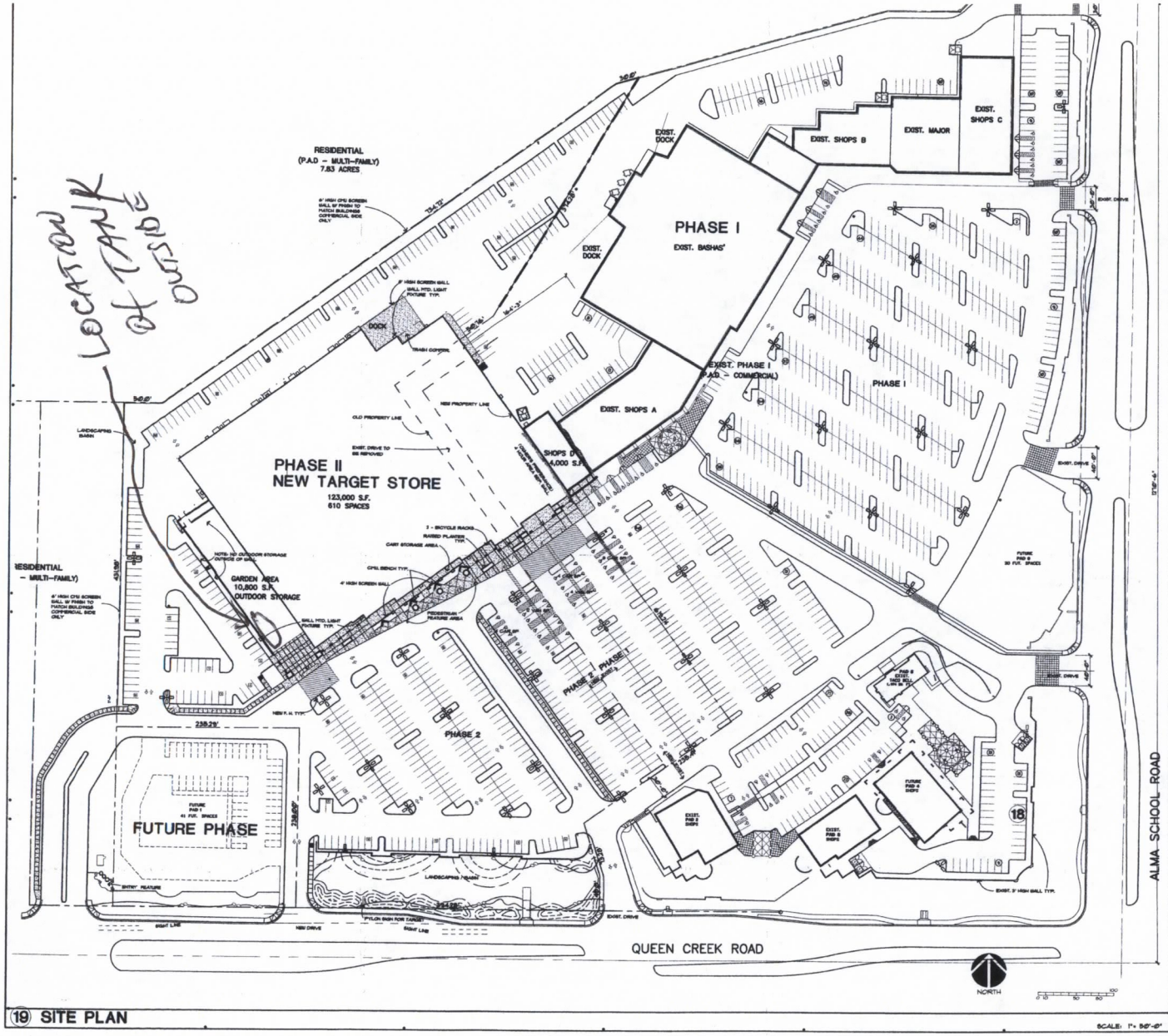
CITY OF CHANDLER 7/30/2013



(19) SITE PLAN

SCALE: 1" = 50'-0"

BUILDING AREAS:	PHASE I	53,000 SF - BASHAS
		8,970 SF - MAJOR
		14,802 SF - SHOPS A
		11,972 SF - SHOPS B
		10,830 SF - SHOPS C
		6,000 SF - PAD 2
		5,060 SF - PAD 3
		6,200 SF - PAD 4
		2,000 SF - PAD 5
		4,000 SF - PAD 6
	SUB-TOTAL	123,430 SF
	PHASE II	133,800 SF - TARGET
		6,000 SF - PAD 1 (MAX.)
		4,000 SF - SHOPS D
	SUB-TOTAL	143,800 SF
	TOTAL	267,234 SF
SITE AREA	PHASE I	18.54 ACRES / 807,490 SF
	PHASE II	10.78 ACRES / 435,600 SF
	TOTAL	29.32 ACRES / 1,243,090 SF
BLD'G COVERAGE	PHASE I	15.8 %
	PHASE II	32.8 %
	TOTAL	21.8 %
PARKING REQ'D	PHASE I	513 SP
	PHASE II	572 SP
	TOTAL	1,085 SP
PARKING PROV'D	NEW SPACES	1,333 SP

PARKING RATIO PH I + II = 271,272 SF / 1,333 = 200 SF/SP

PARKING RATIO PH II = 139,800 SF / 494 = 283 SF/SP

PARKING RATIO TARGET FRONT = 123,800 SF / 620 = 199 SF/SP

(12) SITE DATA

TARGET

BUILDING AREA - 123,000 SF

OCCUPANCY - B/M (RETAIL SALES)

BUILDING HEIGHT - 40' AT HIGHEST POINT

TYPE OF CONSTRUCTION - III - AFES/1 HR (UNLIMITED AREA)

(24) CODE DATA

(24) AREA MAP

ARCHICON, Architecture & Design
5701 N. 7th STREET
PHOENIX, ARIZONA
FAX

OCOTILLO PLAZA

TARGET: PHASE II

ALMA SCHOOL ROAD AND QUEEN CREEK ROAD

CHANDLER, ARIZONA

JOB NO: 9000900
PROJECT MGR: C.D.
DRAWN BY: C.D.
CHECKED BY: JERE PLANCK

NO.	REVISION	DATE

THESE DRAWINGS ARE "NOT FOR CONSTRUCTION" UNTIL ALL ITEMS ARE INITIALED AND DATED

	INITIAL	DATE
SUBMITTED TO CITY	C.D.	9-1-99
ISSUED FOR BIDDING		
CITY APPROVAL		
ISSUED FOR CONST.		

SHEET TITLE: SITE PLAN PROJECT DATA

PLOT DATE:

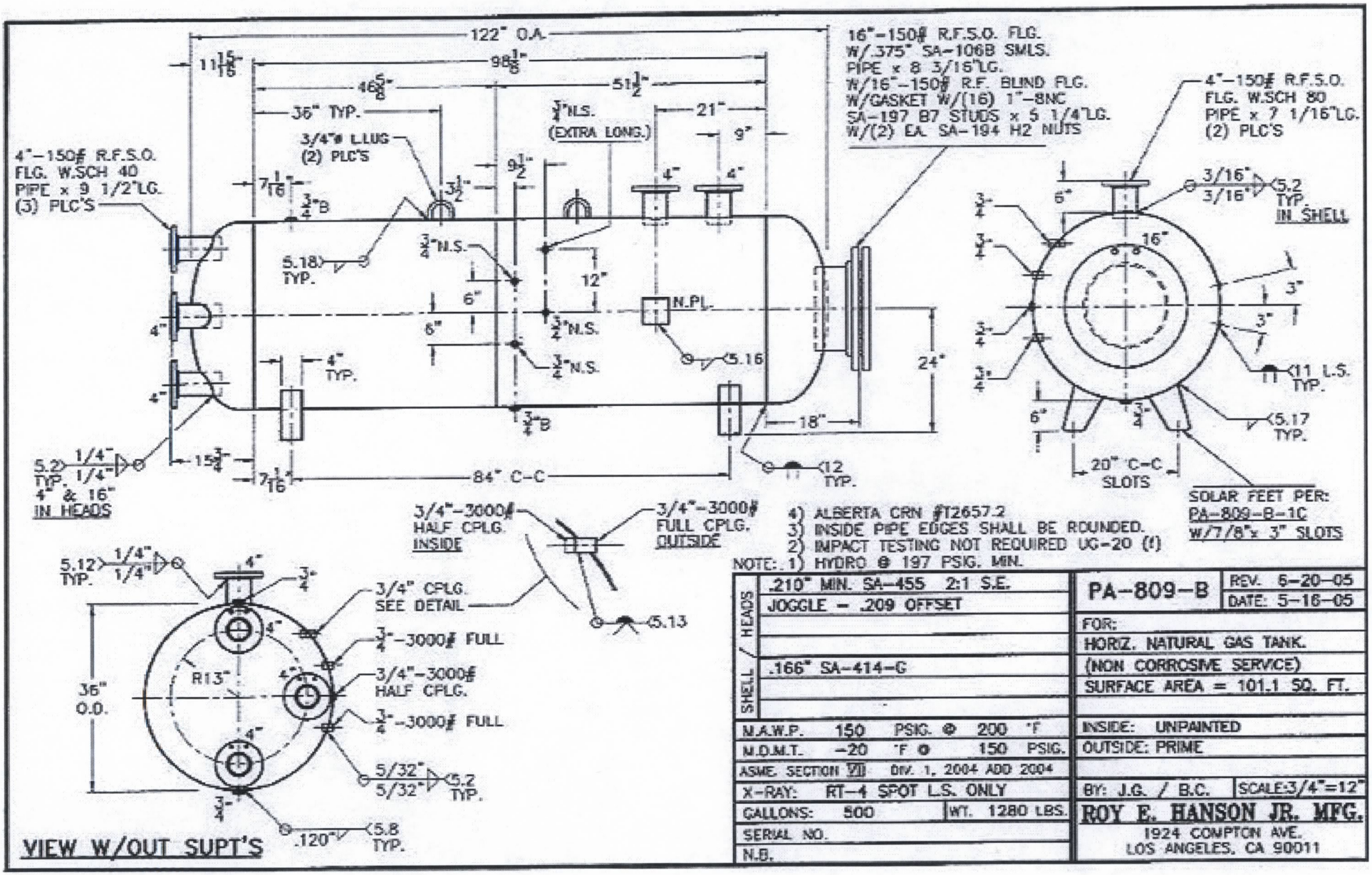
FILE REFERENCE: 9900A-1

PRELIMINARY NOT FOR CONSTRUCTION

PLOT DATE: 4-5-00

DR-1

1 OF 2



NOTE: 1) HYDRO @ 197 PSIG. MIN.
2) IMPACT TESTING NOT REQUIRED UG-20 (f)
3) INSIDE PIPE EDGES SHALL BE ROUNDED.
4) ALBERTA CRN #T2657.2

HEADS	.210" MIN. SA-455 2:1 S.E.
	JOGGLE - .209 OFFSET
SHELL	.166" SA-414-G
M.A.W.P.	150 PSIG. @ 200 °F
M.D.M.T.	-20 °F @ 150 PSIG.
ASME. SECTION VIII	DIV. 1, 2004 ADD 2004
X-RAY:	RT-4 SPOT L.S. ONLY
GALLONS:	500 WT. 1280 LBS.
SERIAL NO.	
N.B.	

PA-809-B REV. 6-20-05 DATE: 5-16-05

FOR:
HORIZ. NATURAL GAS TANK.
(NON CORROSIVE SERVICE)
SURFACE AREA = 101.1 SQ. FT.

INSIDE: UNPAINTED
OUTSIDE: PRIME

BY: J.G. / B.C. SCALE: 3/4"=12"

ROY E. HANSON JR. MFG.
1924 COMPTON AVE.
LOS ANGELES, CA 90011

ZONING CASE: ZUP 13-0018 – USE PERMIT SHOPPERS SUPPLY, CHANDLER, AZ

September 17, 2013

Re: Proposed Propane Tank Installation

My name is Tyler Schmidt and I am the business owner of Shoppers Supply located at 2880 S. Alma School Road, Chandler, Arizona. I am requesting a zoning Use Permit that would allow a 500 gallon dispensing propane tank to be operated on the premises.

The tank will be a dispensing tank which will be screened from the public view and located on the southwest side of the building in an existing fenced and gated side yard. It will be accessed through a locked gate and surrounded by red crash posts. Employees who are certified company trained will have access to the dispensing of propane.

Shoppers Supply is a retail ranch and home store which caters to the general public along with ranchers, home owners and contractors. We sell house wares, lawn and garden supplies, plumbing, electrical, tools automotive, pet supplies, equine supplies and feed, sporting goods, firearms, clothing and boots. We employ a staff of 40-50 personnel. Our hours of operation are Monday through Saturday from 8:00 AM to 7:00 PM and Sunday from 9:00 AM to 5:00 PM.

Sincerely,

Tyler Schmidt

Existing side yard location for propane tank installation

ZUP13-0018 Shoppers Supply, 2880 S. Alma School Road
Colleen Sigfusson
to:
susan.fiala@chandleraz.gov
10/11/2013 03:23 PM
Cc:
Colleen Sigfusson
Hide Details
From: Colleen Sigfusson <ccsigfusson@hotmail.com>
To: "susan.fiala@chandleraz.gov" <susan.fiala@chandleraz.gov>
Cc: Colleen Sigfusson <colleen.sigfusson@chandleraz.gov>
History: This message has been replied to and forwarded.

2 Attachments

1fire.JPG

fire 2.JPG

Dear Ms. Fiala,

We received your public hearing notice mailed on October 1, 2013. It concerns the installation of a 500 gallon propane tank in an outdoor fenced storage area within 600 feet of our home. My address is: 1151 West Canary Way, Chandler AZ 85286.

This installation is of great concern to us because of safety reasons. We would like to have the Planning and Zoning Commission take a really close look at this, and consider, as we would expect, the safety of residents as opposed to business growth and tax production.

There is "farm" property between our backyard and the back of the stores which includes the above property. Just last fall, there was a hay fire on the "farm" property. It was a very expensive loss for the owners according to news authorities. The propane tank will be in close proximity to this farm property. Should there be another fire, please consider the possibilities! (See the pictures attached).

There are homes all around this property, and imagine the loss of life that could ensue. We have heard of explosions in other states recently, such as Florida, Connecticut, and Toronto Canada. We do not need a repeat of these devastations in Chandler. Would the Board and all of you responsible for this decision want to be responsibile for such horror?

There is another consideration. The "farm" owners allow numerous tractor trailer trucks to park on the property. They are coming and going and revving their engines at all hours during the night, starting at 1:00AM. We have seen sparks from their exhaust and we are currently very worried about these sparks setting off a hay fire. If that should happen, with the propane tank being in close proximity, there could be disastrous results as mentioned above.

Since you mentioned that you have already approved the permit and it's up to the Board to give final permission, we would really appreciate your submitting this information to

the Board members for their consideration. If this business was located further away from all the families and their homes in the neighborhood, I would not be corresponding with you; but since this disaster is a very real possibility, it merits their full attention before their approval is given.

Thank you for your consideration of this matter.

Respectfully yours,

Colleen Sigfusson
Dale C. Sigfusson
(480) 917-0130