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## **STAFF ANALYSIS**

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### **REQUEST**

The Mayor and City Council shall discuss and possibly take action to approve a request by the City of Maricopa to install above ground fuel tank within the Copper Sky Regional Park, Maintenance Facility Yard. Property address 44345 W. Martin Luther King Jr. Blvd. **Discussion and Action.**

### **RECOMMENDATION**

On September 8, 2014 a motion was made by Planning and Zoning Commissioner Joyce to approve Conditional Use Permit case # CUP14-02 subject to conditions recommended by the Commission and was seconded by Commissioner Huggins. Voice vote carried the motion 4-0.

### **COUNCIL PRIORITIES AND/OR THEMES ADDRESSED**

- Transportation Connectivity
- Quality of Life
- Economic Sustainability
- Managing the Future
- Public Safety

### **PROJECT INFORMATION**

#### **Property Owner/Applicant:**

City of Maricopa  
Contact: Josh Plumb  
39700 W. Civic Center Plaza  
Maricopa, AZ 85138

**Project Location:** Copper Sky Regional Park (Maintenance Yard)

**Assessor Parcel #:** 510-12-014C

**General Plan:** Purpose: The Public and Institutional category provides for public or institutional uses such as school campuses and their attendant open spaces (playgrounds, ball fields, hard courts, etc.), hospitals, churches, water treatment facilities, landfill sites, public library facilities, City offices, public cemeteries, infrastructure and utility sites.

**History:**

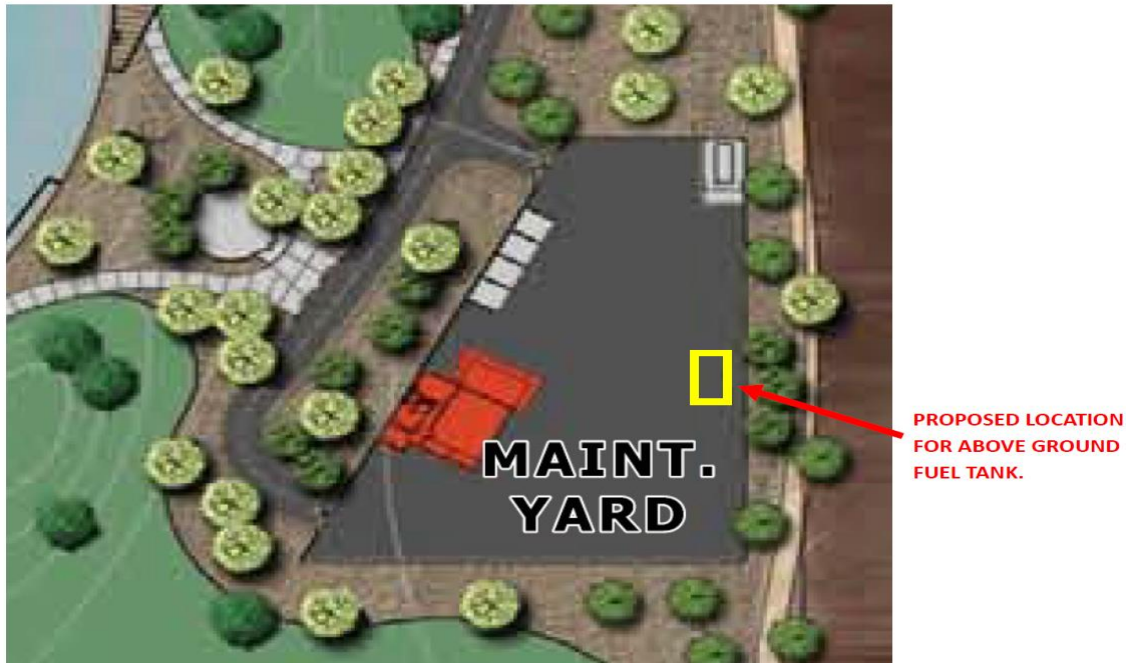
- July 19, 2011 City Council approves General Plan Amendment from Medium Density to Public Institutional and Employment designation. General Plan Amendment case # GPA11-02.
- July 19, 2011 City Council approves rezoning of the property from (CR-3) PAD to Transitional (TR) zoning. Rezoning case # ZON11-02.
- February 5, 2013 City Council approves Site Plan Review for Regional Park (Copper Sky). Site Plan Review case # 12-11.

**Surrounding Land Uses and Zoning Info:**

North	Residential Community	Single Family Residence (CR-3) Zoning
East	Agriculture Field	General Rural (GR)
South	Residential Community	Single Family Residence (CR-3) Zoning
West	Residential Community	Single Family Residence (CR-3) Zoning



**Proposed Location to Site:**



**Site Data:**

- Zoning: Transitional (TR) Zoning District
- Fuel Tank Size: 2,000 gallons (1,000 unleaded and 1,000 diesel)
- Fuel Tank Area: 210 square feet
- Fuel Tank Height: 5' 1"

**Background and Request:**

The current zoning designation, Transitional (TR) zoning, does not list an above ground fuel tank as a permitted use. The only district in the zoning code that allows for an above ground fuel tank is Light Industry and Warehouse Zone (CI-1). However, the Planning Commission may issue a Conditional Use Permit for uses deem appropriate in the public interest provided the public health, safety, morals and general welfare will not be adversely be affected, that ample off-street parking will be provided and that necessary safe-guards will be provided for the protection of surrounding persons and neighborhood values. In addition the Commission may specifically add conditions to maintain the integrity and character of the zoning district in which such permit is granted.

The tank is to be a dual compartment consisting of capacities of 1,000 gallons of unleaded and diesel fuels. The fuel is for the use of City maintenance equipment. The fuel vault utilizes safety and hazard protections and all components will be constructed under NFPA/IFC codes as well as Arizona ADEQ, State and local Fire Marshal codes. The tank will be located within the fenced area of the Copper Sky Maintenance Yard and set along the back east fence approximately 1,000 feet south of Bowlin Road. Staff recommends that a 10 year term limit is tied with the recommendation approval so the use permit can be re-evaluated for compliance or address any nuisance concerns.

**Community Outreach:**

The applicant has fulfilled all necessary requirements for processing a Citizen Participation Plan (CPP), Ordinance 07-01. This included the following:

- Sending a notification letter, 15 days prior to the neighborhood meeting to all properties within 300 feet of the subject property. Notification letter included project information and meeting dates for all public meetings.
- Publishing a legal notice in the Maricopa Monitor 15 days prior to the neighborhood meeting.
- Posting a meeting sign on the property 15 days prior to the neighborhood meeting.

**Public Comments:**

This case was advertised in accordance to Ordinance 07-01 and at the time of writing this report, staff has not received any form of opposition.

**Planning and Zoning Commission:**

Commissioners were concerned of spillage and where it would drain if an accident were to occur. It was recommended by staff that the applicant is stipulated that the site shall be graded to prevent fuel spills from draining towards existing structures, natural drainage ways or storm drain systems.

On September 8, 2014 a motion was made by Planning and Zoning Commissioner Joyce to approve Conditional Use Permit case # CUP14-02 subject to the amended conditions recommended by the Commission and was seconded by Commissioner Huggins. Voice vote carried the motion 4-0.

**PURCHASING SUMMARY**

There is no purchasing impact associated with this request.

Attachment B – Proposal/Request

Attachment C – Conditions of Approval

-- End of report --