

Staff Summary Report



Hearing Officer Hearing Date: 12/06/11

Agenda Item Number: 6

SUBJECT: This is a public hearing for a request by **CTR GUNS** located at 1290 North Scottsdale Road, Suite No. 129, for one (1) use permit.

DOCUMENT NAME: 20111206cdsl05 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **RIO SALADO CENTER – CTR GUNS (PL110387)** (John Webster, applicant; P J Properties, property owner) located at 1290 North Scottsdale Road, Suite No. 129 in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP11103 Use permit to allow gun sales.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

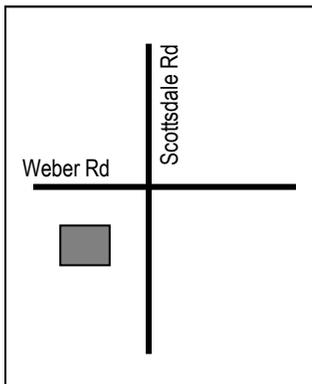
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: **Staff – Approval, subject to conditions**

ADDITIONAL INFO:



CTR Guns is requesting approval of a use permit for retail gun store located at 1290 North Scottsdale Rd. The Zoning and Development Code requires retail gun stores in all commercial zoning districts to obtain a use permit. The proposed use appears to pass the criteria for approval of a use permit; staff is recommending approval of the request with conditions. To date, no public input has been received.

PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site Plan
5. Floor Plan

COMMENTS:

The applicant is requesting approval of a use permit for a retail gun store located at 1290 North Scottsdale Rd. According to the company website, CTR Guns retails tactical firearms. They provide firearms for consumer home protection, Class III investment/collection firearms, as well as training for the Arizona CCW and Utah CCW permits. Their business hours are Monday-Saturday 10 am to 6 pm.

Use Permit

The Zoning and Development Code requires a use permit for retail gun sales in all commercial zoning districts. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - There should be no nuisance created by the business.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed development would not contribute to neighborhood deterioration or downgrade property values.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding structures and uses.
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public;
 - The proposed use appears to have adequate control of disruptive behavior.

Conclusion

Staff recommends approval of the use permit

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. The use permit is valid for CTR Guns and may be transferable with approval from the Hearing Officer staff. Should the business be sold, the new owners must contact the Hearing Officer staff for review of the business operation.
2. All business signs shall be Development Plan Review approved and permits obtained.
3. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
4. Obtain all necessary clearances and permits for the occupancy from the Building Safety Division.
5. The applicant shall work with the Tempe Police Department to create a Security Plan for the business. Contact the Crime Prevention Department at 480-858-6333.

HISTORY & FACTS:

None pertinent to this case.

DESCRIPTION:

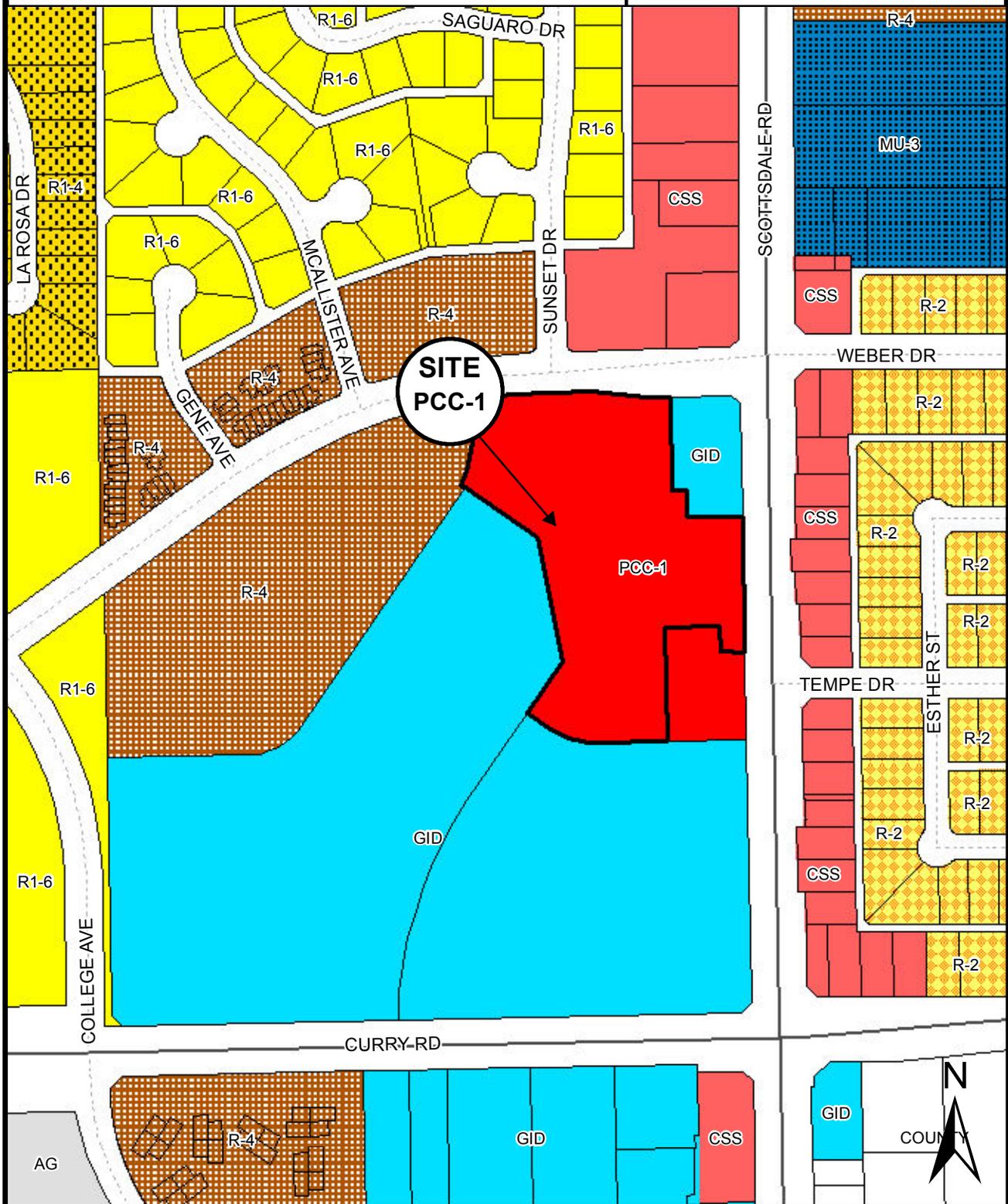
Owner – P J Properties
Applicant – John Webster
Existing Zoning – PCC-1, Planned Commercial Center Neighborhood District

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 6, Chapter 3, Section 6-308 – Use Permit

RIO SALADO CENTER - CTR GUNS

PL110387



Location Map



RIO SALADO CENTER - CTR GUNS (PL110387)

November 4, 2011

To whom it may concern:

I am requesting a use permit for the operation of a retail sales business, CTR Guns, located at the following address:

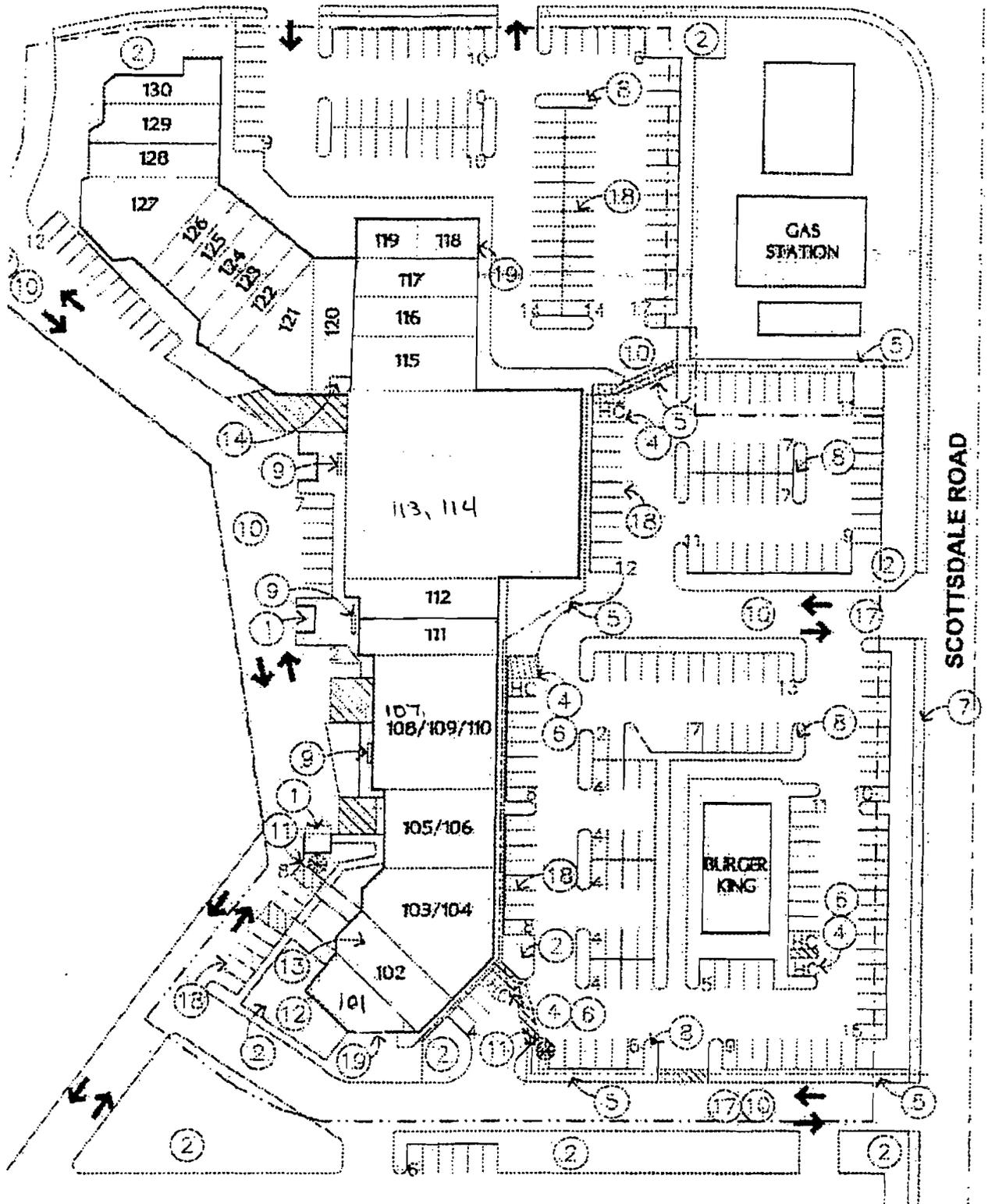
1290 N Scottsdale Rd Ste 129
Tempe, AZ 85281

Sincerely,

A handwritten signature in black ink, appearing to read "John Webster", written in a cursive style.

John Webster

WEBER DRIVE



1 EXISTING SITE PLAN
FOR REFERENCE ONLY



THIS DOCUMENT IS THE PROPERTY OF ARCHITECTURAL COLLABORATIVE TEAM. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ARCHITECTURAL COLLABORATIVE TEAM.

RIO SALADO CENTER - SUITE 129
129 NORTH SCOTTSDALE ROAD
TEMPE, ARIZONA

No.	Date

ARCHITECTURAL COLLABORATIVE TEAM

129 NORTH SCOTTSDALE ROAD
TEMPE, ARIZONA 85281
PH: 480.831.1234
WWW.ACCOLLABORATIVE.COM

REGISTERED PROFESSIONAL ARCHITECT
STATE OF ARIZONA
EXPIRES: 06/30/2013

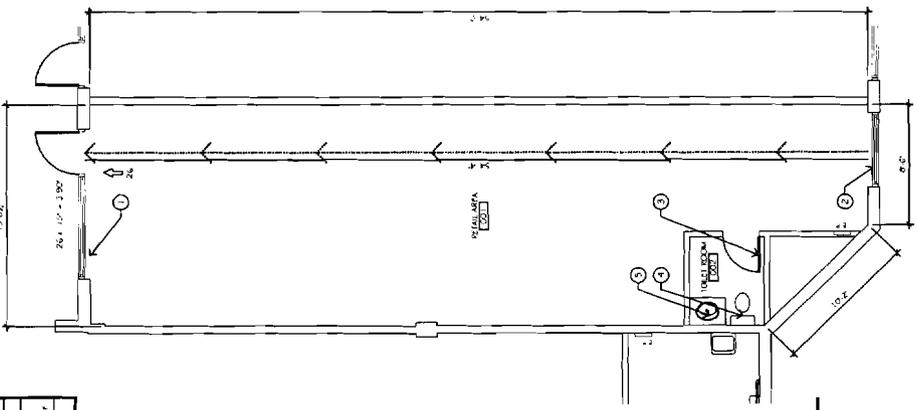
PROJECT: RIO SALADO CENTER - SUITE 129
DATE: 01/15/2013
SCALE: AS SHOWN

OCCUPANT LOAD TABLE

AREA	SQUARE FOOT	OCCUPANT LOAD FACTOR	OCCUPANTS
TOTAL AREA (SQ)	747	30	232
TOTAL ROOM (SQ)			
TOTAL NUMBER OF OCCUPANTS			232

PLUMBING FIXTURE COUNT

AREA	EXISTING FIXTURES				PROPOSED FIXTURES			
	TOILET	W.C.	W.C.	W.C.	TOILET	W.C.	W.C.	W.C.
TOTAL								



FLOOR PLAN KEY NOTES

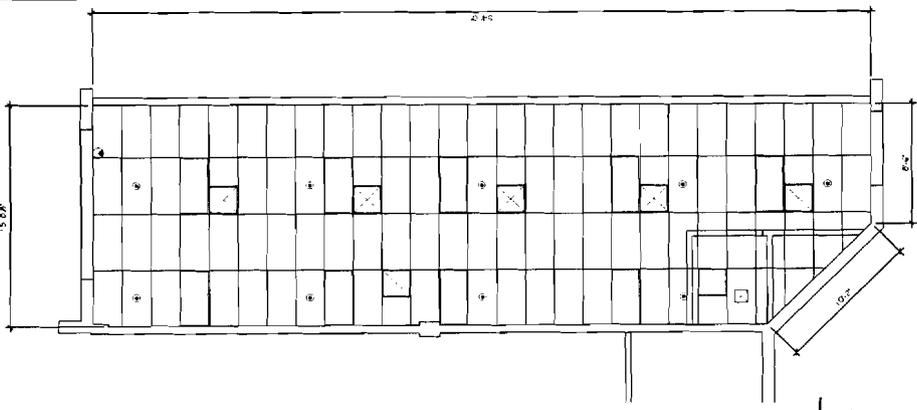
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SYMBOLS:

- EGRESS ROUTE
- EGRESS ROUTE DISTANCE
- NUMBER OF OCCUPANTS AT LOOK



4 FLOOR PLAN - SUITE 129
SCALE: 1/8" = 1'-0"



REFLECTED CEILING PLAN FIXTURES

- EXISTING 2'-1" LIGHT FIXTURE
- EXISTING MECHANICAL SUPPLY
- EXISTING MECHANICAL RETURN
- EXISTING EXHAUST FAN
- EXISTING BT TYPICAL
- EXISTING SCHEDULED ROAD



12 REFLECTED CEILING PLAN - SUITE 129
SCALE: 1/8" = 1'-0"