

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, February 16, 2011 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Cason called the meeting to order at 5:30 p.m.
2. Pledge of Allegiance led by Commissioner Veitch.
3. The following Commissioners answered Roll Call:

Chairman Michael Cason  
Vice Chairman Leigh Rivers  
Commissioner Michael Flanders  
Commissioner Stephen Veitch  
Commissioner Matthew Pridemore  
Commissioner Andrew Baron  
Commissioner Katy Cunningham

**CHAIRMAN CASON** welcomed the new Commissioner, Katy Cunningham.

Also present:

Mr. Kevin Mayo, Planning Manager  
Ms. Jodie Novak, Senior City Planner  
Mr. Bill Dermody, Senior City Planner  
Mr. Erik Swanson, City Planner  
Mr. Glenn Brockman, Assistant City Attorney  
Ms. Joyce Radatz, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIRMAN RIVERS**, seconded by **COMMISSIONER FLANDERS** to approve the minutes of the January 19, 2011 Planning Commission Hearing. The motion passed 6-0 with 1 abstention (Commissioner Cunningham did not attend that meeting.)
5. ACTION AGENDA ITEMS  
**CHAIRMAN CASON** informed the audience that prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After Staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion. There were no items pulled for action.

A. DVR09-0024 UDM INDUSTRIAL PARK

**Approved to withdraw.**

Request Rezoning from Planned Area Development (PAD) for a Business Park to PAD Amended to allow for an impound yard. The subject site is located at 850 S. Bogle Ave., north of the northeast corner of Pecos Road and Hamilton Street within the Bogle Business Park. **(REQUEST WITHDRAWAL.)**

B. DVR10-0021 PECOS & GILBERT

**Approved.**

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for commercial uses, with conceptual development plan approval for a future commercial development on approximately 3.7 acres located at the northwest corner of Pecos and Gilbert roads.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "NWC PECOS & GILBERT ROAD " kept on file in the City of Chandler Current Planning Division, in file number DVR10-0021, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Director of Transportation and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
7. Completion of the construction, where applicable, of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
8. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

C. DVR10-0024 RANCHO BERNARDO

**Approved.**

Request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three year schedule for development or to cause the property to revert to the former Agriculture District (AG-1) zoning. The existing PAD zoning is for a retail building on approximately 1 acre at the southwest corner of 56<sup>th</sup> Street and Chandler Boulevard.

Planning Staff recommends approval to extend the timing condition for case DVR10-0024 RANCHO BERNARDO for an additional three (3) years, in which the zoning would be in effect until June 22, 2013, and with all of the conditions in the original approval remaining in effect.

D. LUP10-0041 LA PARRILLA GARDEN RESTAURANT

**Approved to withdraw for the purposes of re-advertising.**

Request Use Permit approval to sell liquor for on-premise consumption only within an expanded restaurant that includes an outdoor patio (Series 12 Restaurant License) at 474 W. Ray Road, east of the northeast corner of Hartford Street and Ray Roads.

E. ZUP10-0048 NIGHTHAWK EQUIPMENT & LEASING

**Approved.**

Request extension of Use Permit approval to allow an outdoor storage use on property zoned Regional Commercial (C-3). The subject site is 299 S. Washington Street, approximately 380 feet east of the northeast corner of Arizona Avenue and Frye Road.

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.

F. MOTION TO CANCEL THE MARCH 2, 2011  
PLANNINGCOMMISSION HEARING

**Approved.**

**COMMISSIONER PRIDEMORE** wanted to know if they had gotten any kind of confirmation on Item D.

**KEVIN MAYO, ACTING PLANNING MANAGER**, said they are going to withdraw Item D. They did confirm their license on the western suite was withdrawn and so they need to take this back through as an advertisement for the whole thing because they can't expand something that isn't there already.

**COMMISSIONER PRIDEMORE** asked so this is a withdrawal and not a continuance? Mr. Mayo said that was correct. It is a withdrawal for the purposes of re-advertising.

**MOVED BY COMMISSIONER FLANDERS**, seconded by **VICE CHAIRMAN RIVERS** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed unanimously 7-0.

6. DIRECTOR'S REPORT

Mr. Mayo welcomed Commissioner Cunningham to the Commission and thanked her for her service.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN CASON announced that the next regular meeting is March 16, 2011 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:52 p.m.

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Michael Cason, Chairman

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Jeffrey A. Kurtz, Secretary