

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 21, 2007 held in the City Council Chambers, 22 S. Delaware Street.

1. Chairman Flanders called the meeting to order at 5:33 p.m.
2. Pledge of Allegiance led by Commissioner Cason.
3. The following Commissioners answered Roll Call:

Chairman Michael Flanders
Vice Chairman Mark Irby
Commissioner Angela Creedon
Commissioner Michael Cason
Commissioner Leigh Rivers
Commissioner Kristian Kelley

Absent and Excused: Commissioner Dick Gulsvig

Also Present:

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

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CREEDON, seconded by **COMMISSIONER RIVERS**, to approve the minutes of the November 7, 2007 Planning Commission Hearing. Minutes were approved 6-0 (Commissioner Gulsvig was absent).
5. CONSENT AGENDA ITEMS
CHAIRMAN FLANDERS informed the audience that prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the consent 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.

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

A. DVR06-0047 K ESTATE SUBDIVISION

Request rezoning from Mobile Home District (MH-1) to Planned Area Development (PAD) zoning with Preliminary Development Plan (PDP) approval for single-family attached housing product on 12 lots within a new single-family residential subdivision. The approximately 1.31-acre site is located at 390 E. Commonwealth Avenue, east of the Union Pacific Railroad and south of Chandler Boulevard. **(REQUEST CONTINUANCE TO THE DECEMBER 19, 2007 PLANNING COMMISSION HEARING.)**

B. PDP07-0019 STELLAR OFFICE CONDOS

Request Preliminary Development Plan (PDP) approval for site layout, landscaping, and building architecture for an office development. The 3.14-acre site is located at the northwest corner of Chandler Boulevard and Juniper Drive, approximately ¼ mile west of McClintock Drive.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "STELLAR OFFICE CONDOS" kept on file in the City of Chandler Current Planning Division, in file No. PDP07-0019, except as modified by condition herein.
2. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
4. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
5. **The landscape plan shall be amended so that only tree species that mature at a maximum of 15' height are provided in the avigation easement area along the Chandler Boulevard frontage. Tree species in the rest of the avigation easement area shall not exceed 20' in height. The applicant shall work with staff to select suitable species.**
6. **No use or site feature that attracts birds, generates smoke or glare, or creates visual or electronic interference with air navigation shall be allowed.**
7. **The buildings shall be supplied with the FAA recommended obstruction lights contained in DNH Study # ASN 2007-AWP-5175 and 5176-OE.**
8. **Buyers, lessees, renters, or any other end user shall be made aware of the proximity of the Stellar Airpark and that airport traffic and noise is likely to increase in the future.**

C. UP07-0079 DELAWARE DUPLEX I

Request Use Permit approval to construct a duplex within a Multi-Family (MF-2) zoning district. The subject site is located at 405 S. Delaware Street, located south of the southeast corner of Delaware and Elgin Streets.

1. Development shall be in substantial conformance with the exhibits and representations.
2. Approval by the Zoning Administrator of all project details required by Code or condition.
3. The landscaping shall include at least 11-15 gallon Mesquite Trees, 7-15 gallon Chinese Elm Trees, and 7-15 gallon Ficus Nitida Trees, as provided on the site plan exhibit.
4. **The applicant shall work with Staff to provide additional window treatments and other architectural embellishments to include, but not limited to, a split-face wainscot, covered porch area, and/or an enhanced color palette.**
5. **In the instance that the existing perimeter fence wall is replaced, the new wall shall include decorative enhancements along the railroad tracks.**
6. **The applicant shall utilize CMU block for the support columns of the carport.**

D. UP07-0080 DELAWARE DUPLEX II

Request Use Permit approval to construct a duplex within a Multi-Family (MF-2) zoning district. The subject site is located at 425 S. Delaware Street, located at the southeast corner of Delaware and Elgin Streets.

1. Development shall be in substantial conformance with the exhibits and representations.
2. Approval by the Zoning Administrator of all project details required by Code or condition.
3. The landscaping shall include at least 11-15 gallon Mesquite Trees, 7-15 gallon Chinese Elm Trees, and 7-15 gallon Ficus Nitida Trees, as provided on the site plan exhibit.
4. **The applicant shall work with Staff to provide additional window treatments and other architectural embellishments to include, but not limited to, a split-face wainscot, covered porch area, and/or an enhanced color palette.**
5. **In the instance that the existing perimeter fence wall is replaced, the new wall shall include decorative enhancements along the railroad tracks.**
6. **The applicant shall utilize CMU block for the support columns of the carport.**

E. UP07-0093 NIGHTHAWK EQUIPMENT & LEASING

Request Use Permit approval to allow 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 three (3) 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. UP07-0094 UNO STOP MARKET & RESTAURANT

Request Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for the sale of all spirituous liquors for on-premise consumption only within a new restaurant and outdoor patio area. The property is located at 30 West Galveston Street, northwest corner of Arizona Avenue and Galveston Street.

1. The Use Permit is for a Series 12 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. Expansion beyond the approved Floor Plan, Site Plan, and Narrative shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to any other store location.
4. The site shall be maintained in a clean and orderly manner.
5. The patio shall be maintained in a clean and orderly manner.
6. **Three additional Sissoo trees shall be planted adjacent to the patio's screen wall to provide shade; two on the south side and one on the west side. Install seven additional trees along Galveston Street to be in conformance with the approved construction landscape plans for Checker Auto Parts and Lee Laundry (subject site). There shall be six (6) 24-inch box Willow Acacia trees and two (2) 48-inch box Swan Hill Olive trees.**
7. Wrought-iron fencing for the patio area shall be painted to match the low screen wall's paint color.

G. ZONING CASE ZCA07-0002 CITY OF CHANDLER / ARTWORK IN COMMERCIAL DEVELOPMENTS

City Initiative to amend Chapter 35 (Zoning Code) of the Chandler City Code, Section 35-1902.8/E and Section 1902.8/G pertaining to artwork in commercial developments.

H. CANCELLATION OF THE DECEMBER 5, 2007 AND JANUARY 2, 2008 PLANNING COMMISSION MEETINGS.

CHAIRMAN FLANDERS asked if anybody in the audience wanted to pull any of the consent items for a full presentation. He asked if there were any comments or questions from Commission.

VICE CHAIRMAN IRBY stated that on Items C & D he thought they talked about masonry carport columns. It was one of the enhancement features.

BOB WEWORSKI replied that they did. They tried to include some examples of some building enhancements and they can add that.

VICE CHAIRMAN IRBY said he would like that. It probably helps the street frontage a lot more. In the back of the unit he wouldn't be so concerned.

COMMISSIONER RIVERS said he would be voting against Item F. The reasons are as follows:

The patio structure is approximately 10 x 20 feet only and if smoking is allowed on the patio, smoke will drift inside the restaurant through the patio door.

Less than 100 feet from this patio in plain site is New Vista Academy, a kindergarten through grade 5 school.

One school playground abuts the building and the proposed outdoor patio is quite visible from another fenced area at the school where children eat and play.

He feels liquor sales are not appropriate at this site.

COMMISSIONER CREEDON thanked Sun State Builders and the Stellar Airpark Association for coming to a compromise in the last two weeks before this building.

CHAIRMAN FLANDERS entertained a motion for the Consent Agenda.

MOVED BY COMMISSIONER CREEDON, seconded by **COMMISSIONER CASON** to approve the Consent Agenda with the additional stipulations as read in by Staff. The Consent Agenda passed unanimously 6-0 (Commissioner Gulsvig was absent).

6. DIRECTOR'S REPORT

Bob Weworski wished everybody a happy Thanksgiving and holiday.

7. CHAIRMAN'S ANNOUNCEMENTS

The next regular meeting is December 19, 2007 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:43 p.m.

Michael Flanders, Chairman

Douglas A. Ballard, Secretary