

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 1, 2009 held in the City Council Chambers, 22 S. Delaware Street.

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

Chairman Michael Flanders
Vice Chairman Michael Cason
Commissioner Leigh Rivers
Commissioner Kristian Kelley
Commissioner Stephen Veitch
Commissioner Christy McClendon
Commissioner Kevin Hartke

Also present:

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

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CASON, seconded by **COMMISSIONER HARTKE** to approve the minutes of the March 18, 2009 Planning Commission Hearing. The motion passed 7-0.
5. ACTION 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 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 action items.

A. DVR09-0003 THE GROVE BIBLE CHURCH

Approved.

Request rezoning from Agricultural to Planned Area Development for church related uses, and Preliminary Development Plan approval for monument signage. The subject site is located at 2777 S. Gilbert Road, located north of the northeast corner of Gilbert and Queen Creek Roads.

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

2. 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.
3. Development shall be in substantial conformance with Exhibit C, Comprehensive Sign Package, kept on file in the City of Chandler Planning Services Division, in File No. DVR09-0003 THE GROVE BIBLE CHURCH, except as modified by condition herein.
4. 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.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. Landscaping along the Gilbert Road frontage shall be in compliance with current Commercial Design Standards.
7. The site shall be maintained in a clean and orderly manner.
8. 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.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
10. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the

buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the GROVE BIBILE CHURCH development shall use treated effluent to maintain open space, common areas, and landscape tracts.

B. UP08-0067 HUDSON BAYLOR CHANDLER

Approved to continue to the May 6, 2009 Planning Commission Hearing.

Request Use Permit approval for the extension of a recycling facility located within a General Industrial (I-2) zoning district. The subject site is located north and west of the northwest corner of Ray Road and Hamilton Street. **(REQUEST CONTINUANCE TO THE MAY 6, 2009 PLANNING COMMISSION HEARING.)**

C. UP08-0069 BARRIO FIESTA OF MANILA

Approved.

Request Use Permit approval to continue to sell liquor for on-premise consumption only within a restaurant (Series 12 Restaurant License). The establishment is located at 941 W. Elliot Road, Suites #11-14, at the southeast corner of Elliot and Alma School Roads.

1. The Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. Music volume levels shall be controlled so as to not present a nuisance to area residences.
3. The Use Permit is non-transferable to any other location.
4. 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.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.
6. 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.

D. UP08-0071 ELDERCARE AT WESTERN

Approved.

Request extension of Use Permit approval to operate an Assisted Living Home for up to eight residents within an existing single-family home. The subject site is located at 2004 W. Western 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 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.

E. UP09-0001 VALLEY SILVER BULLETS-

Approved to continue to the April 15, 2009 Planning Commission Hearing.

Request extension of Use Permit approval to allow up to 14 horses on-site in conjunction with a therapeutic and recreational horse-riding clinic. The subject property is located at 1991 S. Tumbleweed Lane. **(REQUEST CONTINUANCE TO THE APRIL 15, 2009 PLANNING COMMISSION HEARING.)**

F. PPT08-0018 THE GATES

Approved.

Request Preliminary Plat approval for The Gates commercial shopping center located at the southeast corner of Gilbert and Ocotillo Roads.

6. DIRECTOR'S REPORT

Mr. Mayo stated there was nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN FLANDERS announced that the next regular meeting is April 15, 2009 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:35 p.m.

Michael Flanders, Chairman

Jeffrey A. Kurtz, Secretary