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Chandler



2010

MEMORANDUM Transportation & Development – CC Memo No. 11-016

DATE: FEBRUARY 24, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, ACTING CITY MANAGER ^{red}
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER ^{PK}
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR ^{RJ}
 JEFF KURTZ, PLANNING ADMINISTRATOR ^{JK}
 KEVIN MAYO, PLANNING MANAGER ^{KM}

FROM: BILL DERMODY, SENIOR CITY PLANNER ^{BD}

SUBJECT: ZUP10-0048 NIGHTHAWK EQUIPMENT & LEASING

- Request: Extension of Use Permit to allow outdoor storage in a Regional Commercial (C-3) zoning district
- Location: 299 South Washington Street, approximately 380 feet east of the northeast corner of Arizona Avenue and Frye Road
- Applicant: Jim Yeaman, Owner
- Zoning: Regional Commercial District (C-3)

RECOMMENDATION

The request is for extension of existing Use Permit approval to allow outdoor storage in a Regional Commercial (C-3) zoning district. Planning Commission and Staff, finding consistency with the General Plan, recommend approval for five (5) additional years subject to conditions.

BACKGROUND

The property is located at the northeast corner of Frye Road and Washington Street, approximately 380 feet east of Arizona Avenue in a Regional Commercial (C-3) zoning district. Outdoor storage in the C-3 zoning district is allowed only with a Use Permit. The 15,000 square foot lot has a small building located on the southwest corner and is encompassed by a six-foot high block wall, with most of the interior of the lot used for outdoor storage. The application requests to continue this use of the property.

To the west is the Mobil gas station adjacent to Arizona Avenue. To the north is another parcel associated with the subject business as well as several auto-related uses. East of the subject site is the Maricopa County Courthouse, and south across Frye Road are a steel yard and auto-related uses.

The South Arizona Avenue Corridor Area Plan identifies the subject site for office land uses. Though the current outdoor storage use does not fall under the "office" designation, the Area Plan does not call for any phasing out of non-conforming uses except through the free market or strategic city land acquisition. The applicant states that the 5-year business plan is to continue operating in the subject location.

A Use Permit was originally granted for outdoor storage in 1995 and reissued in 2000, 2003, 2006, and 2007. The Use Permit lapsed from 1998 to 2000. Conditions regarding storage height and landscaping were found not to be fully complied with in 2000 and 2006.

Planning Commission and Staff recommend approval for an additional five (5) years. Though not supported as a long-term use, the use fits in with the current surroundings and could easily be redeveloped in the short- to medium-term as private market forces warrant. The site is currently in compliance with the conditions of its previous Use Permit approval and has been in compliance, to Staff's knowledge, for the duration of the previous four (4) years.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held February 2, 2011 at the Downtown Community Center. No neighbors attended.
- As of this writing, Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of ZUP10-0048 NIGHTHAWK EQUIPMENT & LEASING subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit shall remain in effect for five (5) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

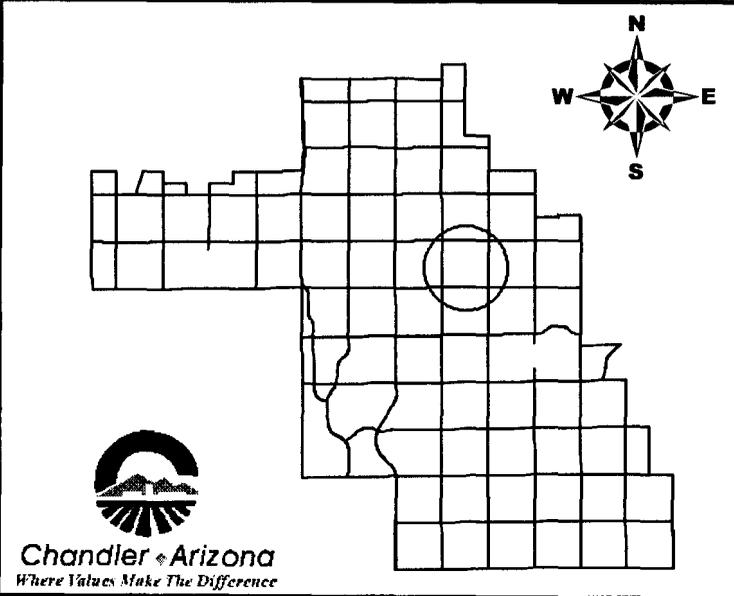
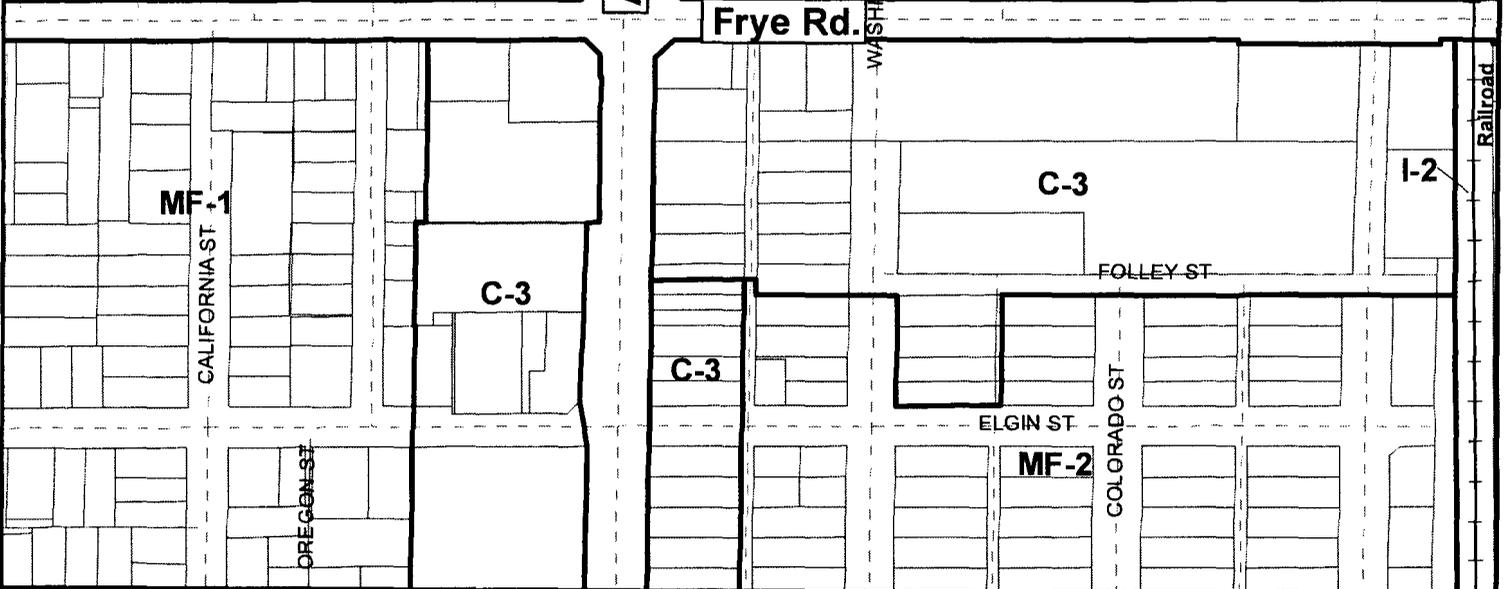
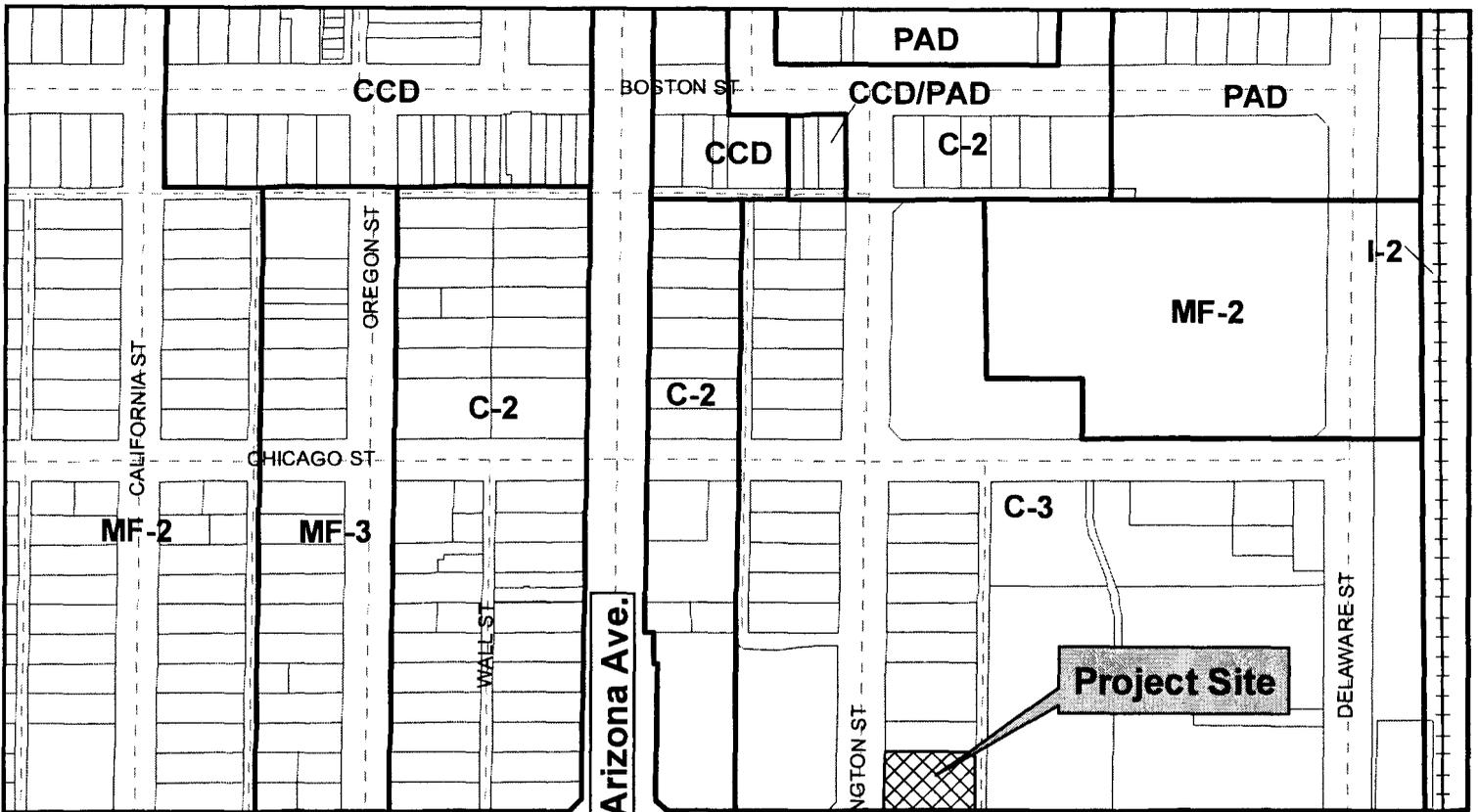
3. Perimeter landscape area is to be maintained in a neat, weed-free condition. Plant material that is removed shall be replaced.
4. Storage shall be contained within the six-foot (6') block wall fence and below the top of the wall.

PROPOSED MOTION

Move to approve ZUP10-0048 NIGHTHAWK EQUIPMENT & LEASING Use Permit for outdoor storage subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan

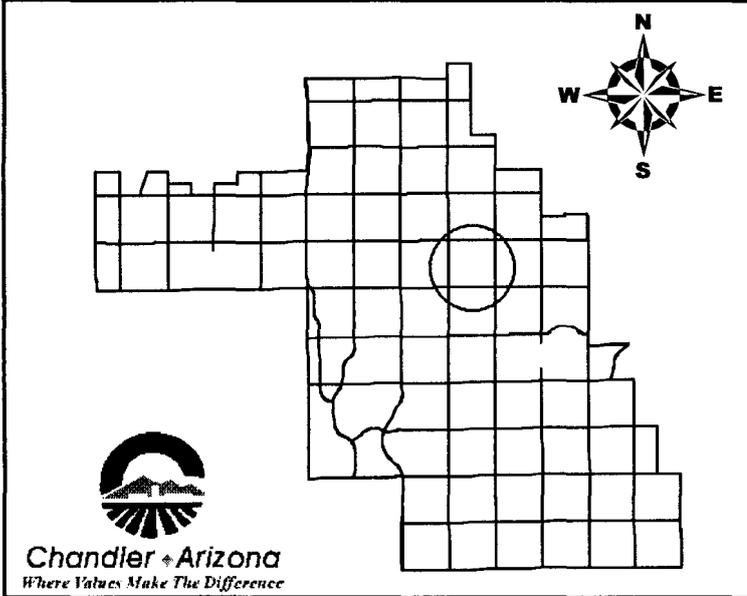


Vicinity Map

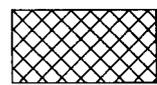


ZUP10-0048

Nighthawk Equipment and Leasing



Vicinity Map



ZUP10-0048

Nighthawk Equipment and Leasing

NIGHTHAWK EQUIPMENT & LEASING, INC.
299 S. WASHINGTON
CHANDLER, AZ 85225
(480) 732-9188

November 2, 2010

City of Chandler
Planning & Development
Mail Stop 105
P O Box 4008
Chandler, AZ 85244-4008

Dear Mr. Dermody:

Nighthawk Equipment buys and sells new and used commercial food service equipment. We store the used equipment outside, until, we have a chance to go through it, clean it, and refurbish it. Once that has taken place, it is either ready to be reinstalled at the restaurant it came out of or it is ready for sale and we move the newly refurbished equipment into the building .

Our five year plan is to continue doing business in the City of Chandler.

If you have any questions regarding these comments, please do not hesitate to contact me. I look forward to hearing from you.

Sincerely,

James R Yeaman
602-722-2907

Jim Yeaman
299 S. Washington
Chandler, AZ 85224



Fire Road

