

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 6, 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 Rivers.
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
Ms. Jodie Novak, Senior Planner
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 KELLEY** to approve the minutes of the April 15, 2009 Planning Commission Hearing. The motion passed 6-0 with 1 abstention (Commissioner Rivers was absent from that meeting.)
5. ANNUAL PLANNING COMMISSION BUSINESS MEETING
Election of Officers:
 - A. Chairman
 - B. Vice Chairman

CHAIRMAN FLANDERS entertained a motion for Chairman.

VICE CHAIRMAN CASON moved to nominate Michael Flanders for the position of Chairman, seconded by **COMMISSIONER RIVERS**. The motion passed unanimously 7-0.

CHAIRMAN FLANDERS entertained a motion for Vice Chairman.

COMMISSIONER RIVERS moved to nominate Michael Cason for the position of Vice Chairman, seconded by **COMMISSIONER KELLEY**. The motion passed unanimously 7-0.

6. 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. DVR09-0002 TSYs WESTERN OPERATIONS CENTER

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 AG-1 zoning. The existing PAD zoning is for an office/data center development on approximately 15 acres located north of the northwest corner of Price and Queen Creek Roads.

Upon finding consistency with the General Plan, Staff recommends approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

B. DVR09-0004 POLLACK BUSINESS PARK NORTH PHASE II

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 I-1/PAD zoning. The existing PAD zoning is for retail, light industrial, and showroom uses on approximately 10 acres. The property is located at the northeast corner of Arizona Avenue and Elliot Road.

Staff, upon finding consistency with the General Plan, recommends approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

C. DVR09-0005 POLLACK BUSINESS PARK SOUTH

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 I-1/PAD zoning. The existing PAD zoning is for retail, light industrial, office, and showroom uses on approximately 16 acres. The property is located at the southeast corner of Arizona Avenue and Elliot Road.

Staff, upon finding consistency with the General Plan, recommends approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

D. UP08-0067 HUDSON BAYLOR CHANDLER

Approved to withdraw.

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. **(STAFF REQUESTS WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

E. UP09-0004 CASADORA MANOR

Approved.

Request Use Permit approval to operate an Assisted Living Home for up to seven residents within an existing single-family home. The subject site is located at 2371 E. Bellerive Place.

1. The assisted living home shall have no more than seven (7) 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 and approval by the City of Chandler.

F. UP09-0005 DESERT SPRING ADULT CARE HOME

Approved.

Request Use Permit approval to continue to operate an adult care home within a single-family residence for up to five (5) adults. The subject property is located at 1641 E. Yellowstone Place, south and west of Cooper and Ocotillo Roads.

1. The Use Permit shall be granted for a period of three (3) years, at which time re-application shall be required. The three-year time period shall begin from the date of City Council approval.
2. Compliance with city provisions regarding the operation of adult care homes.
3. The maximum number of residents receiving care shall be five (5).

G. UP09-0006 SANTAN BREWING COMPANY

Approved.

Request Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License and Series 3 Domestic Microbrewery License for an extension of premises of an outdoor patio at an existing restaurant. The property is located at 8 South San Marcos Place in Historic Downtown Chandler.

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 an extension of premises, a patio extension, for a Series 12 and Series 3 license only, and any change of licenses shall require re-application and new Use Permit approval.
4. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation with a minimum six-foot clearance maintained along San Marcos Place and minimum five-foot clearance along Commonwealth Avenue.
5. The Use Permit is non-transferable to other restaurant locations.
6. The site and patio shall be maintained in a clean and orderly manner.
7. The development shall be in compliance with requirements for extension of premises in public right-of-way adopted by the City Council as Ordinance No. 3905 Extension of Liquor Premises in the City Center Zoning District (CCD).

CHAIRMAN FLANDERS asked if there was anybody in the audience that would care to pull any of the items for a full presentation? There were none.

MOVED BY COMMISSIONER CASON, seconded by **COMMISSIONER VEITCH** to approve the consent agenda as read into the record by Staff. The consent agenda passed 7-0.

7. DIRECTOR'S REPORT

Mr. Mayo said there was nothing to report.

8. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN FLANDERS announced that the next regular meeting is May 20, 2009 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

9. ADJOURNMENT

The meeting was adjourned at 5:36 p.m.

Michael Flanders, Chairman

Jeffrey A. Kurtz, Secretary