

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 18, 2007 held in the City Council Chambers, 22 S. Delaware Street.

1. Chairman Flanders call the meeting to order at 5:37 p.m.
2. Pledge of Allegiance led by Chairman Flanders.
3. The following Commissioners answered Roll Call:

Chairman Michael Flanders
Vice Chairman Rick Heumann
Commissioner Michael Cason
Commissioner Mark Irby
Commissioner Dick Gulsvig
Commissioner Angela Creedon

Absent and Excused: Commissioner Brett Anderson

Mr. Bob Weworski, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Bill Dermody, City Planner
Mr. Erik Swanson, City Planner
Mr. Glenn Brockman, Assistant City Attorney
Ms. Joyce Radatz, Clerk
Mr. Robert Bortfeld, Senior Engineer/Traffic Engineering

4. APPROVAL OF MINUTES

MOVED BY COMMISSIONER GULSVIG, seconded by **COMMISSIONER IRBY**, to approve the minutes of April 4, 2007. Motion was approved 6-0. (Commissioner Anderson was absent.)

5. CONSENT AGENDA ITEMS

CHAIRMAN FLANDERS explained to the audience that prior to the Commission meeting, Planning Commission members and Staff met in a study session to discuss each of the items on the agenda. He further stated that Staff would read the consent agenda for the record. At the conclusion of the reading, Commission would be voting on the Consent Agenda items with one motion. Consent items on the agenda are highlighted by an asterisk. The audience will have the opportunity to pull any of the items for discussion.

MR. BOB WEWORSKI, PLANNING MANAGER stated the following items are for consent agenda approval along with any additional stipulations:

A. AP05-0003 / DVR05-0040 PINELAKE CONDOMINIUMS

CONTINUED TO THE MAY 2, 2007 PLANNING COMMISSION HEARING.

Request an Area Plan amendment from business park to multi-family residential land use, and Rezoning from Planned Area Development (PAD) zoning for business park and Agricultural (AG-1) zoning to PAD for residential condominiums with Preliminary Development Plan (PDP) approval to allow a residential condominium development. The property is located at the southeast corner of Pinelake Way and Ocotillo Road, which is approximately one half-mile east of Arizona Avenue and on the south side of Ocotillo Road.

B. DVR07-0008 THE SERRANO BUILDING

APPROVED.

Request rezoning from City Center District (CCD) to CCD with a Planned Area Development (PAD) overlay for additional building height for a new building located at the southwest corner of Boston and Washington Streets.

1. Development shall be in substantial conformance with the building exhibits, entitled "The Serrano Building", kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0008 SERRANO BUILDING, except as modified by condition herein.

C. UP06-0063 HELEN'S ASSISTED LIVING HOME

APPROVED.

Request Use Permit approval to operate an assisted living facility for up to 10 residents within an existing residential home. The subject site is located at 1151 S. Sean Drive.

1. *The assisted living home shall have no more than eight (8) residents at any time.*
2. Should the applicant sell the property, this Use Permit to operate an assisted living home shall be null and void.
3. This Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to an approval by the City of Chandler.

D. UP07-0006 LENZ MOTORS

APPROVED.

Request Use Permit approval for a time extension to allow an auto broker/used car wholesaler in Planned Industrial District (I-1) zoning. The property is located at 500 North 56th Street, Suite 9.

1. Development shall be in substantial conformance with exhibits and representations.

2. Expansion or modification beyond the approved exhibits (Floor Plan, Site Plan, Narrative) shall void the Use Permit and require new Use Permit application and approval.

3. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. On-site washing of for-sale vehicles is prohibited.

E. UPP07-0007 EL RANCHO MARKET

APPROVED.

Request Use Permit approval to conduct outdoor grilling adjacent to an existing grocery store. The store is located at 1076 North Arizona Avenue, within the Pollack North Park Plaza at the northwest corner of Ray Road and Arizona Avenue.

1. Substantial conformance with approved exhibits (Site Plan, Narrative) except as modified by condition herein. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to any other location.
3. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. *Food may not be paid for nor picked up outdoors. All transactions must occur inside the store.*

F. UP07-0017 FAMOUS SAM'S

CONTINUED TO THE MAY 2, 2007 PLANNING COMMISSION HEARING.

Request Use Permit approval for an extension of premises to sell liquor (Series 6 Bar License) for on-premise consumption within an outdoor patio area. The property is located at 940 North Alma School Road at the southwest corner of Alma School and Ray Roads.

G. UP07-0018 TOM RYAN'S LOUNGE

APPROVED.

Request Use Permit approval for an extension of premises to sell liquor (Series 6 Bar License) for on-premise consumption within an outdoor patio area. The property is located at 70 West Warner Road, Suite #105 at the northwest corner of Warner Road and Arizona Avenue.

1. The Use Permit granted is for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.

3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or an increase in entertainment related uses shall require reapplication and approval of the Use Permit.
5. *A 48"-box shade tree and a bench shall be installed nearby to account for the tree and bench removed through the patio enclosure process.*
6. Only the concrete patio area shall be enclosed. The adjacent grassy area shall remain unfenced.
7. *The perimeter fence shall be a maximum height of 48".*

H. UP07-0021 RED WHITE AND BREW
APPROVED.

Request Use Permit approval to sell liquor (Series 12 Restaurant License) for on-premise consumption at a new restaurant within the Chandler Heights Marketplace commercial center. The property is located at 4850 South Gilbert Road, Building D, Suite 4 at the northwest corner of Chandler Heights and Gilbert Roads.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit re-application and approval.
2. Any substantial change in the floor plan to include such items as, but not limited to, a bar serving area or the addition of entertainment related uses shall require new Use Permit reapplication and approval.
3. The Use Permit is granted for a Series 12 license only, and any change of licenses shall require re-application and new Use Permit approval.
4. The Use Permit is non-transferable to other restaurant locations.

CHAIRMAN FLANDERS asked if there was anybody in the audience who wanted to pull any of the items from the Consent Agenda for a full presentation.

CHAIRMAN FLANDERS asked for a motion for the Consent Agenda. **MOVED BY COMMISSIONER GULSVIG**, seconded by **COMMISSIONER CREEDON**. **CHAIRMAN FLANDERS** said before he asks for a vote he stated that he has a conflict on Item B, so he will be abstaining from that item; he is the architect of record on that. Motion to approve the Consent Agenda as read in by Staff passed unanimously 6-0 (Commissioner Anderson was absent).

6. DIRECTORS REPORT

Mr. Bob Weworski, Planning Manager, invited the Commission to the Planning and Development Spring Picnic at 11:30 a.m. on Thursday, April 19, 2007 at Desert Breeze Park.

7. CHAIRMAN'S ANNOUNCEMENT

The next regular meeting is May 2, 2007. **VICE CHAIRMAN HEUMANN** reminded the citizens of Chandler that on May 15 Chandler voters will be asked to go to the polls to vote on a bond election and early balloting started last Thursday.

8. ADJOURNMENT

The meeting was adjourned at 5:45 p.m.

Michael Flanders, Chairman

Douglas A. Ballard, Secretary