

**CITY OF TEMPE  
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 12/14/21  
Agenda Item: 5**

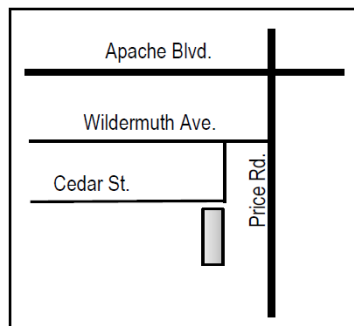
**ACTION:** Request a Use Permit to allow a gun shop for IRONSTONE CAPITAL, LLC DBA IRONSTONE TACTICAL, located at 2167 East Cedar Street, Suite 6. The applicant is Robert L. Parrott IRONSTONE CAPITAL, LLC.

**FISCAL IMPACT:** N/A

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

**BACKGROUND INFORMATION:** IRONSTONE TACTICAL (PL210283) is proposing to operate a gun shop in Cedar Business Park located south of Apache Boulevard and west of Price Road, immediately adjacent to the Union Pacific Railroad tracks to the south and within the GID, General Industrial Zoning District. The applicant proposes to operate as a firearms dealership with a Federal Firearms License Type 1 (Dealer in firearms including rifles, shotguns, revolvers and pistols). He will comply with all FBI and ATF rules and regulations; with local, state, and federal authorities. The applicant has indicated he will be the sole employee with hours of operation from 9 a.m. to 4 p.m. Monday through Friday. The request includes the following:

ZUP210070 Use Permit to allow a gun shop in the GID, General Industrial Zoning District.



Property Owner	Nothum Properties
Applicant	Robert L. Parrott, Ironstone Capital, LLC
Zoning District	GID
Site Area	43,560 s.f.
Current Suite Area	2,500 s.f.
Proposed Gun Shop Area	160 s.f.
Vehicle Parking	No change in demand
Bicycle Parking	No change in demand
Hours of Operation	9 a.m. to 4 p.m., M-F

**ATTACHMENTS:** Development Project File

**STAFF CONTACT(S):** Steve Abrahamson, Principal Planner (480) 350-8359

Department Director: Shelly Seyler, Interim Community Development Director

Legal review by: N/A

Prepared by: Steve Abrahamson, Principal Planner

Reviewed by: Steve Abrahamson, Principal Planner

## COMMENTS

Ironstone Tactical is requesting a Use Permit for a Gun Shop within the Price Road Business Park, Phase I at 2167 East Cedar Street, Suite 6. At present, the applicant currently operates a 2,500 s.f. business within suite 6. The proposed gun shop will incorporate 160 s.f. within the same business suite. The shop will have a separate door inside the suite.

## PUBLIC INPUT

- A neighborhood meeting was not required for this use permit request.
- Staff received two (2) emails of support. Additionally, there was one (1) phone call of concern regarding the business operation. The caller did not provide support or opposition to the request.

## POLICE INPUT

The proposed security for the operation includes new exterior and interior locks. Additionally, a new security system has been installed. Dark security window tint is not recommended since it defeats the purpose of providing natural surveillance. No security plan is required at this time.

## USE PERMIT

The proposed use requires a Use Permit to operate a gun shop in the GID zoning district

Section 6-308 E Approval criteria for Use Permit (*in italics*):

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed use is not expected to generate more vehicular and pedestrian traffic than other types of retail and service uses allowed by right in the GID zoning district.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; all business activities will take place indoors with no testing of firearms conducted on the premises and is therefore not expected to generate emissions that would otherwise cause a nuisance.
3. *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 use is permitted subject to a use permit in the GID.
4. *Compatibility with existing surrounding structures and uses*; no changes are anticipated to the exterior of the building. The proposed use is within an existing business. There will be no separate exterior door.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*. Although the business has regular operating hours, much of the business will be conducted through appointments. Additionally, this may be subject to a Security Plan through the Tempe Police Department's Crime Prevention Unit.

## REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received and the above analysis staff supports approval of the requested Use Permit. This request meets the required criteria and will conform to the conditions.

**SHOULD AN AFFIRMATIVE ACTION BE TAKEN ON THIS REQUEST, THE FOLLOWING NUMBERED CONDITIONS OF APPROVAL SHALL APPLY, BUT MAY BE AMENDED BY THE DECISION-MAKING BODY.**

**CONDITION(S) OF APPROVAL: (Non-standard conditions are identified in bold)**

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. This Use Permit is valid only after all required Building Permits or Clearances have been obtained and the required inspections have been completed, and a Final Inspection has been passed.
2. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during building plan check process.
3. All required Federal, State, County, and Municipal permits or clearances shall be obtained, or the Use Permit is void.
4. The applicant shall contact the City of Tempe Crime Prevention Unit within 30 days of this approval to schedule and complete a site inspection to determine if a security plan is required to operate the business. Contact 480-858-6409 before January 14, 2022.
5. Hours of operation to begin no earlier than nine o'clock in the morning (9:00 a.m.) and end no later than four o'clock in the evening (4:00 p.m.) M-F.

**CODE/ORDINANCE REQUIREMENTS:**

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

**USE PERMIT:**

- The Use Permit is valid for IRONSTONE TACTICAL and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of the permit.
- Specific requirements of the **Zoning and Development Code** (ZDC) are not listed as a condition of approval but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through <http://www.tempe.gov/zoning> or purchase from Development Services.
- All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8435.
- Any intensification or expansion of use shall require a new Use Permit.

- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.

**HISTORY & FACTS:**

None pertinent to this request.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts

Section 6-308 Use Permit

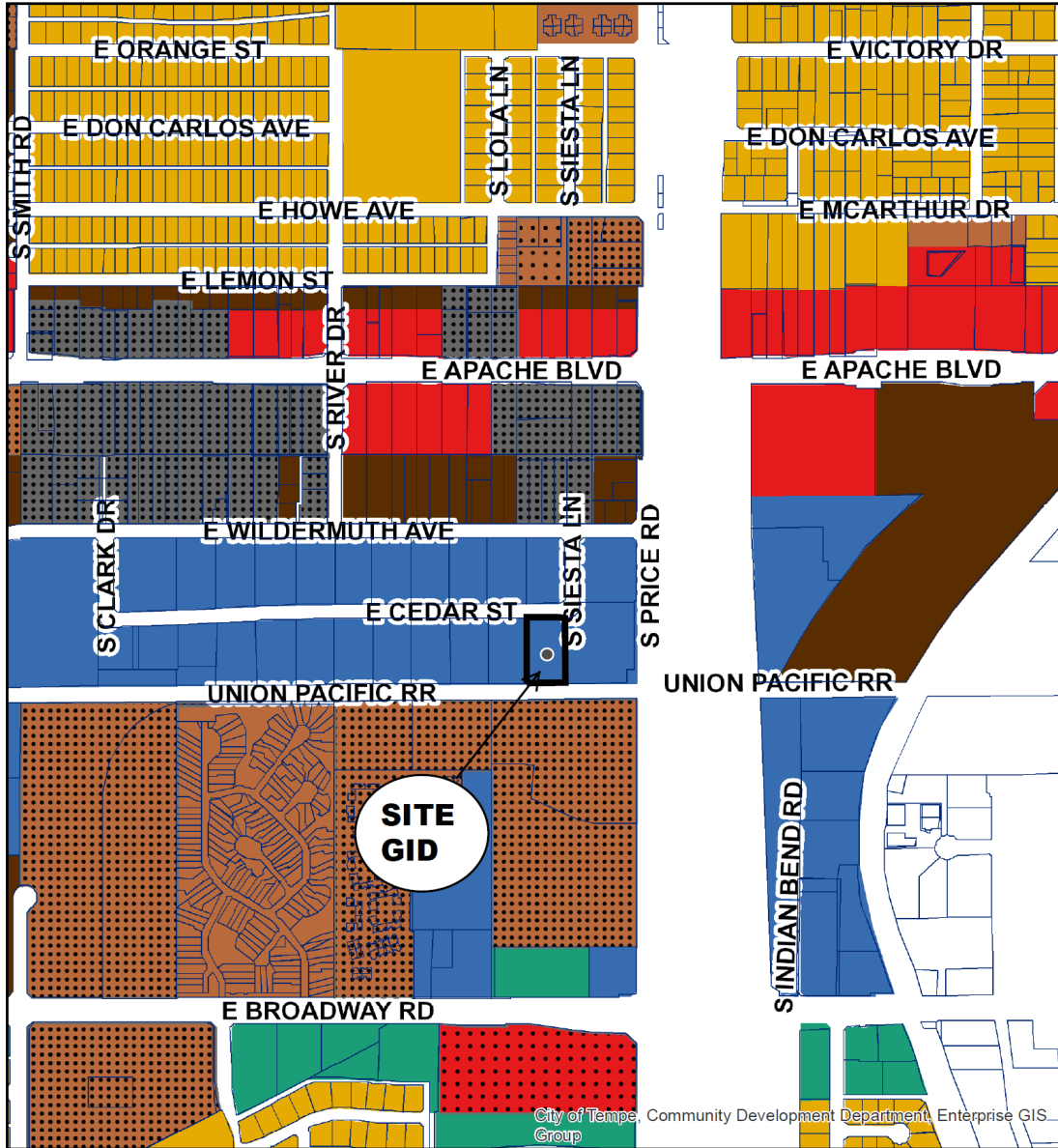
Section 6-313 Security Plan











**DEVELOPMENT PROJECT FILE**  
for  
**IRONSTONE TACTICAL**  
(PL210283)

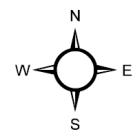
**ATTACHMENTS:**

Location Map  
Aerial  
Letter of Explanation  
Applicant's Site Plan

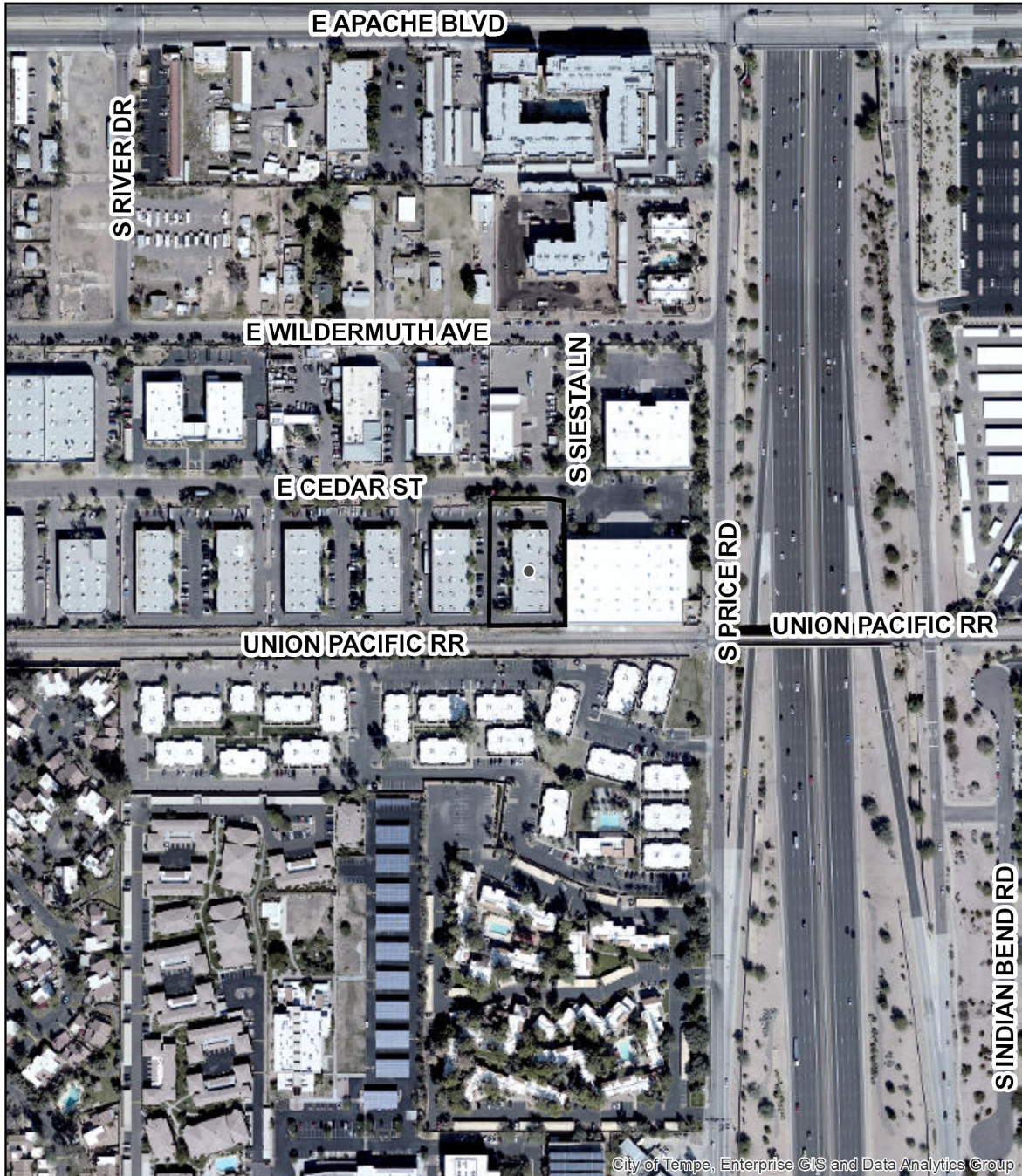
# IRONSTONE TACTICAL



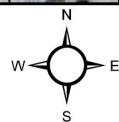
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|  General Industrial District (GID)              |  Single-Family Residential (R1-6)           |
|  Mixed Use High (MU-4)                          |  Multi-Family Residential (R-2)             |
|  Commercial Shopping and Services (CSS)         |  Multi-Family Residential Restricted (R-3R) |
|  Planned Commercial Center Neighborhood (PCC-1) |  Multi-Family Residential Limited (R-3)     |
|  Residential/Office (RO)                        |  Multi-Family Residential General (R-4)     |



# IRONSTONE TACTICAL



Aerial Map



Ironstone Capital, LLC  
2167 E. Cedar St Suite 6  
Tempe, AZ 85281

September 1<sup>st</sup>, 2021

City of Tempe

3 1 East 5th

Street

Tempe, AZ 85281

RE: Use Permit Approval

To Whom It May Concern:

My name is Robert L Parrott. I am the Owner and Manager of Ironstone Capital, LLC that was formed as an Arizona Corporation and incorporated on June 6, 2016. The office is located at 2167 E. Cedar Street Suite 6 Tempe, AZ and is zoned GID- Our location is secured with an alarmed door and security cameras inside and out.

I am requesting a Use Permit to use a portion of the space within my existing business at the same address, to operate a gun store as a licensed FFL Dealer. Ironstone Capital, LLC will submit an application for a Federal Firearms License - type 01 (Dealer in firearms Including: rifles, shotguns, revolvers, and pistols) once zoning requirements (Use Permit) have been satisfied.

Business will be conducted under the DBA Ironstone Tactical. As I am the owner of Ironstone Capital LLC I will be the sole employee of Ironstone Tactical, and personally have over 22 years of experience in the safe and professional operation of firearms. The business office/showroom will be located in a 160 sq ft space adjacent to our main entrance/lobby area with locking door, and will solely be used for the gun shop. Business hours will be 9am — 4pm Monday through Friday.

Customers will visit our location primarily by appointment, to either pickup firearms ordered through our website, or inspect firearms and/or accessories for purchase. Prior to purchase, we will of course have the customer complete NICS paperwork and each customer will be in compliance with the National Instant Background Check System or NICS. The NICS system ensures the safe and timely transfer of firearms to eligible gun buyers.

Mandated by the Brady Handgun Violence Prevention Act of 1993 and launched by the FBI on November 30, 1998, NICS is used by Federal Firearms Licensees (FFLs) to instantly determine whether a prospective buyer is eligible to buy firearms. Before ringing up the sale, cashiers call in a check to the FBI or to other designated agencies to ensure that each customer does not have a criminal record or isn't otherwise ineligible to make a purchase. More than 230 million such checks have been made, leading to more than



1.3 million denials.

Once customers are approved through NICS, I will inspect their new firearm, triple checking the serial numbers and entering the transaction in our detailed transfer log, then escort them to their vehicle to complete the transfer.

Ironstone Capital, LLC  
2167 E. Cedar St Suite 6  
Tempe, AZ 85281

In regard to the Use Permit Approval factors my responses are as follows:

- a. The business location is commercially zoned and provides ample parking for normal business traffic and activity.
- b. There will be no nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions. NO manufacturing will take place.
- c. As this is a very low traffic business, with no heavy industrial use or increased traffic. This should not make any contribution to the deterioration of the neighborhood or the downgrading of property values.
- d. There should be no issue with compatibility with existing surrounding structures and uses due to the nature of the business.
- e.

I respectively request a Use Permit from the City of Tempe based upon compliance with the standards and Zoning and Development Code Criteria Section 6-308 E as shown above.

I am available for any questions that may arise.

Sincerely,



Robert L Parrott, Owner and Manager  
Ironstone Capital, LLC

# Ironstone Capital, LLC

2167 E. Cedar ST Suite 6

Tempe, AZ 85281

## Arial Photo Location Map



Office Location:  
2167 E. Cedar St  
Tempe, AZ 85281