

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 5, 2009 held in the City Council Chambers, 22 S. Delaware Street.

1. Chairman Flanders called the meeting to order at 5:47 p.m.
2. Pledge of Allegiance led by Commissioner Kelley.
3. The following Commissioners answered Roll Call:

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

Absent and excused:

Commissioner Christy McClendon

Also present:

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

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIRMAN CASON**, seconded by **COMMISSIONER RIVERS** to approve the minutes of the July 15, 2009 Planning Commission Hearing with the noted correction of adding in the vote for the item on page 36. The motion passed 5-0 with one abstention (Commissioner Hartke). Commissioner McClendon was absent at the meeting.
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. DVR09-0008 PALOMA KYRENE BUSINESS COMMUNITY

**Approved.**

Request to amend the Planned Area Development (PAD) zoning to allow additional uses within Building M of the business park. The property is located south of Chandler Boulevard on the west side of Kyrene Road at Gila Springs Boulevard.

1. Compliance with original conditions adopted by the City Council as Ordinance No. 3729 in case DVR05-0002, except as modified by condition herein.
2. Development shall be in substantial conformance with the exhibits submitted (narrative, letter, site plan) kept on file in the City of Chandler Planning Services Division, in File No. DVR09-0008 Paloma Kyrene Business Community, except as modified by condition herein.
3. Instructional sports and athletic training facilities are defined as facilities that focus on the instruction, training, and related activities of a particular sport or field of sports. Examples include, but are not limited to, baseball, softball, fencing, martial arts, swimming, gymnastics, cheerleading, and dance.
4. Hosting of competitive events is limited to weekday evenings after 5:30 p.m. and anytime during weekends and national holidays. Events shall be planned so as not to interfere with other businesses in the business park.
5. Outdoor training is not permitted in conjunction with instructional sports and athletic training facilities.

B. DVR09-0022 CHANDLER AIRPORT CENTER

**Approved.**

Request the establishment of initial City zoning of Agricultural District (AG-1) on an approximately 1.2-acre site located at the southeast corner of the Loop 202 Freeway and the Consolidated Canal.

C. PDP08-0004 NOAH'S

**Approved to continue to the September 2, 2009 Planning Commission hearing.**

Request Preliminary Development Plan approval for a 12,490 square foot commercial multi-purpose building on an approximate 2.8-acre site. The subject site is located east of the northeast corner of Cooper Road and Yeager Drive.

D. PDP09-0020 ORBITAL LAUNCH SYSTEMS SIGNAGE

**Approved.**

Request Preliminary Development Plan (PDP) approval for modified signage at the southwest corner of Price and Dobson Roads (3380 S. Price Road).

1. Compliance with previous zoning and Preliminary Development Plan approvals, except as modified herein.
2. Development shall be in substantial conformance with submitted application materials (site plan, elevations) kept on file in the City of Chandler Planning Services Division in File No. PDP09-0020, except as modified by condition herein.

3. 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 equipment, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

E. PDP09-0021 ORBITAL WATERS AT OCOTILLO SIGNAGE

**Approved.**

Request Preliminary Development Plan (PDP) approval for modified signage at the northwest corner of Price and Dobson Roads (3377 S. Price Road).

1. Compliance with previous zoning and Preliminary Development Plan approvals, except as modified herein.
2. Development shall be in substantial conformance with submitted application materials (site plan, elevations) kept on file in the City of Chandler Planning Services Division in File No. PDP09-0020, except as modified by condition herein.
3. 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 equipment, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

F. UP09-0024 RED WHITE AND BREW

**Approved.**

Request approval of a time extension for a Use Permit to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio at an existing restaurant within the Chandler Heights Marketplace commercial center. The property is located at 4850 South Gilbert Road 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, additional bar serving area or additional entertainment related uses shall require re-application and approval of the Use Permit.
3. The Use Permit is non-transferable to other restaurant locations.
4. No noise shall be emitted so that it exceeds the general level of noise emitted by uses outside the premises of the business and as not to disturb adjacent businesses and residential areas.
5. No live entertainment/music on the outdoor dining patio area after 10 p.m.
6. The site and outdoor patio shall be maintained in a clean and orderly manner.

G. UP09-0030 HAMPTON INN & SUITES

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

Request Use Permit approval to sell and serve all spirituous liquor within a new hotel (Series 11 Hotel/Motel Liquor License) located east of the southeast corner of the Loop 202 Santan Freeway and Price Road. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

H. UP09-0031 HOMEWOOD SUITES

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

Request Use Permit approval to sell and serve all spirituous liquor within a new hotel (Series 11 Hotel/Motel Liquor License) located east of the southeast corner of the Loop 202 Santan Freeway and Price Road. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

I. UP09-0039 LUCKY LOU'S AMERICAN GRILL

**Approved.**

Request approval of a Use Permit to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio at a new restaurant within the Park at SanTan development. The property is located at 3245 West Ray Road, the southeast corner of Ray Road and Federal Street, west of the Loop 101 freeway.

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, additional bar serving area or additional entertainment related uses shall require re-application and approval of the Use Permit.
3. The Use Permit is non-transferable to other restaurant locations.
4. No noise shall be emitted so that it exceeds the general level of noise emitted by uses outside the premises of the business and as not to disturb adjacent businesses and residential areas.
5. Speakers for amplified music on the outdoor dining patio area not to occur after 10 p.m.
6. No live entertainment.
7. The site and outdoor patio shall be maintained in a clean and orderly manner.

**CHAIRMAN FLANDERS** asked if there were any comments or questions from the Commission.

**VICE CHAIRMAN CASON** stated on Item E, PDP09-0021 ORBITAL WATERS AT OCOTILLO SIGNAGE, he would be voting no on this because of the sign for position A on the building. He thinks the sign is unnecessary and it illuminates towards residential and it serves no real purpose other than just use up extra electricity. He knows it can't be moved down further on the building because of structural issues.

**MOVED BY COMMISSIONER HARTKE**, seconded by **COMMISSIONER RIVERS** to approve the consent agenda as read into the record by Staff. The consent agenda passed unanimously 6-0. (Commissioner McClendon was absent.)

6. DIRECTOR'S REPORT

Mr. Mayo said there was nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN FLANDERS announced that the next regular meeting is August 19, 2009 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:54 p.m.

---

Michael Flanders, Chairman

---

Jeffrey A. Kurtz, Secretary