



2015 Planning & Zoning Commission Minutes

Regular Meetings

January 7, 2015

January 21, 2015

February 4, 2015

February 18, 2015

March 4, 2015

March 18, 2015

April 1, 2015 Cancelled

April 15, 2015

May 6, 2015

May 20, 2015

June 3, 2015

June 17, 2015

July 1, 2015

July 15, 2015

August 5, 2015

August 19, 2015

September 2, 2015

September 16, 2015 Cancelled

October 7, 2015

October 21, 2015 Cancelled

November 4, 2015

November 18, 2015

December 2, 2015 Cancelled

December 16, 2015

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, January 7, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak

Absent and excused:

Commissioner Phil Ryan

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER CUNNINGHAM to approve the minutes of the November 19, 2014 Planning Commission Hearing. The motion passed 5-0. (Commissioner Foley abstained since he was not present November 19, 2014 and Commissioner Ryan was absent).
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and also to inform them 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.

A. DVR14-0033 KINDRED CHANDLER PHYSICAL REHABILITATION

Approved.

Request rezoning from Planned Area Development (PAD) for a commercial retail to PAD for healthcare/physical therapy including a Mid-Rise Overlay for buildings up to 60 feet in height with Preliminary Development Plan (PDP) approval for site design and building architecture.

The site is approximately 3.7 acres and located at the southwest corner of Chandler Boulevard and Arrowhead Drive.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "KINDRED CHANDLER PHYSICAL REHABILITATION", kept on file in the City of Chandler Planning Division, in File No. DVR14-0033, except as modified by conditions herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
8. Maximum building height shall be limited to 60 feet.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "KINDRED CHANDLER PHYSICAL REHABILITATION", kept on file in the City of Chandler Planning Division, in File No. DVR14-0033, except as modified by conditions herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
5. 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.

6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
7. **The applicant shall work with Planning Staff to modify the color palette for the south elevation.**

B. DVR14-0034 CHANDLER AIRPARK BUSINESS 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 zoning district of Agricultural (AG-1). The existing PAD zoning designation is for a business park development with aviation-related uses on an approximate 19.2-acre site located at the northwest corner of Cooper and Queen Creek roads.

Planning Staff, upon finding consistency with the General Plan and Chandler Airpark Area Plan, recommends approval of extending the timing condition for case DVR14-0034 CHANDLER AIRPARK BUSINESS CENTER for an additional three (3) years, with all of the conditions in the original approval remaining in effect.

C. DVR14-0039 CORNERSTONE CHRISTIAN FELLOWSHIP

Approved.

Request rezoning from Agricultural (AG-1) to Planned Area Development for church uses, along with Preliminary Development Plan approval for site layout on a remnant 0.22-acre site located east of the northeast corner of Alma School Road and Maplewood Street, along the Maplewood Street frontage.

Rezoning

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. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
4. The rezoning request does not include a specified timing condition. This includes relief of the 1-year timing condition from the effective date of the ordinance as specified in the City Code section 35-2603.B.

Preliminary Development Plan

1. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

D. PDP14-0006 LANDINGS CREDIT UNION

Approved.

Request Preliminary Development Plan (PDP) approval to amend the comprehensive sign package for a freestanding monument sign. The property is located at 4850 W. Chandler Blvd.

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case PDP14-0006 LANDINGS CREDIT UNION, except as modified by conditions herein.
2. 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.
3. A decorative stone cap shall be provided to match the site entry stone cap.

E. PDP14-0013 PORTICO PLACE II

Approved.

Request Preliminary Development Plan (PDP) approval to amend the comprehensive sign package for a freestanding monument sign. The property is located at 2195 W. Chandler Blvd.

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case PDP14-0013 PORTICO PLACE II, except as modified by conditions herein.
2. 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.

F. LUP14-0017 BAY LEAF CAFE

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors and on an outside patio at an existing restaurant. The property is located at 955 W. Chandler Heights Road, Suites 1 and 2, southeast corner of Alma School and Chandler Heights roads.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. Music shall occur indoors only.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

G. LUP14-0022 NABERS MUSIC BAR & EATS

Approved.

Request Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 6 Bar License for on-premise consumption indoors and within an outdoor patio, and continue live music indoors. The property is located at 825 N. 54th St., northeast corner of Harrison and 54th streets in the Chandler Pavilions.

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 Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live entertainment occurring indoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. The site shall be maintained in a clean and orderly manner.
7. The patio shall be maintained in a clean and orderly manner.

H. ZUP13-0024 SONRISE FAITH COMMUNITY CHURCH

Approved.

Request Use Permit time extension approval for continued use of a modular building. The property is located at 800 W. Galveston St., east of Alma School Rd. on the north side of Galveston St

1. **The Use Permit shall be extended for a period of five (5) years from the 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.**
2. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. The site shall be maintained in a clean and orderly manner.

I. ZUP14-0011 VERIZON WIRELESS – MCCLINTOCK AND RAY

Approved.

Request Use Permit approval to install a monopalm wireless communication facility at 3875 W. Ray Rd., southeast corner of McClintock Dr. and Ray Rd.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

J. ZUP14-0025 ARIZONA CORPORATE PLAZA

Approved.

Request Use Permit approval for the operation of a hair salon within Suite 1-2 of Building 1 at Arizona Corporate Plaza located at the southeast corner of Arizona Avenue and Comstock Drive, south of Elliot Road.

1. 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.
2. The site shall be maintained in a clean and orderly manner.
3. The Use Permit shall remain in effect for two (2) 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.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER FOLEY** to approve the Consent Agenda as read in by Staff with the noted additional stip. for Item A and the modification to stip. (no. 1) for item H. The Consent Agenda passed 6-0 (Commissioner Ryan was absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager, wished everyone a relaxing and safe holiday season and welcomed everyone to a new productive year of 2015. **CHAIRMAN PRIDEMORE** also gave holiday greetings.

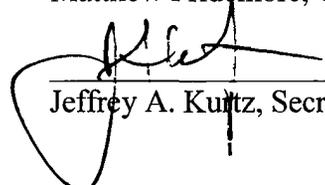
7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE said the next regular meeting is January 21, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:37 p.m.


Matthew Pridemore, Chairman


Jeffrey A. Kuitz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, January 21, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Commissioner Katy Cunningham – Via Telephone
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:

Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Ryan Foley

Also present:

Ms. Jodie Novak, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER WASTCHAK, seconded by CHAIRMAN PRIDEMORE to approve the minutes of the January, 7 2015 Planning Commission Hearing. The motion passed 3-0. (Commissioner Ryan abstained since he was not present January 7, 2015)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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 was one action item – Item A.

B. LUP14-0020 AMERICA'S TACO SHOP

Approved.

Request Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within the patio, and continue occasional live music indoors and within the patio at an existing restaurant. The

property is located at 3235 West Ray Road, Suite 1, southwest corner of Ray Road and the Loop 101.

1. The Liquor Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor 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 Liquor Use Permit and require new Liquor Use Permit application and approval.
4. The patio shall be maintained in a clean and orderly manner.
5. Live music within the outdoor patio area shall not occur past 8 p.m. and shall be limited to acoustic music without amplification.
6. The house speaker system shall not be utilized to amplify live music.
7. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
8. No noise shall be emitted from the live music occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
9. The site shall be maintained in a clean and orderly manner.
10. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

C. ZUP14-0020 VERIZON WIRELESS – ALMA SCHOOL AND GERMANN

Approved.

Request Use Permit approval to install a monopalm wireless communication facility located at 964 W. Germann Rd., east of the northeast corner of Alma School and Germann roads.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The two live palms shall be maintained at a level consistent with or better than at the time of planting.

CHAIRMAN PRIDEMORE stated items B and C are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

MOVED BY COMMISSIONER RYAN, seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 4-0 (Vice Chairman Baron, Commissioner Donaldson and Commissioner Foley, absent).

ACTION:

A. DVR14-0023 FIRST ELECTRONICS

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for office/industrial along with Preliminary Development Plan (PDP) for site layout and building

design for an electronics manufacturer on property located north of the northwest corner of Price and Willis roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "FIRST ELECTRONICS", kept on file in the City of Chandler Planning Division, in File No. DVR14-0023, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "FIRST ELECTRONICS", kept on file in the City of Chandler Planning Division, in File No. DVR14-0023, except as modified by condition herein.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
5. 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.

MS. JODIE NOVAK, SENIOR CITY PLANNER stated the request is to rezone land that is currently zoned Agriculture District to Planned Area Development to allow an office in an industrial development. It also includes the Preliminary Development Plan for both site layout and building design component. This is an electronics manufacturing facility that assembles circuit boards, cable wire harnesses and computer type components. The development would be building the property for a Phase one which they will have their facility and corporate offices. The property is designed to conform to the site development standards, including setbacks and landscaping as well as incorporating large landscape setback of at least one-hundred feet along Price Road. The western portion of the property is for storm water retention above ground and would be a Phase two if it were ever to develop. The building is located on the southern portion of this particular property, south of it are existing developments for wedding/reception event facility and north of it is a small vacant lot as well as a developed corporate office development.

This project went through the design review committee and made small suggestions regarding the seam joints on the grid design. They have been applied and are represented in the development booklet. Under the land-use category First Electronics is permitted and is designated as an employment corridor for this particular area. This property is located north of Willis Road and in accordance with the General Plan those properties located north of Willis Road tend to have a mix of office/hotel as well as retail oriented support type uses to larger business parks that happen to be in that area.

Staff is of the opinion to recommend approval of this development. The land use is consistent and compatible with the General Plan and the corridor. The architecture and site design are compatible with the commercial development standards, industrial development standards and the expectations along the Price corridor. A neighborhood meeting was held at the end of October. no one attended except the applicant. As of the date of the report and hearing we received information regarding concerns of the proposed development from property owner to the north and may be here to speak. Attached to the staff report was a letter of opposition and concern from a property owner that owns a 0.10 acre sliver of land that is at the northwest corner of the subject property. Staff is recommending approval for both the Rezoning and Preliminary Development Plan with conditions that are included. She would be happy to answer any questions.

CHAIRMAN PRIDEMORE stated if there were no questions on action Item A, it would be turned over to the applicant. No questions were asked.

MR. ANDY PULSIPHER, 7045 N. 23RD WAY, PHOENIX, stated he is the project architect and wanted to compliment the staff and DRC for quite a diligent review of the project to this point. They made a few changes to the design and the plan, which resulted in a better project from where it started. If there were any comments or concerns he would be happy to answer those.

CHAIRMAN PRIDEMORE stated he had a speaker card for Item A.

MR. GARRY HAYS, 1702 E. HIGHLAND AVE, PHOENIX, stated he represented Delta Echelon which is the four story office building north of the parcel and the tenant is Ebay/Paypal.

He stated there was a neighborhood meeting his client did attend but there was some confusion with that. He met with the architect. His client has concerns but is not in opposition at this point. His concerns are regarding the use and the amount of the utilization of the parcel. There is not much left on Price Road and we have to be cognizant of what gets placed, where we put it and how much they utilize the parcels available to them.

CHAIRMAN PRIDEMORE stated if there were no questions for Mr. Hays, it would be turned back over to the applicant. No questions were asked.

MR. PULSIPHER stated he did meet with Mr. Hays and made changes after that meeting to the advantage of the neighboring properties. Changes for the design review process were also made. He believes that the project is very consistent with the usage of the Price Road corridor and explains that it is an employer that will have up to seventy employees on a 3 1/2-acre parcel. The building looks like an office building and will fit into this project.

COMMISSIONER WASTCHAK wanted to confirm when they had the DRC meeting, the architecture indicated that the building originally was oriented with the parking on the south side and he flipped the building to the north and asked if it was the property to the north requesting that change.

MR. PULSIPHER confirmed they did flip the property, however, they did not request the change. Their concern was that the building was too close to their property line so based on their concern they did flip the property.

COMMISSIONER RYAN asked if the Phase two on the west-end of the site has any potential for additional building or expansion.

MR. PULSIPHER stated it is a small parcel being used for retention at this time and the client has no intentions of expanding the building. However, if they did, they would expand the end of the rear of the building and make the retention underground.

COMMISSIONER WASTCHAK said as a follow-up to that, if they did expand, would they need to come through the PDP process or will be held at staff level.

MS. NOVAK stated they have spoken to them about how it would normally come through a Preliminary Plan Development process, depending on what they are doing. They have mentioned a possible Phase two. As long as it matches the look of what they already have. Evaluation will occur at that time.

CHAIRMAN PRIDEMORE welcomed First Electronics to Chandler. He knows they are in Tempe and thrilled they want to move and bring their business to Chandler. He believes the use is appropriate, considering that they have heavier manufacturing to the south. The light industrial does not bother him. In regards to the architecture, he thinks it a perfectly reasonable building and fits just fine. If no questions, he will look for a motion regarding item A.

MOVED BY COMMISSIONER WASTCHAK, seconded by **COMMISSIONER RYAN** to approve action item A. DVR14-0023 FIRST ELECTRONICS. The motion passed 4-0 (Vice Chairman Baron, Commissioner Donaldson and Commissioner Foley absent).

6. DIRECTOR'S REPORT

Ms. Jodie Novak, Senior City Planner had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

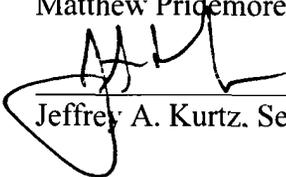
CHAIRMAN PRIDEMORE said the next regular meeting is February 4, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

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



Matthew Pridemore, Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, February 4, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by CHAIRMAN WASTCHAK to approve the minutes of the January, 21 2015 Planning Commission Hearing. The motion passed 4-0. (Vice Chairman Baron, Commissioner Donaldson, Commissioner Foley abstained since they were not present January 21, 2015)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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. DVR15-0003 SOUTHWEST CORNER OF QUEEN CREEK ROAD AND THE UNION PACIFIC RAILROAD.

Approved.

Request to establish the initial City zoning of Agriculture (AG-1) on approximately 18.75 acres located at the southwest corner of Queen Creek Road and the Union Pacific Railroad.

- B. PDP14-0011 CORNERSTONE CHURCH – CAMPUS EXPANSION
Approved.

Request Preliminary Development Plan approval for site layout and building architecture for the master plan of the 23.9-acre Cornerstone Christian Fellowship campus. The subject site is located at the southeast corner of Alma School and Willis roads.

1. 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.
2. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
4. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CORNERSTONE CHRISTIAN FELLOWSHIP", kept on file in the City of Chandler Planning Division, in File No. PDP14-0011 CORNERSTONE CHURCH - CAMPUS EXPANSION, except as modified by condition herein.
5. Landscaping shall be in compliance with current design standards.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. 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.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
10. **The applicant shall work with Planning Staff to modify the colors of the monument signs along Alma School Road.**

C. ZUP14-0032 WEE BLESSINGS PRESCHOOL & ACADEMY

Approved.

Request Use Permit extension approval for the continued operation of a preschool. The subject site is located at 1751 E. Queen Creek Road, west of the southwest corner of Queen Creek and Cooper roads.

1. Development shall be in substantial conformance with the submitted application documents (Narrative, Site Plan, Floor Plan) except as modified by condition herein.
2. The Use Permit shall remain in effect for five (5) 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.

CHAIRMAN PRIDEMORE asked if an additional stipulation would be added to Item B regarding colors.

MR. ERIK SWANSON, SENIOR CITY PLANNER responded that a stipulation No. 10 will be added to Item B. The applicant shall work with staff to work with the colors on the monument signs along Alma School Road.

CHAIRMAN PRIDEMORE had a speaker card explaining that Phil Chavez is in favor of Item C but preferred not to speak.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

CHAIRMAN PRIDEMORE stated for the record he is voting no on Item C ZUP14-0032 WEE BLESSINGS PRESCHOOL & ACADEMY. This is to be consistent with his prior voting. Nothing has changed to the properties to the west.

COMMISSIONER DONALDSON stated he will also be voting no on Item C. Consistent with his prior voting and lack of changes or condition changes over the last period of the use permit.

COMMISSIONER CUNNINGHAM stated she also will be voting no on Item C. Nothing has changed and she thanks God nothing has happened with the Airpark or with any of the children being ill from the pesticides. However, when the child is 15 years of age and has problems that may have come from those pesticides or should an accident occur in the future, she does not want it on her conscious therefore the vote is no.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER RYAN** to approve the Consent Agenda as read in by Staff with a noted stipulation to Item B and the no votes on Item C. The Consent Agenda passed 7-0 and Item B passed 4-3 (Chairman Pridemore, Commissioner Donaldson and Commissioner Cunningham voted no).

6. DIRECTOR'S REPORT

Ms. Jodie Novak, Senior City Planner had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

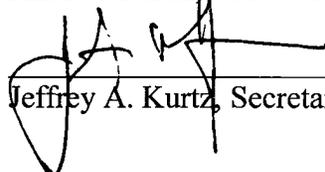
CHAIRMAN PRIDEMORE said the next regular meeting is February 18, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.



Andrew Baron, Vice Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, February 18, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:

Chairman Matthew Pridemore
Commissioner Katy Cunningham

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER RYAN, seconded by COMMISSIONER DONALDSON to approve the minutes of the February 4, 2015 Planning Commission Hearing. The motion passed 5-0. (Chairman Pridemore and Commissioner Cunningham, absent)
5. ACTION AGENDA ITEMS
VICE CHAIRMAN BARON informed the audience 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. LUP15-0002 OCOTILLO VILLAGE HEALTH CLUB & SPA

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 7 Beer and Wine Bar License to sell and serve liquor for on-site consumption only both indoors and outdoors located at the southwest corner of Alma School and Ocotillo roads.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other facility locations.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.

B. ZUP14-0002 NORTH CONGREGATION OF JEHOVAH'S WITNESSES

Approved.

Request Use Permit approval to allow a place of worship/church within Planned Industrial District (I-1) zoning located at the northeast corner of Chilton Drive and San Marcos Place, west of Arizona Avenue and north of Elliot Road.

1. Expansion or modification beyond the approved exhibits (Exhibit A narrative, Exhibit B site plan, Exhibit C landscape plan, Exhibit D building elevations, Exhibit E floor plan, Exhibits F signage) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other property.
3. The property shall be maintained in a clean and orderly manner.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting in accordance with City approved construction plans.
5. 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.

C. ZUP14-0028 SPRINT AT ALMA SCHOOL AND ELLIOT

Approved.

Request Use Permit approval to replace an existing wireless communication facility with a monopalm located at 3150 N. Alma School Rd., northwest corner of Alma School and Elliot roads.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. A pineapple shall be added to the monopalm.

VICE CHAIRMAN BARON had a speaker card explaining that Nicholas Guttilla is in favor of Item A but preferred not to speak.

MOVED BY COMMISSIONER RYAN, seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Chairman Pridemore and Commissioner Cunningham, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

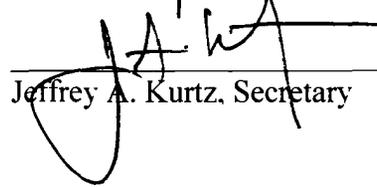
VICE CHAIRMAN BARON stated the next regular meeting is March 4, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

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



Andrew Baron, Vice Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 4, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER DONALDSON to approve the minutes of the February 18, 2015 Planning Commission Hearing. The motion passed 5-0. (Chairman Pridemore and Commissioner Cunningham, abstained since they were absent February 18, 2015)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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 was one action item – Item A

B. DVR15-0005 SOUTH OF THE SOUTHWEST CORNER OF MCQUEEN AND OCOTILLO ROADS

Approved.

Request to establish the initial City zoning of Agriculture (AG-1) on approximately 4.18 acres located south of the southwest corner of McQueen and Ocotillo roads.

Upon finding consistency with Arizona Revised Statutes, Planning Staff recommends approval of establishing the initial City zoning of AG-1 following the annexation of the subject site.

C. DVR15-0006 NORTHWEST CORNER OF GILBERT AND BROOKS FARM ROADS

Approved.

Request to establish the initial City zoning of Agriculture (AG-1) on approximately 5 acres located at the northwest corner of Gilbert and Brooks Farm roads.

Upon finding consistency with Arizona Revised Statutes, Planning Staff recommends approval of establishing the initial City zoning of AG-1 following the annexation of the subject site.

D. LUP14-0024 SMASHBURGER

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within a patio at a new restaurant located at 2925 S. Alma School Rd. Ste. 8, in Las Tiendas Village.

1. The Liquor Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor 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 Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.
5. The patio shall be maintained in a clean and orderly manner.

E. PDP14-0015 LAYTON LAKES PARCEL 21

Approved.

Request Preliminary Development Plan (PDP) approval for housing product on approximately 33.4 acres located south and west of the southwest corner of Queen Creek Road and Layton Lakes Boulevard.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "LAYTON LAKES PARCEL 21" kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0015, except as modified by condition herein
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3250, case DVR00-0025 LAYTON LAKES, except as modified by condition herein.
3. Compliance with the original stipulations adopted by the City Council as case PDP03-0038 LAYTON LAKES, except as modified by condition herein.
4. The same elevation shall not be built side-by-side or directly across the street from one another.
5. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
6. Corner lots shall be limited to single-story homes only.
7. Window pop-out treatments shall remain consistent on all sides of the homes.

F. ZUP14-0034 VERIZON AT ST. JUAN DIEGO CHURCH

Approved.

Request Use Permit approval to install a monopalm wireless communication facility located at 3200 South Cooper Road, south of the southwest corner of Cooper and Queen Creek roads.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The two live palms and landscape shall be maintained at a level consistent with or better than at the time of planting.

G. PPT13-0022 NORIA MIXED USE

Approved.

Request Preliminary Plat approval for a multi-family residential and commercial mixed-use development located at the southeast corner of McQueen and Germann roads.

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

CHAIRMAN PRIDEMORE stated items B through G are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

COMMISSIONER RYAN stated he will be abstaining from items B and G. He provided consulting services to the applicant.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda with the noted abstention from Commissioner Ryan on items B and G as read in by Staff. The Consent Agenda passed 6-1 (Commissioner Ryan abstained on item B and G).

ACTION:

- A. APL14-0007 AIRPARK AREA PLAN AMENDMENT/DVR14-0019/PPT14-0012 ENCLAVE AT HAMILTON RANCH

Approved.

Request Airpark Area Plan amendment from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. Request rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for offices to PAD for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing product along with Preliminary Plat (PPT) approval on approximately 28 acres located south and east of the southeast corner of Arizona Avenue and Queen Creek Road.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ENCLAVE AT HAMILTON RANCH" kept on file in the City of Chandler Planning Services Division, in File No. APL14-0007/DVR14-0019, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for

- development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
 4. 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.
 5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
 6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
 7. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
 8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
 9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement
 10. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
 11. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Records Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal

Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

- c) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
 - d) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
 - e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
 - f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
 - g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:
"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."
12. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a heliport at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
13. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing railroad tracks and railroad right-of-way that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is

adjacent to or nearby an existing railroad track and railroad right-of-way, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

1. The same elevation shall not be built side-by-side or directly across the street from one another.
2. Corner lots shall be limited to single-story homes only.
3. For lots adjacent to an arterial street, two-story homes are limited to every third lot, with no more than two, two-story homes built side-by-side.
4. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
5. Window pop-out treatments shall remain consistent on all sides of the homes.
6. The total side yard setback between two, 2-story homes shall be 14 feet.

Preliminary Plat

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

MS. JODIE NOVAK, SENIOR CITY PLANNER stated this request is to amend the City's Chandler Airpark Area plan map. The Area plan currently designates the property which is located south and east of the southeast corner of Arizona Ave and Queen Creed Rd to be developed with a combination of neighborhood commercial and commercial office business park uses along with a light rail corridor overlay which allows additional land uses such as higher residential density's and for this area to develop with office showroom, research and development and retail services. They are proposing to change that land use and designate it for low-medium density residential for a single-family residential subdivision. Along with that, is the rezoning of the land from the current zoning of Agriculture district AG-1 and Plan Area Development zoning for office on a portion of the property and rezone it to PAD to allow single-family residential. The Preliminary Development Plan component in the development booklets include the subdivision layout for approximately 132 single-family lots with approximately 4.76 dwelling units per acre also includes the housing products that are being proposed for the development.

Planning staff reviewed the request from a land use stand point in accordance with the General Plan and the Airpark Area Plan. Staff also the reviewed the land use, site design and the housing product in accordance with the city's residential development standards as well as our zoning code and site development code. As indicated in the staff reports, the staff recommendation is not supporting any of the requests based on the premise that the proposed land use change in the Airpark Area Plan is not consistent with the Area Plan. Staff feels that the proposed land use to go to a low-medium density residential is not what the City has in vision for this intersection. The property is approximately 28 acres and it is not on the intersection corner there's approximately an 8 acre commercial corner that's represented in the development booklets but it is not a part of this request, it wraps around the property. There is a total of 36 acres in total. But they are asking to develop and zone 28 acres for single-family residential. The property is

surrounded by land that is developed and undeveloped to the east, north, west and south. There's a lot of county property located to the south as well as to the east of this. It is bordered by the Union Pacific Railroad tracks on the east side.

The land uses that are planned east of it are industrial and light industrial as this is a part of Chandler Airpark Area Plan and which all the industrial uses are intended to be located in that particular location of the City. South of it is undeveloped land but immediately next to the site, which has zoning in the county for commercial but it also has a veterinarian clinic that has a pet boarding facility and a church which owns extra land around for future expansion. It's adjacent to two arterial streets so it does have some frontage along Queen Creek Rd east of the intersection and frontage along Arizona Ave. The subdivision will be gated and will have 132 single-family lots. With the land use that is being proposed, which is low-medium density residential, that is a category of the General Plan that limits it to an area further into the Airpark area. There's some low-medium density and medium density residential that has existed or is planned a few miles to the east but along the corridor between Arizona Ave and the railroad tracks the plan is very specific in insuring that the area developed with major campus like business parks. And in those business parks they would have light industrial uses, office type uses and retail services. The industrial that surrounds the area next to the railroad track would have your mix of manufacturing, warehouse distribution, assembly, and research and development. The property is located at an arterial street intersection in what the General Plan calls out as an area that potentially could have commercial on all four corners. The northeast corner was recently rezoned for residential uses, there's multi-family apartments under construction right now and a single-family subdivision that was approved last year. The northwest corner was designated for condominiums which partially developed. There is a piece remaining that is very small as well for commercial uses which is yet to develop. On the southwest corner of the intersection there are single-family subdivisions and multi-family development that have developed and another smaller parcel at the intersection corner planned for commercial that has yet to develop.

Looking at the Area plan and General plan and typical planning practices, the 28 acres proposed for the single-family residential and the 8 acres left over for potential commercial, I from a planning stand point it would be better if all the land were taken into the single-family residential and not leaving an 8-acre piece of commercial remaining. We have seen where there are smaller properties of that size that have not developed. They have been zoned but not developed. They've had residential around it but never transpired. There is an opportunity to have commercial in an intersection corner but if there is an interest for single-family they would think all the land would have been considered for that, not just 28 acres. It is not the appropriate land use and it is not a use considered under the category of the Airpark area plan. If it was a higher density residential, something between 12.1 to 18 dwelling units per acre, which would give a better consideration of a residential land use as a support use to a larger office/business park/ industrial employment area which is currently designated for that area on Airpark area plan.

In regards to the rezoning component, it is adjunct to the Area Plan. If the land use was changed from commercial office/business park to a low-medium density residential, they have the request to rezone the land to match. It would be permanently changing the land allowing single-family and having the development plan with it. The subdivision diversity and housing product meet the

intent of our residential development standards as outlined in the staff memo. There are some items that they do not meet and some of it is difficult to meet with a parcel of this particular orientation and its location due to the limited frontage on the arterial street. But they do incorporate several items such as curvilinear streets, open space, unique amenity area for both adults and children, entrance features, the look of the subdivision and landscape pallet. There are a lot of quality elements that they are proposing and the housing product meets the intended expectations and architectural standards.

With this being within our Chandler Municipal airport area it did go before our Airport Commission for their review. The airport manager provided staff an airport conflicts evaluation letter that indicated that the airport commission found that their proposed land use change with the area plan and the rezoning was going to cause a conflict with the airports' operations and with existing and planned uses that are at the airport. They believe that creating a change in land use to do a single-family residential would be incompatible with how the airport operates and what their long term viability is. They believe that noise concerns will arise from the single-family residential area as the airport grows and have more flights from the single-family residential area. This did go through the citizen review process and the applicant had their neighborhood meeting. Three individuals attended and they were representatives of a property that is next to this. There have been no concerns from anyone around the area so far. As of the day before and the day of the meeting, five emails were received from area property owners adjacent to this that are in support of this and were handed out. Staff is recommending denial of the Area Plan, Rezoning, PDP and the plat as indicated in the memo. If Planning Commission vote in favor, standard zoning conditions regarding subdivision lots and housing products have been prepared.

MR. ADAM BAUGH, WITHEY MORRIS, 2525 E. AZ BILTMORE CIR, stated he appreciated the time given to give a presentation. As he was preparing for this an idea came to his mind. Growing up he thought he was going to be a teacher and was convinced he was going to be a teacher since most of his family are teachers. He realized he did not want to be a teacher and relates it to this case. He states even the best plans one projects to occur sometimes need to evolve and change. The Airpark Area plan was approved in 1998 with the best intentions. It has been 17 years and we've seen changes in that area. He says the project has been worked on for a year and a half. They have considered high density to medium density compact to back to what will be presented. The case represents collaboration from staff even though they knew staff was going to recommend denial right from the beginning. However, staff assisted and steered the project in the right direction. They disagree in the eventual decision.

He states that this site is termed as the chaos corridor. His applicant approached him with questions regarding what to do with the property; he owns a property at the northwest corner and has owned it for 11 years. At the time, there were four vacant corners of commercial use, apartments on both sides; industrial has tended to locate east of the railroad tracks so that is how it lead to this use. At some point, along Arizona Ave between the railroad tracks, there are a couple of area plans that have been in this area; the Airpark Area Plan and the South Chandler Area Plan. just south of Ocotillo. Whether it had a mixed used commercial and employment category for it or the Airpark Area Plan, there has always been some design that hopefully it would be some type of office employment commercial use, but according to the exhibit, the area

has not evolved that way. There is a Target and Home Depot center but by and large all these uses have gone the opposite direction of what has been encouraged by the Airpark Area Plan. That is the reason he believes they call it the chaos corridor, because every time they recommend approval, up until the last case, they don't understand how to respond as the case evolves. How to realize that the railroad tracks have become the default dividing line. That is why he believes they should consider the case. He stated members of the panel have seen these cases before where staff recommended approval, but it is unusual that they recommend denial. He stated if he were sitting in the commissioner's shoes, he would be questioning why staff is recommending denial and is there another use for this site?

The first use, which is commercial retail, is not viable because there is a heavy density of commercial in this area. However, he knows they agreed to it because last hearing a similar type use came before them and there was consensus that there wasn't an overabundance of commercial in that area, but his exhibit helps illustrate that. They looked at the 202 freeway all the way down to the Chandler Heights area and the blue stars [on the exhibit] indicate existing commercial inventory. He did not go into detail since the Commissioners have heard it before, but 750,000 sq. ft. to the north, within a mile and a half, and another 750,000 sq. ft. of retail to the south, within a mile and a half to two miles. A total of 1.5 million, approximately, of retail. It is appropriate; however, the challenge is that it is sufficient to meet the needs that are currently there. But when you see what has been approved and see exhibits; the Carino Commons, the Chandler Center, the county corner, and The Shops at Chandler Heights which has been approved, is half built and has been under construction for years. If anything is going to come in line like new commercial in that corridor it would come to that spot first because it is already half under construction. However, when the extra 700,000 sq. ft. of vacant and undeveloped and approved commercial is added, now it totals out to 2.3 of commercial, he believes it is a lot of commercial. He states the existing 1.5 has a hard time succeeding with the current population so how will the 700,000 be justified that doesn't include the 8 acres of the county piece. In theory that is what the plan recommends but that is not the proposal. What is more important is to look at the existing corner.

He states indeed the project wraps around a county parcel that is not owned by them. There was some discussion to include it, but they weren't interested in selling. That is the first time he heard staff express sentiment that they want to see that come in with this project. The exhibit shows how much commercial is vacant at this corner. The northwest corner his clients owned for the last 10 or 11 years and they have not had any buys from that property, they had CVS interested in the immediate corner that purchased it but even CVS won't build it. Then there's the Chandler Center on the south side, and even KB home site was commercial up until a year ago. All those together just on the west side there's a substantial amount of vacant commercial. He states that every corner is commercial at it and is wrapped by residential. So the proposal is symbolic and consistent with what has already happened at the other corners.

When both existing and proposed are added in there is 2.2 million within a 4 to 5 mile stretch. He states there is a reason why the City did the 4 corner commercial study and it can also be referred to 3 corner study because the imbalances are clearly shown versus the amount of roof tops that are in the area. He states that there is an abundance of commercial so he asked himself, what about office. There is an opportunity to do 30 acres of office. There are some questions that

his clients have explored such as would it be realistic? Or is it feasible? In 2006 the 9 acre parcel was called Pinnacle Professional Village. It was approved by Commission and zoned and approved by Council for about 9 buildings, 73,000 sq. ft. In 2010, they got a time extension and still in 2012 they could not make it a go at it, until they allowed it to expire voluntarily. He explains that offices have already made an attempt at this site. He states that 9 acres is an appropriate amount of office here, but if that cannot succeed then 30 acres is inappropriate. He states there are some good spots for 30 acres and thinks the City has done a great job in steering people to those areas. But he believes this is not the right area. He states that in the last 30 years the 202 down Hunt Highway, there have been only 25,271 sq. ft. of built office, from what he can see when he drives that stretch. There is a Ryan office development of about 12,000 sq. ft. on Ryan Road and Market Place Commons right on Chandler Heights. He questions why is it that the Airpark Area Plan has been encouraging office and employment uses since 1998 they cannot get a single person interested in office there and two spots that have been come in line have been on the west side of the road not on the east side where the Area Plan is encouraging it. He states that tells him it is not an office corridor and to the City's credit they have strengthened their office corridors in other locations. He believes it does not fit in the context of the area for the reason that it will have to have some height to it and given that there are many residential uses in the area it is probably not the right use.

He wants to point out that in the Chandler Airpark area, in the City's own information, there is about 1700 acres of potential development area, which is a lot of area. He explains within that there is about 800 acres that have been improved, infrastructure in place and ready to sell off pads. He states that if someone is going to be an employer they will look elsewhere because there are far better locations and better access and if the City has encouraged them to go there a perspective person will launch that way as well. He also points out that south of the proposed site is a pet resort facility with the intentions and plans to build an office, according to the plans they have provided to him. They showed about 23,000 sq. ft. He says that interestingly, in 30 years there were 25,000 sq. ft. along the stretch of the corridor and the property south would essentially double that if it were to come in. He expressed the patterns that have occurred in the Airpark Area Plan of approved, infrastructure in place and available to be sold.

His next question was 'Is there an impact on the airport?' He states he understands why the City would have an Airpark Area Plan and believes it has done a great job in serving that purpose. He explains the airport is most concerned about people complaining about noise. He says the proposed site is far outside the noise contour of 55 decibels, which has been the baseline for residential development. However, even the Chandler's own Zoning Ordinance allows for single-family residential in the 55 and inside the 60 decibel line. Also, they are outside the direct flight path for arrivals and departures. He thinks that the line at Arizona Avenue was arbitrary because it made sense to bring it to the next convenient street. However, he believes it does not make a difference if the line were on Arizona Avenue or on the railroad, since homes on the west side of Arizona Avenue have no greater or less impact on the airport than their property being on the east side, at least at that specific intersection and they are outside of those areas.

He states the Airport Commission has done a good job deciding what is and is not a conflict and as he presented the case to them it was very complimentary from their perspective to provide the conflicts of the plan and express their appreciation for what was created. Their flint was they

would love to see this, but on the opposite side of the road. However, their point was simply this; the plans do not say that so they want to support the plan. And while there is no conflict, it doesn't describe what those particular conflicts are and he thinks I respect the value and the rule that they play. But given in this case, he feels the circumstances are a little different. Not only that, Paseo Lindo, that was recommended approval by staff and this body and supported by the City Council, is actually in the direct flight path of the Airpark. And it can work there, why it can't work here. He knows there are concerns in regard to the logical extension that will if it's not a real impact on the Airport, we still want to preserve the integrity of the area around the Airport and help it success in its development. He feels the same way, and that is why it's important to point that the property just east, has been zoned and entitled back in 2013. And the PAD calls for office/warehouse/industrial and Jodie mentioned RND.

What he likes about this case is that it gave him an idea of what was occurring on the east side, rather than him preceding them, they preceded him. So we know what is going to occur and what he appreciates about their plan is that there is a flip plan on the west side and had to put the retention in that area and then create a large landscape set back and buffer. So that is on the west side and the south side which is a buffer from their development to the railroad tracks and even a greater distance to their development. He can see why staff's perspective is that they want to protect the integrity of the Airpark Area because they want to see things succeed. And he believes in honesty that his case being innocuous as it is it will not impact or impede that from succeeding.

He states when he started, they did not have a good plan, and he thinks part of the original direction they were given with the look of doing something a little denser for this area. So they spent a lot of time looking at, he doesn't want to call it compact housing but medium to higher density stuff that was still ownership. And if they can see on the exhibit that is kind of the idea that they started with. In a grid like pattern without clusters, they came around with something a little different and still didn't seem like it was getting much traction in their initial discussion with the City Staff. It wasn't until Jodie assigned to the case, she started giving them some good feedback on how to design the site. They got feedback on adding curvilinear streets into it and adding cul-de-sacs also a central focus on the open space and improving the street skip view. He states because of that feedback they spent some times finding home builders that would be appropriate for this area try to work on designing, seeming and finding a designer rather than having the engineer to create this PAD. They looked at things such as how can they create a great focal point or monetize this project and make it stand out from the rest of the area. He states it took some time and through the feedback from staff and their cooperation in helping them steer there, he thinks staff has helped them achieve a better quality subdivision.

He loves the fact that it has the curvilinear spine and how it gives it a little more interest in the site. And it has an interesting open space area as you drive through the center of it that you don't typically see elsewhere. The gated entry on Arizona Avenue and the gated entry on Queen Creek Road are actually common drives so that way the commercial development next to them can enjoy the benefit of that common driveway. And also the Wheeler property southwest which is planned for some offices in their mind can have a joint benefit from that area as well. The feedback that they got from staff was to look at the residential developments that have occurred along this stretch. The Fulton Homes, The Paseo Lindo, and the DR Horton case and mimic

some of the things they did. Distances from the railroad tracks, the way they designed their entry ways, how they coexisted with their commercial and retail environments and how they included curvilinear concepts. Because of that feedback, they were able to incorporate some of those things the case today. He is proud of the plan because he knows how bad it was from the beginning and can't say this is entirely perfect but it gives the geometry of the site and where they started and where they are at today. It is a tremendous improvement. He loves the entry way because it sets them apart from the rest of the project in that area but it serves a dual purpose of benefiting the office which is directly to the south of it. Centrally their case helps sets up those cases by putting that entry way in, by improving it and it is one less cost for them to incur and hopefully jump start them in towards their development/project.

What he appreciates is the effort and time that has been put into the amenity. Some subdivisions are similar and it is hard to distinguish between them and he wanted to really set this apart from the rest. So there was a lot of time put into it. The park alone was a half a million dollars and it is a commitment that home builders wanted to make. It is not the typical tot lot and sand, it has all kinds of elements from both young to an older teenager population and for young mothers. It has swings, playgrounds, tree houses and instead of open air or shade canopies, they used trees to help shade out. There's a little bridge and brook that goes across it and a little water pump. There are so many different cool features about this project that they really want to make it a creative focal point for this community. And because it is in the center of it, it is to attract the residents to the center to create more of a community and neighborhood rather than just a home. He does not know if anyone will see anybody put the type of investment and interest in a community area just like this. He sits back and thinks about the case and comes back to the same thing.

Over time the Chandler Airpark Area Plan has evolved, like it or not, whether it was by design or default. But, up and down this road, the City has determined essentially that the railroad is the dividing line for the integrity of the Airpark Area Plan. Everything west of it as it relates to residential that's come before this City Council has been approved up until the KB case they were recommended by approval by this body, both the DR Horton, Paseo Lindo and Fulton Ranch. He states it brings up another point, why is it different than KB? He knows it was an issue and he spent some time reading comments and watched the video several times and wanted to understand what were the sentiments and why was this body recommending denial? It was the first time seeing Commission take that action because every other one at that point was supported of. He realized that there are a couple of things unique about that one that are different from them today.

The first thing is, Archstone wraps around the commercial corner and there seemed to be an intent to leave the commercial corner open rather than zoning it when the arched stone case came in. He thinks City and Commission wanted to keep that available to the benefit of the Archstone development. So when the KB case came in, it was almost contrary perhaps to what Archstone was envisioning. The second thing he heard was Chairman Devan made a comment, yes there's a lot of power centers in this area and too many tend to cannibalize each other, there's only enough big boys in the sandlot that can play but maybe there's a reason to keep this what he calls a former KB site. Maybe there's a reason to keep it commercial because it is small enough that it could attract smaller users that would be more appropriate. Or maybe a smaller office development and they didn't want to foreclose that opportunity for somebody like that in the

future. That is why this case is different, he states because they still have that luxury at the commercial corner at the direct that they don't own and it is not part of their project. It's 8 to 9 acres and the very things you want to see happen at KB can happen still here today. He knows there was a concern from staff about wanting to preserve the commercial corner at KB because they want to preserve the integrity of the rest of the Airpark Area Plan east of that site, well in this case we already know what is happening on the east side. It has already been approved and entitled, it is going to happen. It might not happen right away but this case doesn't affect that at all. At the end of the day, when you look at the precedence that the Council has done, and every time one of these cases have come up between Chandler Heights to Queen Creek Road, at least in the four instances that he could identify, it consistently in supported this. That tells me that the policy maker from the City, the people who make the decisions have already determined that even the own Airpark Area Plan really isn't living up to the vision they wanted to, at least on this part. No dis to the rest of the planning because he thinks it's done a great job. Between the railroad tracks to Arizona Avenue. he thinks they agreed and he thinks it has changed because that is why he thinks they continue to support it.

The last difference between them and the KB thing is that was a unique and a different type of housing product. Perhaps that might have been the sentiment that it might not have been the right type of product in that area, but he did want to highlight that their subdivision is not the same type of product or character. When he comes back and looks at this and asks himself, what has happened in this corner? All those corners at this intersection have commercial with a residential wrapping around it. In his case, it maintains the same thing. Up and down Arizona Avenue, what's happened on the west side had mimicked on the east side, and that is why the Airpark Area Plan has evolved so much. He explained that one doesn't have to look far to understand why just look what happened on the west side. As those homes have come in as the power centers have come in, happened on the east. He does not think the 30 acre office development is appropriate there, as he looks at his case. He thinks that they agree that another 30 acre power center isn't going to succeed as well. Industrial tends to be on the east side of the railroad tracks, so it would be for apartment or residential, which he could probably make a good case for apartments but he doesn't think anyone wants more of those and the City's had its share of those in the last years as well. As he comes back and looks at all those things, he thinks it makes sense, and that is why he brings forth this case in today. He thanks everyone for their time.

CHAIRMAN PRIDEMORE asked the audience if anyone has questions or comments for the applicant. There were none. He had two speaker cards of individuals that were not present at the meeting however, wanted the letters read into the record on their behalf.

RICHARD STONE, 700 W. POWELL ST. read a letter of support into the record on behalf of ROBERT STETLER, 8831 E. COOPER DRIVE I want to express my support for the residential subdivision proposed at Queen Creek and Arizona Avenue. I am a property owner that lives in the area and I drive past this intersection daily. I have seen the area transition into a residential corridor over the years and with the inclusion of new apartments and cluster homes at this intersection, more commercial doesn't make any sense. There are already 3 corner of vacant commercial land here which will have to compete with the Target, Home Depot and Lowe's shopping centers just down the street. I believe a high quality residential subdivision like the one

proposed will be better for the area and will actually help strengthen the commercial activity in the area.

JULIE BECK, 2222 N VAL VISTA DR., MESA, read a letter of support into the record on behalf of CHRISTINE STONE, 700 W. POWELL ST Dear members of Planning Commission. I am a resident at the Fulton Ranch Subdivision which is close to the new development called Enclave at Hamilton Ranch. We moved to this area because of the great schools, strong community and amenities. This area of Arizona Avenue is great because of the high quality subdivisions that exist. That is why I support the proposed neighborhood development at Queen Creek and Arizona Avenue. When you drive this area, you always wonder why this intersection hasn't developed like the rest of Arizona Avenue to the south. It is unlikely new commercial will work here because of the great shopping centers we already have in the area. My fear is the alternative, and nobody wants to see more apartments, or industrial uses next to the railroad or more vacant land. Just look at the blighted commercial and office projects just down the street at Chandler Heights, it's a mess and if the area can't support that then it won't support more of the same at this intersection. I like the proposed subdivision and I think it is a good use here. Hopefully you agree.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to make a statement on the action item. There was one.

An audience member read a letter of support into the record on behalf of KATHERYN PARKER 381 W. HACKBERRY DR Dear members of the Planning Commission, I recently became aware of the recent application for the property at the southeast corner of Arizona Avenue and Queen Creek. I saw the sign posted up on the property and was curious about the proposal because I live nearby on the Avalon at Dobson Crossing Subdivision. I am excited to see something finally develop at this site. For years, the four corners at this intersection have been vacant and we all know commercial will not happen any time soon given the three large commercial centers just down the street. We can stare at the vacant intersection properties forever, but recent apartment developments appear to be the only thing that is attracted to this intersection. Every day I have to see the half-built blighted office and commercial development at Chandler Heights and Arizona Avenue and it is such an eyesore for the area. The last thing we want to see is another project like that at Queen Creek too. I am happy to learn a new residential subdivision will be built here which will actually bring rooftops to support the area commercial. Hopefully it will spur interest in developing the other empty corners because we really don't need more apartments or another empty employment center along this corridor. I hope you approve this request.

CHAIRMAN PRIDEMORE asked the audience and the applicant if anyone would like to make a statement or have any questions on the action item. There was one.

CHAIRMAN PRIDEMORE stated he voted against the KB site directly to the north. He tries to look at them on case by case bases. He was not sure why the commercial has been kept for so long and now getting rid of it. This case is similar, except the commercial is still being kept there. He knows that Staff's concern is that 8-acres is not a lot and puts restrictions on what could be developed there and he appreciates their stands. He states he does not have an issue

with the resident and thinks it is a very nice product. If this would be approved and built, he hopes to see the play area the way it was shown. He states as the applicant pointed out, it is an expensive amenity and he would hate to see part of the sales pitch and then to be valued engineered out. He says he would personally keep an eye on that. For him the most telling part was one of the first images that were labeled "chaos corridor". He believes that they have reached where they are past the inflection point where residential is now not the norm but it is now more accepted along the corridor than it was in the past. He knows there has been some past commissioner that have voted no against any residential "just because" and stuck to their decisions every time they were up there. He believes those times have changed and have seen enough now and there are real project that have been built that he has no issue with that addition. He votes in favor of it.

VICE CHAIRMAN BARON stated he generally agrees with what **CHAIRMAN PRIDMORE** stated, for the reason that when you look at the corridor, there is proven success of residential units and existence there. Certainly Fulton Ranch, and Paseo Lindo that has been there the longest and a very desirable location. A little bit Concerned about the commercial corner. He did not realize that was not something the applicant actually had control of. Something at that scale and trying to build that out, he personally does not see how that is going to work and it is technically on the wrong side of the road to benefit folks that live in the area. From a residential stand point, he believes it is a nice project and certainly believes a precedent has clearly been set. He thinks the vision of Arizona Avenue versus the railroad track is somewhat of an ambiguous line. He supports the project.

COMMISSIONER DONALDSON stated he voted against the KB property becoming residential as well. In looking at the project, he still has two strong concerns, the diving line of the railroad track the applicant put up a slide that showed an approved office or commercial center to the east which is on the east side of the railroad tracks and the southern neighbor with the desire to have commercial or office. This feels to him that this still may be a residential island amongst commercial and office. He is not sure if he has that correct, however, based on what the applicant showed it looks like it is going to be. It was more of a question for the applicant.

MR. ADAM BAUGH responded to the east side is zoned PAD for Office/Warehouse/Industrial which is more of an R&D type of product. To the south are the ball-fields for the Baptist Church, then a small pet resort facility that has ability to have a little bit of office on it if it were to come in.

COMMISSIONER DONALDSON clarified that the 23,000 sq. ft. to the south which is a wish list item for the wheelers, and so to the southwest are the wheelers to the south east ball-fields for the baptized church. He stated that he still believes that the dates that the applicant gave, 2006 to 2012 as far as developing it as commercial are the dates that he holds. He still hold out hope that the employment area, commercial area, and the area closest to the Airport would still be developed as commercial according to the plan.

COMMISIONER CUNNINGHAM stated she agreed with **COMMISSIONER DONALDSON** and also agrees with **CHAIRMAN PRIDEMORE**. If this development occurs she wants to play

on that tot lot. She thinks it feels very much like a square peg for a round hole and thinks the area around it is not going to be residential, it's not in the plans to be residential and believes that the City has done a great job at planning the employment corridor and the last eight years have not been good for development of any kind and just seeing residential coming back. It is not sensible to build residential when you won't have the jobs for the families that live in those residences. She believes that area should be left for jobs to be developed. She mentioned she loved the product but votes against it.

COMMISSIONER WASTCHAK stated what he struggles with on this specific application is not just the application because he thinks it is a really good one such as the plan and quality and everything that has been done. He also wants to see the playground built. What he struggles with is the stuff that has come before them when the General Plan says X and it is all commercial or industrial. Yet, residential has always been approved over and over again. He agrees with the applicant that the de facto west boundary has become the railroad track. He does not like the idea of residents against the railroad track and explained that he lives half-mile west of there and hears the train go by and wonders how people can live right next to it. However, he has seen Fulton go in and DR Horton go in and people wanting to live there. He states if the train track was not there it would be residential. He is concerned about the industrial to the east. However, he states it is nice to hear a plan was approved and it is not that heavy industrial that they will not hear a lot of noise, they still might, but they will know that when they move in.

He spoke to one of the commissioners earlier and if this was a part of town that was not as affluent or if there was not such a demand to live in that area, he'd be concerned. Because you get the first people that move into the subdivision because they really want to be there, then they realize that they made a mistake and then you get a community that goes downhill because it ends up being blighted. He believes the demand in south Chandler is not going to let this community become that. He thinks people are going to have the desire to live in there because it's gated and it's a high quality project. There's been other communities like Fulton Ranch and everybody else to the south. He voted against the KB homes because he thinks they need to preserve areas for commercial and when he says commercial he means office and uses where jobs are going to come. He does not think it is a retail corner, and if it is, it would be one of the other corners.

He appreciates that the applicant held out a commercial corner for something. Because he is in the business, he believes something will go there, it might not be now. And he also appreciates it being held out because at a certain point when things get built out, offices are not going to want to be in the middle of the Airpark. They are going to want to be in the residential area and that is why he didn't want KB Homes to go in there. He agrees the other corners have residential wrapping it and he doesn't think this is any different other than it's designated under the General Plan to be commercial. He supports it and states he was not involved in the previous cases. He states that it is nice that they have been successful and given precedence to it. He thinks that when the General Plan is updated in the future, they are going to have to consider what is going on there and believes this maybe something that's changed as far as the outlook because the inflection point is hit and things are starting to change along there. He likes the project and will vote in favor of it.

COMMISSIONER FOLLEY stated the applicant has done a fine job of showing how the complexion of this corridor has changed over time. When he looks at the overall area, he sees a lot of those employment uses moving to the north and following the 202 loop corridor and sees less of that type of development in this area. He supports the project as well.

COMMISSIONER RYAN stated he has been on the fence with this on. He thinks with KB to the north it kind of set precedence for this micro-area and he would like to see this development continue. He states that this would probably be the furthest south residential development on Arizona Avenue, other than going down to Fulton Ranch. He thinks it is the way the area has developed, he thinks it's turned out pretty good and knows he's sat on the commission a long time ago when they did the Area Plan for employment along the corridor, and it was mostly because of the potential of that railway being the transportation corridor for Chandler. He states he would like to see what the conditions would if they were to vote yes. And would like to add stipulations if it is approved. Such as. Plan 28-27, he thinks he will leave it up to Staff to work thru with them, it has a weird elevation, and it has a box on the front of a nice elevation. He'd like the applicant, if approved to work with staff. He sees so much around town where the narrow setbacks, and this one's got a 7 and 5 yard setback, where there are two, two story adjacent to each other, he would like to go with a 14 ft. yard total setback. This means they would have to flip the setbacks. He won't give on that and kind of complicates things a bit. Those are the only two things to add if approved.

MR. KEVIN MAYO, PLANNING MANAGER stated, in terms of stipulations, he held up three pages of standard conditions stipulations that go with anything residential that is in the Airpark, As well as five more at the end that are traditional evolutions of stipulations today, and adding the final stipulation for Two- story homes shall pair the 7 ft. side yard for a total of 14. He explained to the the City Attorney, in the interest of time, the stipulations have been given to the applicant for consideration, however, they are not in any printed record. So he asked the City Attorney if it would be preferable to pass the stipulations to the commissioners or passing them out so they can read them.

MR. SCOTT MCCOY, ASSISTANT CITY ATTORNEY suggested in the interest of brevity and rather than reading all three pages of stipulations into the record, if copies are available that can be handed to the commissioners and give them an opportunity to review them and make necessary comments they might have. would be appropriate under the circumstances.

CHAIRMAN PRIDEMORE explained to the audience to bear with them for a second as they work through the paperwork.

COMMISSIONER RYAN stated if there are additional stipulations that need to be made as far as the noise buffering.

MS. JODIE NOVAK responded that stipulations 12 and 13 are the special disclosures stipulations that go into the Deed of record and also disclosure statements that the builder has to have each homeowner sign when they are buying the home and goes into the public subdivision report purchase report, CCNR's that lets them know they are next to the railroad track and there

will be noise forever, and there will be noise from the airport forever, etc. There is also the standard Airport Airpark Area stipulation number 11 which has several components A through G, and a statement on the final plat that get recorded that talks about that. Also, stipulations in regards to the homes having to have noise mitigation to make sure it reduces noise levels as well as the type of construction materials. There's a lot of standard stipulations that they do for single-family residential that are building anywhere near the Airport Airpark Area. If there are stipulations that want to be added into this, they would follow number 18. She asked Commissioner Ryan to clarify what he wanted on number 19 regarding plan 28-27 and will come up with a number 20 for the setbacks.

CHAIRMAN PRIDEMORE stated for the record if they can keep the generic stipulation "the applicant will work with staff" on the architecture, So that they are not focusing just on that one plan because there might be some other stuff. So keeping it general would be best.

MR. KEVIN MAYO stated if it is ok they can take it as a direction to staff to work on that housing product and simply deal with it administratively after the fact and the condition is not necessary. It is important to note seeing in the various approvals lately that they have been splitting the rezoning and Preliminary Development Plan stipulations. On the list, stipulations 1 through 13 are really the appropriate land use ones that belong in the ordinance and as part as the rezoning approval. Stipulations 14 through 18 effectively become PDP steps 1 through 5 and we would be adding stip 6, regarding the two story homes, total side yard setback between 2 two story homes shall be 14 ft. So we would have rezoning stips. 1 through 13 and PDP stips. 1 through 6.

CHAIRMAN PRIDEMORE stated to be clear with whatever motion is made, there will need to be four separate motions for each of the Area Plan, rezoning, PDP and Preliminary Plat and looked for a motion.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER RYAN** to approve Item A, APL14-0007 Airpark Area Plan Amendment for the Enclave at Hamilton Ranch with the appropriate stipulation document that was handed to them and mentioned by Staff. Action Item A on the Agenda passed 5-2 (Commissioner Cunningham and Commissioner Donaldson voted no).

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER RYAN** to approve Item A, DVR14-0019 Enclave at Hamilton Ranch with the appropriate stipulation document that was handed to them and mentioned by Staff. Action item A passed on the Agenda 5-2 (Commissioner Cunningham and Commissioner Donaldson voted no).

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER RYAN** to approve Item A, for the Preliminary Development Plan portion of DVR14-0019 Enclave at Hamilton Ranch with the appropriate stipulations and stipulations 19 and 20 added by Staff. Action item A passed on the Agenda 5-2 (Commissioner Cunningham and Commissioner Donaldson voted no).

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER RYAN** to approve Item A, PPT14-0012 Enclave at Hamilton Ranch subject to the stipulation recommended by staff. Action item A passed on the Agenda 5-2 (Commissioner Cunningham and Commissioner Donaldson voted no).

6. DIRECTOR'S REPORT

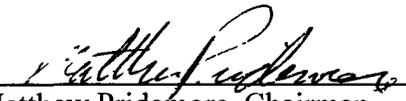
Mr. Kevin Mayo, Planning Manager had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

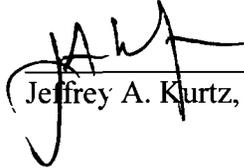
VICE CHAIRMAN BARON stated the next regular meeting is March 18, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 6:38 p.m.



Matthew Pridemore, Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 18, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan

Absent and excused:

Vice Chairman Andrew Baron
Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by COMMISSIONER DONALDSON to approve the minutes of the March 4, 2015 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron and Commissioner Wastchak, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. DVR15-0004 ARTESIAN PLACE

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing

product guidelines on approximately 2 acres located south of the southeast corner of Ocotillo Road and Norman Way, west of Gilbert Road.

Rezoning

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled "ARTESIAN PLACE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
6. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a City treatment facility adjacent to Artesian Place that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a City treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled "ARTESIAN PLACE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.

5. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Rear yard covered patio required on all homes.
9. A box-on-box two-story home design is not permitted.
10. A combination one-story and two-story homes shall have the two-story portion not encompassing more than 75% of the building footprint and located on the lot's interior side yard.
11. The same housing plan and elevation shall not be built side-by-side from one another.
12. Homes shall provide four-sided architecture.
13. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
14. Window pop-out treatments shall remain consistent on all sides of the homes.

B. DVR15-0007 SOUTH OF THE SOUTHEAST CORNER CHANDLER HEIGHTS AND COOPER ROADS

Approved.

Request to establish the initial City zoning of Agriculture (AG-1) on approximately 10.78 acres located south of the southeast corner of Chandler Heights and Cooper roads.

Upon finding consistency with Arizona Revised Statutes, Planning Staff recommends approval of establishing the initial City zoning of AG-1 following the annexation of the subject site.

C. DVR15-0009 NORTH OF THE NORTHWEST CORNER MCQUEEN ROAD AND HUNT HIGHWAY

Approved.

Request to establish the initial City zoning of Agriculture (AG-1) on approximately 10 acres located north of the northwest corner of McQueen Road and Hunt Highway.

Upon finding consistency with Arizona Revised Statutes, Planning Staff recommends approval of establishing the initial City Zoning of AG-1 following the annexation of the subject site.

D. DVR14-0028/PPT14-0016 MISSION ESTATES

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing products along with Preliminary Plat (PPT) approval on approximately 10 acres located north of Hunt Highway and west of McQueen Road.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MISSION ESTATES" kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0028, except as modified by condition herein.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement
10. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
11. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
12. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a wastewater treatment facility adjacent to Mission Estates that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a wastewater treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be

presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

13. The Developer shall be in compliance with the Pre-Annexation Development Agreement.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MISSION ESTATES" kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0028, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
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 same housing plan and elevation shall not be built side-by-side or directly across the street from one another.
6. All lots within the subdivision shall be limited to single-story homes only.
7. Window mullion/muntin patterns shall be provided and remain consistent on all sides of the homes.
8. Window pop-out treatments shall be provided and remain consistent on all sides of the homes.

Preliminary Plat

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

E. PDP14-0014 KYRENE 202 BUSINESS PARK

Approved.

Request Preliminary Development Plan approval for a comprehensive sign package as part of the Kyrene 202 Business Park development. The subject site is located at the northwest corner of Kyrene and Frye roads.

1. Development shall be in substantial conformance with the attached exhibits, and kept on file in the City of Chandler Planning Services Division, in File No. PDP14-014, except as modified by condition herein.
2. Raceway signage shall be prohibited within the development.
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 pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

F. PDP14-0018 CHANDLER EXPRESS CAR WASH

Approved.

Request Preliminary Development Plan (PDP) approval for site and building design of a new car wash facility located south of the southwest corner of Arizona Avenue and Germann Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CHANDLER EXPRESS CAR WASH FACILITY", kept on file in the City of Chandler Planning Division, in File No. PDP14-0018, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 2980 in case PL98-173 Olive Grove Apartments, except as modified by condition herein.
3. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
8. The site shall be maintained in a clean and orderly manner.
9. **The applicant shall work with staff to increase the screen wall height along Arizona Avenue to screen car wash exit.**

G. LUP15-0001 CRUST SIMPLY ITALIAN

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License along with an extension of premises for outdoor patios to sell and serve liquor for on-site consumption indoors and within outside patios and live entertainment at a new restaurant and bar in downtown Chandler. The property is located at 10 N. San Marcos Place, west of Arizona Avenue and south of Buffalo Street.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. Music shall occur indoors only.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

H. ZUP14-0036 EUROPEAN MOTOR STUDIO

Approved.

Request Use Permit approval to allow online sales of motor vehicles with incidental repairs within a Planned Industrial (I-1) Zoning District. The business is located at 501 E. Chicago Cr., Suite A, west of the southwest corner of Chicago Circle and Hamilton Street.

1. All vehicle work including repair, servicing, engine testing, and the like shall occur only within the building. Any overnight storage of vehicles shall occur inside the building. No work or storage of vehicles shall be performed outside of the building.
2. The Use Permit is non-transferable to any other property or other suites/tenant spaces on the subject property.
3. Any substantial change in the floor plan, including but not limited to expansion, addition of uses, and the like, shall require re-application and approval of a Use Permit.
4. The site shall be maintained in a clean and orderly manner.
5. All building signage or freestanding signage shall be in conformance with the Chandler Sign Code and be issued a City Sign Permit.
6. The Use Permit is effective for a period of three (3) years from the date of City Council approval. Operation of the business beyond three-years time period shall require re-application and approval by the City of a new Use Permit.

I. ZUP14-0037 VERIZON WIRELESS – SWC RIGGS AND GILBERT

Approved.

Request Use Permit approval to install a monopalm wireless communication facility located at 2945 East Riggs Road in the Albertson's shopping center.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. Landscape shall be maintained at a level consistent with or better than at the time of planting.

J. CANCELLATION OF THE APRIL 1, 2015 PLANNING COMMISSION HEARING.

Approved.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to make a statement on the consent agenda. There was one.

STEVE STEWERT, 156 S. ASPEN DR, Regarding item E PDP14-0014 KYRENE 202 BUSINESS PARK stated he lives across the green belt from the new buildings. His concern is where the lights will be placed. He states there are questions in the neighborhood as to the size of the banner sign. He asked if it was going to be a large banner sign that will change often or will it be the lighting on the building behind his home which recently was placed.

MR. ERIK SWANSON, SENIOR CITY PLANNER responded that the signage is going to be building mounted signage. So if anyone were to drive to the intersection of Chandler Blvd and Kyrene Road, it will be similar to what the shopping centers have where it is building mounted and tells who the user is going to be. That is all that is being requested at this time. They are not looking to do billboards or anything like that.

STEVE STEWERT he states he has been there for 32 years and has fought all kinds of development behind him. Now they have place Stone Creek and court furniture buildings there. The lights light up his back yard. He requested to keep the lights at a ground level so it doesn't

encroach over and doesn't want the mass amount of light to infiltrate his back yard. That is his big concern. He state the buildings are up and the white lights for the parking lot light up his backyard. But if they are going to keep lighting on the building facing out on street Kyrene facing east, that is his biggest concern.

MR. ERIK SWANSON stated he will do two things, speak to the applicant about the illumination levels and also work with the parks department. The big retention basin is one that the City owns and some of the trees out there are scarce so he will work with them to see if they can get additional trees in there to help screen.

STEVE STEWERT stated the neighborhood has changed from dead-ends streets on Chandler Blvd and the only freeway access is off of Price and actually all the way around the corner. He states there is a lot more traffic now and all this other stuff. He just doesn't want more lights and states the trees might help with the noise as well. He doesn't want this to be washed and okay'd. He said his wife did not run around to get all the neighbors going and none of them attended but there are a lot of long term residents there. He states Change is good but change with lights is not so good.

MR. ERIK SWANSON stated after the meeting he will provide him with his contact information.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions for the speaker or would like to make a statement on the consent agenda. There was none.

MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER RYAN** to approve the Consent Agenda as read in by Staff with the noted stipulations. The Consent Agenda passed 5-0 (Vice Chairman Baron and Commissioner Wastchak, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing to report.

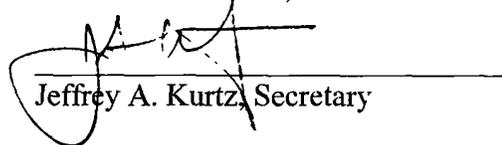
7. CHAIRMAN'S ANNOUNCEMENTS

VICE CHAIRMAN BARON stated the next regular meeting is April 15, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.


Matthew Pridemore, Chairman


Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 15, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak

Absent and excused:

Commissioner Katy Cunningham
Commissioner Phil Ryan

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Glenn Brockman, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER FOLEY to approve the minutes of the March 18, 2015 Planning Commission Hearing. The motion passed 3-0. (Vice Chairman Baron and Commissioner Wastchak abstained since they were absent March 18, 2015. Commissioner Cunningham and Commissioner Ryan, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

- A. APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029 SERENADE

Approved to continue to the June 17, 2015 Planning Commission Hearing.

Request Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Medium-Density Residential, and rezoning from Agricultural to Planned Area Development for single-family residential, with Preliminary Development Plan approval for subdivision layout

and housing product for a 6.7-acre, 26-lot single-family residential subdivision located east of the SEC of Alma School and Germann roads. **(REQUEST CONTINUANCE TO THE JUNE 17, 2015 PLANNING COMMISSION HEARING.)**

B. DVR14-0043/PPT15-0001 COOPER AND CHANDLER HEIGHTS

Approved.

Request rezoning from Agricultural to Planned Area Development for a single-family residential subdivision, with Preliminary Development Plan approval for subdivision layout and Preliminary Plat approval of a 34.7-acre, 84-lot single-family residential subdivision located east of the SEC of Cooper and Chandler Heights roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Cooper and Chandler Heights", kept on file in the City of Chandler Planning Division, in File No. DVR14-0043, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
9. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that

the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Cooper and Chandler Heights", kept on file in the City of Chandler Planning Division, in File No. DVR14-0043, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
3. Preliminary Development Plan approval is for subdivision layout only. Housing product approval shall require separate Preliminary Development Plan submittal and approval.
4. All homes within the development shall be single story, with a minimum lot size of 80 feet wide by 135 feet deep, corresponding to a minimum lot area of 10,800 feet.
5. The development will be a gated community.
6. The buffers adjacent to Circle G will be a minimum of 45 feet from the south property line and a minimum of 38 feet from the east property line and will have a minimum 6-foot high solid block wall, except for the area between lots 34 and 35, which shall be enclosed with a 6' view fence.
7. The two open (green) spaces adjacent to Circle G will be constructed in the locations shown and as depicted in the PAD/PDP submitted to the City of Chandler, dated March 2, 2015.
8. The secondary access gate on Via de Palmas will be constructed in the location shown in the PAD/PDP submitted to the City of Chandler, dated March 2, 2015, and will be for emergency access and egress only, except modifications as warranted and necessitated by the City Engineer. In the event modifications to the proposed design are required, the adjacent property owners shall be notified as soon as possible prior to implementing said modifications, to allow them sufficient time to interpose any objections thereto by all means available.
9. There will be no improvements (e.g., lighting, sidewalks,) to Via de Palmas or 132nd Street adjacent to Circle G other than (a) improvements necessary for the secondary access gate, (b) installation of decomposed granite in conformance with all applicable City Codes, and (c) tiling of the canal in these areas, except as warranted and necessitated by the City Engineer. In the event modifications to the proposed design are required, the adjacent property owners shall be notified as soon as possible prior to implementing said modifications, to allow them sufficient time to interpose any objections thereto by all means available.
10. Grading on Via de Palmas and 132nd Street adjacent to Circle G, including the tiled canal portion and land adjacent to Circle G, will remain approximately as is, except as required to implement the approved grading plans per City standards. The City shall work with the developer, with the consultation of the adjacent homeowners, to minimize any potential increase in grade.
11. The private access way, adjacent to the Circle G residential subdivision on the east and south sides of the subject property, will be gated to minimize traffic, but allow for access by those with irrigation rights. The gate along the southern property line will be located

east of the emergency access/egress drive. The gate on the eastern end will be located behind lot number 25, as identified in the PAD.

12. The existing trees on the north side of the wall adjacent to the Circle G lots, between the wall and the irrigation ditch will be removed in conjunction with the development of the property.
13. Upon direction from the City of Chandler and the Roosevelt Water Conservation District prior to second submittal of the improvement plans for the site, the developer shall include a "tee" for irrigation service to lot 133 of Circle G at Riggs Homestead Ranch Unit 4. The developer will only be responsible for installing the "tee" as part of the irrigation ditch tiling. It will be the homeowner's responsibility to extend the line into their lot, pay all other costs including RWCD fees if any, and install a valve inside their wall.

Preliminary Plat

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

C. DVR15-0001 CENTURYLINK OFFICE ADDITION

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial along with Preliminary Development Plan (PDP) approval for a building expansion. The property is located at 7031 West Galveston Street, southwest corner of Galveston and 56th streets.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CENTURYLINK OFFICE ADDITION", kept on file in the City of Chandler Planning Division, in File No. DVR15-0001, except as modified by conditions herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. 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.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "CENTURYLINK OFFICE ADDITION", kept on file in the City of Chandler Planning Division, in File No. DVR15-0001, except as modified by conditions herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
4. The site shall be maintained in a clean and orderly manner.
5. Building setbacks shall be a minimum of 30 ft. front yard, 12 ft. side yard, and 10 ft. rear yard.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

D. DVR15-0012 NORTH OF THE NORTHWEST CORNER ARIZONA AVENUE
& RIGGS ROAD

Approved to withdrawal for the purpose of re-advertising.

Request to establish the initial City zoning of Community Commercial (C-2) on approximately 9.99 acres located north of the northwest corner of Arizona Avenue and Riggs Road. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

E. PDP14-0016 AVILLA CHANDLER HEIGHTS

Approved.

Request Preliminary Development Plan (PDP) approval for site and building design for a residential development located east of the southeast corner of Arizona Avenue and Chandler Heights Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "AVILLA CHANDLER HEIGHTS", kept on file in the City of Chandler Planning Division, in File No. PDP14-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 4386 in case DVR12-0003 THE ENCLAVE, except as modified by condition herein.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property/homeowners' association.
5. The parking space canopies shall incorporate building materials, forms, and colors to match the development.
6. 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.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

F. LUP15-0003 DIRTY BLONDE TAVERN

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 6 Bar License to sell and serve liquor for on-site consumption indoors and within an outside patio and live entertainment indoors. The property is located at 4929 W. Chandler Blvd., Suite 12, the southeast corner of Chandler Blvd. and Rural Road.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 6 (Bar License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall occur indoors only.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

G. LUP15-0004 CHENNAI FUSION GRILL

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors. The property is located at 4929 W. Chandler Blvd., Suite 1, the southeast corner of Chandler Blvd. and Rural Road.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

H. ZUP14-0035 GOLD TRUST REALTY

Approved.

Request Use Permit extension approval to allow for the continued use of a residential home as a commercial business. The subject site is located at 200 S. Dobson Road.

1. The Use Permit shall remain in effect for five (5) 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.
2. Any expansion or modifications beyond the approved exhibits shall void the Use Permit.
3. The Use Permit is non-transferable to any other location.
4. Increases in on-site employment over that represented (3), or the expansion of the home to provide additional office space, shall require Use Permit amendment and approval by the City of Chandler.
5. The site shall be maintained in a clean and orderly manner.
6. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

I. ZUP15- 0004 SAN TAN TECH CENTER

Approved.

Request Use Permit approval to allow Office uses within a Planned Industrial (I-1) zoning district for approximately 11.88 acres located at 145 S. 79th Street.

1. **Permitted office uses include professional business, administrative, executive, back-office and all other office uses except medical offices.**
2. The site shall be maintained in a clean and orderly manner.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions for the speaker or would like to make a statement on the consent agenda. There was none.

CHAIRMAN PRIDEMORE stated he had a speaker card for Item B.

MICHAEL SHUGG, 2495 E. CLOUD DR, stated he is the president of the Circle G HOA at Riggs Ranch Road. He wants to thank the Commissioners and the City's Employees for the time they have taken to look at the project. They are in full support of it. He appreciates Erik Swanson for addressing all of the stipulations and the plan.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions for the speaker or would like to make a statement on the consent agenda. There was none.

MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER FOLEY** to approve the Consent Agenda as read in by Staff with the noted stipulations. **VICE CHAIRMAN BARON** abstained from voting on Items A and B, provided consulting services. The Consent Agenda passed 4-0 (Commissioner Cunningham and Commissioner Ryan, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated he had anticipated having items for the May 6th 2015 meeting; however, the items were not ready. They are being scheduled for the May 20, 2015 agenda. This morning is when he found out so there was no motion to cancel the May 6th 2015. There will be a hearing that day but no agenda.

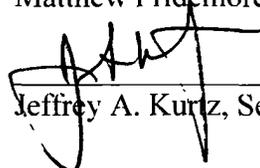
7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated he will announce on May 06, 2015 at the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona that there will be no quorum and let everyone know when the next regular meeting will be.

8. ADJOURNMENT

The meeting was adjourned at 5:42 p.m.


Matthew Pridemore, Chairman


Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 6, 2015 held in the City Council Chambers, 88 E. Chicago Street.

The following Commissioners were present:

Chairman Matthew Pridemore
Asst. City Attorney Mr. Scott McCoy

Commissioners Absent:

Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Staff in Attendance:

Ms. Lucy Vazquez, Clerk

CALL TO ORDER

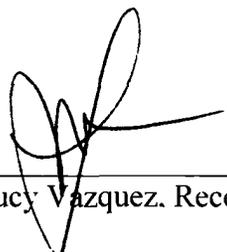
The regular meeting of the Planning Commission Hearing was called to order at 5:30 p.m.

No quorum was established.

The meeting was adjourned at 5:32 p.m.



Matthew Pridemore, Chairman



Lucy Vazquez, Recording Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 20, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:

Commissioner Katy Cunningham
Commissioner Ryan Foley

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER DONALDSON to approve the minutes of the April 15, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Ryan abstained since he was absent April 15, 2015. Commissioner Cunningham and Commissioner Foley, absent)
5. ANNUAL PLANNING COMMISSION BUSINESS MEETING
Election of Officers:
 - A. Chairman
 - B. Vice Chairman

CHAIRMAN PRIDEMORE stated the next item of business; the annual Planning Commission Business meeting, which is the election of Chairman and Vice Chairman. It is done every year in the month of May. He then opened the floor for nominations for the office of Chairman and Vice Chairman.

VICE CHAIRMAN nominated Chairman Matthew Pridemore to continue his chairman for another year. A vote was taken and passed unanimously 5-0 for Matthew Pridemore as the new Chairman.

COMMISSIONER DONALDSON nominated Vice Chairman Andrew Baron to continue his Vice chairman for another year. A vote was taken and passed unanimously 5-0 for Andrew Baron as the new Vice Chairman.

6. ACTION AGENDA ITEMS

CHAIRMAN PRIDEMORE informed the audience 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 two action items; Items C and H.

A. DVR14-0042 GREYWOOD PROFESSIONAL OFFICES

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 Agricultural District (AG-1) zoning. The existing PAD zoning is for an office building on approximately 2 acres located south of the southwest corner of Frye Road and Gilbert Road, north of Pecos Road.

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

B. DVR15-0011 THE GATES

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 Agricultural (AG-1) zoning designation. The existing PAD zoning designation is for a retail commercial development on an approximately 18-acre site located at the southeast corner of Gilbert and Ocotillo roads.

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

D. PDP15-0004 ALLRED PARK PLACE

Approved.

Request to amend Preliminary Development Plan (PDP) Stipulation No. 8 in case no. DVR13-0032 ALLRED PARK PLACE to reduce the number of rooms in the Conference Center hotel on approximately 30 acres located at the southwest corner of Price and Willis roads.

Preliminary Development Plan

1. Compliance with original conditions adopted by the City Council as Ordinance No. 4541 in case DVR13-0032 ALLRED PARK PLACE, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Preliminary Development Plan case DVR13-0032 ALLRED PARK PLACE, except as modified by condition herein.

3. Preliminary Development Plan (PDP) Stipulation No. 8 in case no. DVR13-0032 ALLRED PARK PLACE is amended to reduce the number of rooms in the Conference Center hotel from 300 rooms to 264 rooms.

E. LUP14-0023 GOGI

Approved.

Request Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio. The restaurant is located at 2095 North Dobson Road, Suite 8, in Dobson Park Plaza.

1. The Liquor Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor 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 Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.
5. The patio shall be maintained in a clean and orderly manner.

F. LUP15-0005 ESPO'S MEXICAN FOOD

Approved.

Request Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License along with an extension of premises for an outdoor patio to sell and serve liquor for on-site consumption, and live entertainment. The restaurant is located at 3867 W. Chandler Boulevard.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. 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 re-application and approval of a Liquor Use Permit.
5. The patio shall be maintained in a clean and orderly manner.
6. Live entertainment shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

G. LUP15-0006 PALETTE COLLECTIVE

Approved.

Request Liquor Use Permit approval to sell and serve beer and wine as permitted under a Series 7 Beer and Wine License for on-premise consumption indoors. The new beauty salon is located at 2100 South Gilbert Road, Suite 22, in Mill Crossing.

1. The Liquor Use Permit granted is for a Series 7 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor 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 Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

I. ZUP15-0001 SAN MARCOS GOLF RESORT

Approved.

Request Use Permit Extension approval for the continued operation of a maintenance/cart storage facility in conjunction with the San Marcos Golf Resort. The subject site is located south of the southwest corner of Chandler Boulevard and Dakota Street.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner. Use Permit approval does not constitute Final Development Plan approval. The site must conform to all applicable City regulations.
3. The Use Permit shall remain in effect for five (5) 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.
4. 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.
5. Storage shall be contained within the confines of the existing chain link fence. Non-compliance with this condition shall void Use Permit approval.
6. Building permits shall be obtained for any structure or assembled object used to shelter material from the elements that is placed upon the property.
7. There shall be no maintenance-related deliveries between the hours of 10:00 p.m. and 6:00 a.m.

CHAIRMAN PRIDEMORE stated he had two speaker cards for Item B, Dan Resnick did not wish to speak, however, opposed to the extension on the PAD development and thinks it should revert to AG-1. Second speaker card. Contance Syca.

MS. CONSTANCE SYCH, 3427 E. GLACIER PLACE, stated she wanted to say a few words about how there is no need for additional development on that corner. When commercial zoning was approved for that area, the area on the south west corner was designated for Municipal use and supposed to be a fire department and a water treatment station. Since that time it has been rezoned commercial and we have an excellent development with a Fry's and many other stores and restaurants. I frankly think that we don't need additional development on the corner. Additionally, I would say the traffic would be a mess if we had development on the south east corner and south west given that the south west corner is supposed to be quite a large commercial development. Thank you.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions for the speaker or would like to make a statement on the consent agenda. There was none.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Commissioner Cunningham and Commissioner Foley, absent).

ACTION:

C. PDP15-0003/PPT15-0008 THE PLANT

Approved.

Request Preliminary Development Plan approval for site layout, building architecture, and a comprehensive sign package for a commercial shopping center and Preliminary Plat approval for an approximately 8-acre commercial shopping center located at the southeast corner of Gilbert and Ocotillo roads.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Plant", kept on file in the City of Chandler Planning Division, in File No. PDP15-0003 The Plant, except as modified by condition herein.
2. The commercial development standards shall be in accordance with the requirements of the Southeast Chandler Area Plan.
3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. Raceway signage shall be prohibited within the development.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. The freestanding pads shall carry an architectural level of detail similar to front facades of main building.
10. 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.
11. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
12. The applicant shall work with Planning Staff to provide enhanced pavement treatments (pavers or stamped concrete) all site entrances.
13. Light shields shall be installed on all light poles located in the rear of the shopping center.
14. **The applicant shall work with Staff to provide additional screening, whether a wall, landscaping, or combination thereof, commensurate with the agrarian architectural design presented, along the eastern property line for the area and length adjacent to the Mayor space.**

15. The applicant shall work with Staff to provide screening to mitigate vehicular lighting from the drive-thrus.

Preliminary Plat

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

MR. ERIK SWANSON, SENIOR CITY PLANNER stated he will try to keep it brief but thinks history is important. For the record the request is for Preliminary Development Plan approval for site layout, building architecture and comprehensive sign package, along with Preliminary Plat approval. The overall site is roughly around 8-acres that applies to the particular request. The site is located at the south east corner of Ocotillo and Gilbert roads and with part of the larger The Gates Commercial Development. To the north is the Layton lakes single-family residential subdivision, to the east is Quail Springs, to the west is now the future Fry's, and the south half of this piece is vacant land that zoned for commercial. As commission briefly discussed, this piece occupies the northern portion of The Gates development.

The Gates Development was originally roughly 18 acres; this applies only to the northern half of the original Gates Plan was. The original zoning was done in 2008 and part of the SECAP and designated for commercial. It went through an extension in 2011 and again it is going through that extension process. The site is cut in half from what it was originally shown. He states staff has worked with the developer to try to ensure that future developments can occur either in a commercial format which is what the zoning is currently designated for, or for some other capacity that can accommodate that. With that said, there are a number of access points two along each road frontage with the southern drive being the shared drive with the future developments ones that comes in.

As for the SECAP requirement, they took a look at the architecture and site layout and tried to insure that it relates to the agriculture heritage of the area. So in that particular case, staff believes it has done that, they don't have any descriptions as to what exactly it needs to look like or needs to be designed. But they have recommendations for materials and how it will over all feels. He believes it has met that. When the site plan is looked at, staff tried to focus on the entry design with the intersection corner as well as along the access points to the site. They want to relate back to the original agrarian heritage. Staff believes the developer has done a good job reverting back to the agrarian motif for the architecture. There was a neighborhood meeting and roughly 30 neighbors attended and shared a lot of comments. Some of those comments are further outlined in the staff memo as well as attachments.

Following the neighborhood meeting, staff and the attorney representing the developer met with two representatives from the HOA and neighbors to further discuss those items. They have been in routine contact via email and stated he has received a number of comments from other neighbors. Some of those concerns that were outlined by the HOA representative speaking for the neighborhood at that point in time is outlined in the memo but generally covered light shield for the development, pitch roof color, incorporating pavement treatments and increasing the landscaping along that eastern edge. Those were the kind of four big ticket items. Following the

writing of the memo, staff has received some emails that there are some additional concerns requesting walls and additional trees. What it boils down to is providing an adequate buffer between this site and the residential to the east. The developer has agreed to do the light shield, and agreed to change the color of the pitch roof that is illustrated in the elevations. Also, has agreed to incorporate pavement treatments, so, the only issue is how to address the buffer, in which majority of the neighbors want to speak about. With that, staff is recommending approval. Staff has worked with the developer and has gone back and forth with some of the neighbors' concerns and again, the only outstanding issue is the proper buffering screening between the developments to the east of this site. He stated he'd be happy to answer any question.

MR. GARRY HAYS, 1702 E. HIGHLAND AVE., states he lives down the street from the proposed development. He explained that it is something that it is in his neighborhood and community and is very proud of it. He hopes that after today, they are all proud of it as well as the neighbors. He states he appreciated staff's work with the project. He explains that Mr. Erik Swanson is correct they have worked closely with staff and he has met with the two representatives from the HOA at least twice and has had several phone conversations. He has addressed a lot of their concerns. He stated he briefly wants to talk about the development and the developer, which were present Brian Frakes and the architect Dean Munkachy, and engineer Troy Peterson. A little bit about Brian, he is the principle of common bond and Brian has done several developments that everyone might be familiar with. (He referred to the illustration shown) The last three ones he has done are The Yard on 7th street, The Yard in Tempe and the Zinburger in Gilbert. He explained that Brian does great quality work and Brian came to him and talked about the project and he said that he wanted to do something that was going to "knock it out of the park". He looked into the Chandler marketplace which is on Chandler Heights and Gilbert Rd where the Bashas is. He states that is the gold standard for SECAP. He said he wanted his to be the Golden one moving forward and believes they have gotten there.

At the neighborhood meeting, there were some questions that were brought forward, and Erik sent him an email that they asked for texture payment at entrances and agreed to that. They asked for the light shields, also agreed to that. They asked for the painting of the back wall and agreed to that. The neighbors also asked for them to work on the buffering between the subject parcel and their parcel. This parcel is a unique one in many ways because it is broken off by a canal and created an island and you can see that on the illustration (the canal) of the landscape plan. He stated when they first came in; they had every 50ft., a tree which equated to 10 trees. After meeting with the neighbors, they changed their landscape plan and were submitted after the booklet was submitted because they wanted to make sure they addressed it. They went from 10 trees to 29 trees. And also between each tree, put 6 sage specific shrubs that would create that dual level of lower barrier and higher barrier. So they went from trees every 50ft to trees every 20ft. What Brian is trying to create is an open concept the way it comes off the canal, the way they get into the development, to have part of the community. It is very important to him and he states that Brian thinks he can create something that is going to work well. He states he wants to listen to their comments and talk about it afterwards. But what is going to be said is that they want buffering and screening. Mr. Hays states they want to do that and want to make sure that they are good neighbors. With that said, I will answer any questions.

CHAIRMAN PRIDEMORE states several speaker cards were submitted regarding the item.

MR. SAMUEL SMITH, 3450 E. YELLOWSTONE PL., States he lives in the Quail Springs development that is adjacent to the proposed development. He states he tends to agree with Ms. Constance Syca who spoke earlier. He doesn't think they need another commercial development in the community. He states there's a Fry's that was originally proposed to be a community park which was rezoned for commercial. He feels as though many community members or residents in the community feel as if there seems to be an overdevelopment of commercial. It seems like every mile or so that there is another commercial corner. Another grocery store, as great as Sprouts may be, he does not think it is something that enhances the community and that is what they are looking for. The park enhances the community, another commercial development does not. With that said most residents understand that it's currently zoned commercial and would be very difficult for them to fight it. All they are asking from the developer is to understand their perspective that there is a park with the community members use and don't want to be looking at the back of a loading dock. He states Gary had a couple discussions and moved in the right direction, but does not think there is enough buffer to provide them with the privacy that they would like. Unlike any other commercial development in the area, he thinks and he has driven around, this is the only one that is being developed adjacent to a park that has few fencing.

Other commercial developments including Sprouts on Alma School and Queen Creek that backs up to another neighborhood has a wall, and in fact, every commercial development he has driven by, Fry's or a grocery store of some type or large scale commercial center always has a wall. Reading the emails from one of the community members had sent, it tends to be somewhat of a City standard set when developing commercial there is a wall that borders the back of that commercial center. He thinks by looking at the plan and its frontage, it does look great for commercial development. He states he is the president of the Home Owners Association and speaks for them. He states would they rather not have it and rather have a residential community? He states he thinks 99% of the community would say yes. As great and convenient Sprouts maybe. With that being said he states he understand what the zoning is. All they are asking for is for something that is going to enhance the community. He states this commercial development backs up to a path that people walk along. He doesn't think they want to see a loading dock and believes there can be a little bit of creativity with the commercial plan, something that would be unique, but is really not. Mr. Smith thinks what they would like to see is a 9ft. wall with landscaping or trees on the outside of that wall, just like the development on Queen Creek and Alma School. Mr. Smith states he hopes he can work the developer and hopefully they can consider their opinion, there are a lot of people that attended and he knows that Erik received a lot of letters but that is where he stands.

COMMISSIONER WASTCHAK asked staff if the previously approved development have a wall along that eastern boundary?

MR. SWANSON responded. the previous "The Gates" project did not have a wall. What Mr. Smith brought up was the similar use land use buffer, which he is correct, typical design standard that they implement when dealing with the interface of Commercial and residential adjacent to each other. What that equates to is roughly a 6ft. wall with 12ft. trees planted 20ft on center. Then, 5 or 6 shrubs per tree are basically what it equates to. When they look at this and "The Gates" process, he recognized that while there is residential east of there, it is not a direct

connection. Then there is a large RWCD canal in the way. In some sense it created that buffer that was needed. In addition what he had concerns with in this particular case was the creation of almost a no man's land or even kind of a dangerous situation where there is a wall that blocks off the back side of the canal that people just can't see through. Normally, they do require the wall; in this case, he thinks he can let it go because there are some safety issues there. As they looked at it, it also creates just a floating wall because they are not doing the whole commercial piece, only the north half. It would just be a segment that doesn't turn and just end, so there is not completion to it. Looking at that, it was just one of those things that they can get rid of the wall, similar to what the "The Gates" originally had.

COMMISSIONER WASTCHAK asked if the previously development had no wall, but understands there is a loading dock now. The applicant is putting trees and everything in to block that, how did they come up with 9ft wall vs. the standard 6ft wall?

MR. SMITH responded it was open for compromise. When they looked at the tree buffer, it is going to take about 4 to 5 years for the trees to mature and provide actual blockage. He states they have view fencing. He states it is open for compromise and it was not a number that was pulled out of the air, but it seems to be that the 6 to 9ft seems to me the rule of thumb. Mr. Smith states a point in regards to "The Gates" community, that their HOA community didn't take over until the Fall of 2009. There was not much community involvement as much as there is now, with the HOA being involved. Not to say people didn't know about through the signage and commission meetings. He doesn't know if the same responds would have occurred if the community was still being developed. He thinks that maybe half or two-thirds of the community was even built. The other item Mr. Smith wanted to mention is that they want to set somewhat of a precedent since it is only half of the parcel. The other half of the parcel is going to be developed by someone else, so, they want to make sure that it is going to be something that is continuous. If it is going to be residential, since the north west corner was rezoned from commercial to residential, then there will be trees and then a wall. This tends to be with communities because there are homes that back up to a wall. He believes a precedent for design should be made.

COMMISSIONER WASTCHAK commented to Mr. Smith that he mentioned earlier that he knew it is commercial and was approved for a previous plan. If the site plan comes through it is his understanding they can built what's already there, with no wall and no articulation to the eastern elevation to that site. He wants to make sure Mr. Smith understand that if there are changes that causes problem for what they are asking for, he might get something worse to what is drawn. He asked Mr. Smith, as far as screening goes, did they ever consider that the wall will only be for the back where the loading dock of the back of the Sprouts, only a portion. He asked Mr. Smith if it was ever a discussion of only a portion being covered with the wall.

MR. SMITH responded with a no, due to setting a design precedent for the rest of the development. There are shops 4,500 sq. ft. on either side, or 10,000 on one side and 4,500 on the other side of Sprouts. So they will have deliveries of some type but maybe not a loading dock.

COMMISSIONER WASTCHAK asked Mr. Smith, would it be a problem if the wall was only behind the part that is most objectionable? If that was an alternative proposed by the developer.

MR. SMITH stated he would have to think about that because it would be a bit odd to have landscaping and then wall, then landscaping. He stated he knows there needs to be a potential solution but he believes it would be incongruous. Exhibits were shown of the back of the Sprouts on Queen Creek and Alma School that has a wall and significant amount of trees, and homes about 120 ft. from the back of the sprouts. All they are asking for is the same thing.

MR. DAN RESNICK, 3316 E. GLACIER PL., stated he lived at the second house from the park at Quail Springs. He wanted to get a clarification from Eric. When "The Gates" was put in, they spoke in regards to the buffer. The major anchor was going to be facing north, this one backs up to the plan and they had a 30ft. service drive in the "The Gates" development and a wider buffer zone for landscaping and trees. The developer is proposing 10ft. border in their plans along the canal with the trees and 24 ft. from that border to the building. That is only 34 feet. then a much larger border with 30ft. service drive and 20 ft. plus in the plans for landscaping in the plans before. Another thing in the plans, it calls for a 50ft. setback, which is standard in Chandler from both Ocotillo and Gilbert Road with landscaping, retention areas and the question is why are they not doing that from the canal? 50ft. He stated he sent an email to Eric that he does not feel the aesthetic design of the plan then keeping with the agrarian and low character of south east Chandler plan that is on the planning site. If one goes down to Chandler Heights where the Bashas is and mentioned earlier. It has a lot more rural feel, and has steel girder shelling, more industrial feel from the pictures that they saw. It has a lot of glass and a lot of steel. It is not in keeping with the rural character and the agrarian character of south east Chandler. Some of the other concerns are the increase in noise from the loading dock, which will face the park and development.

The intersection of Gilbert and Ocotillo has recently been completed and widened. Over time there have been a lot of accidents at that intersection prior to the completion. He states if someone drives by there, the memorials of people that have passed. Like other people say, if more retail is added, more traffic which increases the chance for more accidents. When they talked about the opportunity for grocery shopping and retail within a 5-mile area, just as the developer's lawyer stated that he is proud of the south east Chandler area. So is Mr. Dan. However, the proposed development will not be right next to that development. There are about 7 market places, Fry's, Artesian, Bashas that is one mile from that intersection which is a two minute drive. Wal-Mart, Target up the street on Gilbert both 2.1 miles which is a 4 minute drive. Albertsons on Gilbert and Riggs, only 2.2 miles, and Fry's market place down on Riggs and McQueen. The closest Sprouts is 9 ½ miles away on Valvista drive and Gilbert only 17 minute drive from the intersection. So when the rural and agrarian character is kept, things don't have to be right next to each other. Those types of increased developments would hurt, open space is better.

MS. CONSTANCE SYCH, Stated Quail Springs residents purchased their homes in this development with the understanding that the corner parcel would be developed as an upscale shopping area that would be an asset to our neighborhood. "The Gates" plan calls for about 70 to 75 ft. of attractively landscape border between the canal and the rear of the shop along the canal. Which would conceal the rear of the building from the Quail Springs Park and enhance the view from the equestrian trail along the canal. "The Plant" plan calls for Quails Springs resident to put up with the site of the rear of the large grocery store, the noise of the delivery trucks and the

stench of the garbage from the dumpsters. The anchor stores have been relocated closer to the parks and homes and the back of the store comes about 24ft. of the property edge. The only landscaping they propose is a thin straight line of seasonal trees which would be the rear of the store in full view, viewed by homes and to those using the parks and equestrian trail. Such an eye sore will also bring down the value of the homes and diminish the use and enjoyment of the park to the Quail Spring residents and trail users. "The Plant" also has no other businesses interested in locating there other than the Sprouts. The developer indicates there could be restaurants and a bank there. She stated the plan seems to indicate that the restaurants would be fast food chain restaurants, but she stated they already have about every fast food chain located two miles north of them and many places have come and gone already. The area can only support so many types of chains. She stated it is not the sort of entity that will enhance their neighborhood and the empty buildings will continue to be an eyesore long after the businesses have closed up.

The style of The Plant development is not in keeping with the old rural village style but the developments in the area. The Plant style is more of an industrial style that calls for using inexpensive and unattractive building material. Other developments in the area have taken care to make the area appealing by using water features, stone, attractive plants and trees. The Plant plan is lacking in all of these aspects and will stand out as an eyesore to the area, rather than become an asset. She stated the low-budget industrial design does not belong in that area of Chandler that is designated to be agriculture and residential uses.

CHAIRMAN PRIDEMORE stated he had a speaker card in favor of Item C from Amy Nations in which did not wish to speak.

CHAIRMAN PRIDEMORE opened the floor to anyone else that wished to speak in regards Item C.

MS. STEPHANIE HAWKENS, 3381 E. YELLOWSTONE PL., stated her understanding that the City has a limit on an 8ft. wall.

MR. SWANSON He explained that they typically don't allow it just from a permitting stand point, design standpoint, and overall stand point. He stated a typical wall would be 6 ft.; however, they can go up to 8 ft.

MS. HAWKENS stated she wanted to specifically ask that for a 9 ft. wall, but the 8 ft. would be according to the guidelines. Also, because her understanding is that development is set at a lower elevation?

MR. SWANSON stated it is because there is a natural what appears to be a change in elevations. However, what the difference is between the park and the subject site, he doesn't know if theirs is 2 ft. or 3 ft. lower. But stated that the particular set is probably about 2 ft. lower maybe 3 ft. lower than the top of the canal path. He stated there recession of that, but on the other side it is kind of the same thing.

MS. HAWKENS stated her concern is where her homes are and where this wall may or may not be built. The shorter it get, if it is already being set at a lower elevation, the more they are going to see. So if possible the maximum height of the wall they can get is what they are asking for.

MR. ROBERT CARLSON, 3313 E. ZION WAY., stated he wanted to thank everyone that was there and are from Quail Springs. He stated everyone did an excellent job in explaining the concerns that he's been hearing. He stated he is also on the HOA board with Sam Smith and wants to address some of the things that he thinks maybe they missed a little bit on the elevation part. when they talk about the wall size, he thinks Sam mentioned 9 ft. maybe it is closer to 8 ft. because of the elevation. If one looks at the wall over Alma School and Queen Creek Sprouts, it is probably 8 or 9 ft. then it goes to 6 ft. because of the elevation changes and he thinks they are looking for a size larger than 6 ft. is because of the elevation. He stated that Garry mentioned to him that it is 4 or 5 ft. of the elevation from where the farm is but he thinks it may be 2 or 3 ft. So that would make it more like 8 ft. that they are requesting.

Another thing he mentioned is the building, when they originally requested he agreed that an open concept would be great, but that was on the understanding there would be a landscape buffer and birming, something that would separate or add because they walk on those trails that are right by there. A lot of things are talked about regarding the park, but here is also a walking trail against the canal that is even closer and higher up elevations then the park or the rest of the community. The other thing he wanted to touch base on is the 45 ft. wall was not part of The Gates. The anchor property was located on the south side rather than facing the park. That has always been the biggest concern. If it could be extended and take some of that buffer that is up at the front that is 50 ft. to get a little more buffer on the back then they would be interested in looking at having an open concept. They have been told because of the parking that is going to be in that complex that 10 ft. is basically all they can get and the birming cannot happen because of flooding or other concerns that they had. It wasn't that they were so much against, even though some people were against open landscape, it was the 10 ft. is so limited. He stated it is not so much view from the park. It is the views from the walking trails. People walk, and ride their bikes, people that still have horses ride on the canal. All they are looking for is having something added to that back side. If they are going to get 45 ft. wall give them something that will take away a little from that. For example, more landscaping, more birming, something like the front. If they back were like the front, they would be much happier than what they currently are.

MR. MARK, 3387 E. GLACIER PL., stated he had another concern regarding the view fencing to the neighborhood, every night he thinks cars are going to be coming through the fast food and lights will be shining through the neighborhood. He stated with the current view fencing that they're proposing there is nothing to stop the traffic or the lights from the cars. He stated something must happen there to restrict those car lights. In regards to elevation changes, they were told they were 3 to 4 ft. below the neighborhood that is incorrect. If one looks that their neighborhood street and you shoot the elevations of the streets from Gilbert, they are not going to sink the subdivision down below Gilbert Rd?

MR. SWANSON stated he does not know what the elevation is but from the flooding stand point or from a flow from retention your open park operates as where that water would go. It is

part of the flood control district for the area. That would be higher than what the park is. Stated it will be very close.

MR. MARK, in regards to the streets and the elevation of the parking lot is going to be almost identical; he just wanted a misconception being lower than his neighborhood.

MR. JOHN REYNOLDS, 3470 E. YELLOWSTONE PL., stated if he walked out his front door and looked to the right he had the park. His concern is instead of having the park and horizon there will be a big building in front, which is an eyesore and will potentially bring down the value of the homes.

CHAIRMAN PRIDEMORE asked the audience if there was anyone else that wanted to speak in regards to the item. There were none. He thanked everyone who spoke. He turned it over to the applicant.

MR. HAYS displayed a reference exhibit on the projector of the previously approved The Gates PDP and PAD and he wanted everyone to notice that there is a 10 ft. landscape buffer with no wall. The access and the canal, which is the exact same thing they have proposed. There is also a straight line of shops with no articulations, just a straight line of a wall. He feels that what's going to happen with the development will have less of an impact on the community. He displayed the proposed exhibit and demonstrated some open space and trees and mentioned that the landscaping buffer will help with the lights, which was a concern mentioned. Also, he mentioned that Sam spoke about the loading dock. He states it is important to talk about that, he demonstrated the exhibit. He stated there is an 8 ft. wall that is recessed and also the loading dock recessed 4 ft. So there is already an 8 ft. wall and 4 ft. recessed. He mentioned he wanted everyone aware that there is already screening with the wall.

The screen wall was composite with black; it is not just stucco wall. They want to be good neighbors and they want it to look nice. There is white color on there that the neighbors asked to be changed. We have agreed to that as well. He stated his wife is a frequent shopper at Queen Creek and Alma School. He displayed an exhibit, showed the loading dock. The wall to the nearest resident is 126 ft. away. He checked with Jennifer Morrison the Community Relations and all the neighborhood associations are ran through her. He spoke to her about noise, smell and had her check in her data base to see if there have been any complaints. Carinos Estates is the community they researched, her and Judy Ramos reported back with zero complaints and zero issues.

Judy Ramos is the one that runs the HOA program stated if there were issues they would have heard about it since they have regular dialog with Carino Estates. They worried about that to, he stated that they want to make sure the neighbors are not going to hear or be disturbed. They had a site drawn for Robert, Sam. He states they had great conversations about it. They wanted to know what it would look like. Mr. Hays showed 3 exhibits, one with a line of mature trees. He explains that he asked Sam to take pictures of the neighborhood. He displayed on the exhibit the elevation change, standing in front of the Ramada looking east. Showing that part of the canal goes up and it goes down the parcel. He wants everyone to understand including Robert and Sam that they want to be good neighbors. He wants to make sure it is not going to have an impact on

them and they took into account everything that was discussed. They went with what was proposed and approved for The Gates. He will continue to talk to them and see if there is anything they can work on.

VICE CHAIRMAN BARON stated is curious about the elevation: he asked Mr. Hays if he knows the actual grade or what the difference is? And asked if there was retention on the other side?

MR. HAYS he referred to Mr. Troy Peterson and he responded with yes there is retention of blood zone.

VICE CHAIRMAN BARON stated that some folks probably don't realize that although it looks like on the previous plan that there was a whole lot of landscape area the inherent challenge with part of the Cd who is the district that regulates what can be placed in terms of plant material and trees in their easements and it would have just been granite, because they do not generally allow trees. He thinks between the two plans it is safe to say and have to agree with Mr. Hays that what was there in the old plan is what they proposed on the new plan. He explained in respect to the wall issue, he is curious from his perspective, it comes down to the larger user. If they can come up with something from a design aesthetic stand point, provide mitigation visually to that service area. He thinks they can get a little creative with what that means. He thinks for some folks, they look at it and say, how landscape can be used as a visual barrier. He thinks they can because they talked about an agriculture heritage that allows them because the term is agriculture to use landscape to create visual transition. He would be interested in hearing if they would be willing to work with designing something that has landscape integration that's a taller element.

The sage he believes it will be too short to accommodate that but if they were to use that grew taller at the same time to create a wall that from his perspective. He mentioned to the audience that he doesn't think they realize how tall an 8 ft. wall is. His cautioned that because he stated it becomes a big target for people to go and practice spray painting on. He thinks having a 6 ft. wall will have some merit but at the same time to create something that has visual aesthetic that will blend with the architecture. If a regular wall is placed, he believes it will not be as pleasing as they think. He stated having something creates a physical barrier between the service dock and the canal will probably will have some merit. A floating wall doesn't concern him that much because their design team can come up with a way to mitigate that and transition that so that it steps down, turns or gets wider, something more creative that compliments the architecture. He asked Mr. Hays if that is something their team is willing to do.

MR. HAYS stated he would be more than happy to come up with something between now and council.

VICE CHAIRMAN BARON stated what he is hearing is more of the bigger user. The headlights can be mitigated through landscape. He doesn't think they need a solid barrier there. He stated he is cautioning the audience against doing a very solid hard 8 ft. tall wall that holds distance because it is really going to feel industrial. He asked Mr. Hays how are they going to deal with the SRP lines since they have great signage and some great landscape and agricultural

layering that really fits a great character of the SECAP. The challenge is that SRP has rules against putting vertical signage anything with footing with their easements essentially. He stated he would love to see it built the way it's designed. However, the challenge is that Government agency isn't quite as generous as he is.

MR. HAYS stated that in that area there's been a lot of challenges with SRP recently for various other issues. The engineer and design team will start reaching out to SRP tomorrow and try to figure out what they will allow and not allow. He stated they have great relationship with SRP based on long standing dealings with them. They can be demanding and will work with what they are trying to accomplish will also work with them. There is a 230kb line on the outside Quail Springs neighborhood so they have work with it. The actual pole is further back but they have the easement and will work with SRP moving forward.

VICE CHAIRMAN BARON asked how they can put something on the record that makes it so that whatever the design ends up, because unfortunately, with SRP the trees that are illustrated are not going to be allowed. The corner monument is a big deal and he certainly wants to see them work. He asked Mr. Hays if they can agree to a stipulation that states they will work with staff to a design that is complementary to what is there. He stated it might be difficult because it is a 58 ft. wide easement and it is big.

CHAIRMAN PRIDEMORE turned it over to staff regarding the stipulation if this project would move forward.

MR. KEVIN MAYO, PLANNING MANAGER stated he has been working at Chandler for 15 years and has worked with SRP in different aspects. It has been a moving target over the years of what they will and won't allow. He stated ultimately they have run into this in many different areas in Chandler where SRP says no to everything proposed. What the proposed PDP does is establishes a theme. The theme is carried out to hard scape elements, landscape, vertical, horizontal elements and they will do the best to work with the applicant and SRP to deliver the intent of the theme as the Vice Chairman mentioned. He stated that it seemed like if SRP rules got even stricter and keeping eroding the things that are allowed to exist in their easements. Their tool bag will be a little smaller but they should still be able to deliver a theme that is similar to that but it is going to be with a smaller diversity list of tools.

MR. HAYS stated he reassures them that Mr. Frakes will deliver a first class product and will make sure it works. He stated that Vice Chairman has seen that he does create first class work.

VICE CHAIRMAN BARON stated he wants a stipulation or something that gives staff the power to work with the applicant without having them to come back to the board to modify the PDP. He stated that it is not necessary to come back, however, in his opinion he thought the applicant did a great job with the architecture. He stated he works with a lot of projects and stated that the level of detail and character is not a low cost alternative. He stated the material probably cost more than what one sees in a traditional building. He stated that the way it is laid out and the access to the trail itself create value to the neighborhood because it allows folks to use localize services. He stated he was certain that Mr. Frakes would not go and build a very expensive building without having done his market research to ensure that is quite viable.

COMMISSIONER RYAN stated he wanted to say a few word to let Council know where they are coming from. He stated he agreed with Vice Chairman Baron. The material finishes, architecture, color is just right for the building. He stated it is a little unusual for the area but it will blend nicely. He stated that will be a mistake to have continuous long wall on the eastern property line along the canal. He stated it is not so much for the benefit of the neighbors as it is how it impacts the canal and Paseo system. So if those that are riding their bikes or walking enjoying the Paseo, he doesn't think he would want to see a long 6 or 7 ft. wall. He stated he'd rather see a clustering of trees and shrubs in large masses instead of a linear structuring of trees every 30, 40 or 50 ft. He stated they can use the full size oleanders and that could provide a much nicer and quick screen. He would also like to see using segmented walls, short sections of wall that are offset and intergraded with some clustering landscaping along the Paseo system. He stated architecturally, the materials and finishes have been used on all four sides of the structure, but they still have a service area back that so it is important to make sure they do a certain amount of screening with plant material not just a long wall.

COMMISSIONER DONALDSON asked Mr. Hays about the screen that covers the loading dock area; he had mentioned it was a 4 ft. deep loading dock. He asked how long is the screen compared to when the loading dock begins and how much does it screen? He stated he is trying to get a sense of how much screening is done by the screen?

MR. HAYS stated he knows his architecture is doing calculations in his head, but it is important to note that is it more than half of the length of the building. (He referred to the exhibit).He stated it goes recessed so the 8 ft. will stay but will be 4 ft. lower. A little bit longer than 70 ft. is what the architect stated and Sloping 30 ft. then flat.

COMMISSIONER DONALDSON stated the visual does not show it very well but he recommended the neighborhood that there seeing that there is a significant amount of screening of the loading dock. To them it should go a long way to mitigating the view and some sounds or things that go along with the loading dock. He thanked the neighborhood for showing up since he is involved in his neighborhood as well. He stated that the articulation of the building compared to the plan that exist today is a big step up, compared to what was there. For example the landscaping and buffer was the same and the long wall that has no articulation. He stated that is a plus for the neighborhood. He stated that he heard a lot of people mention that it is just not the neighborhood of houses and how far it is from the houses but that's their park and a part of their neighborhood. So the distance between the project and their neighborhood really is the beginning of their park. He doesn't know what that distance is.

MR. HAYS stated the distance from the projects property line to the neighbor's property line which is actually the trail and then the view fencing then their landscaping buffer. However, from the project property line to their first property line is 65 ft. and that is the RWCD canal. With their access road, the canal itself, the neighborhood, he is not sure if they own it or maintain it but he knows there is a big portion there that it is outside their fence and thinks that is where the 65 ft. goes to. So from their property line to their trail is 65 ft. and they have trail view fencing, landscape and their grass area which is their park. He did not have their numbers.

COMMISSIONER DONALDSON stated that his point is that is not 500 ft. from their neighborhood because the park is part of their neighborhood. He stated for him it makes it more important.

COMMISSIONER WASTCHAK Stated he would like to add to the booklet because it is not clear that the screening wall behind to the top is 8 ft. from finish grade. It does not say that but he would like to have that noted. He stated he had another question in regards to something that is not in the booklet but in the packet that Erik provided to them. (An exhibit was displayed). He stated when he looks at an aerial the park area, it looks like there's existing trees in that area, but when he looks at the aerial there are no trees.

MR. HAYS (Displayed an exhibit) stated they are trees and shrubs.

VICE CHAIRMAN BARON stated for the commission to consider, he is looking at the perspective of the screen wall on the loading dock, then they are also asking the applicant to consider doing some combination of varying height, length or some kind of mitigation through landscape. What he was curious about is why are they putting the screening wall on the loading dock and putting another on the property line? It seemed to him as if it is a duplicate.

CHAIRMAN PRIDEMORE stated from past comments they would be looking at applicant to work with staff on. He stated they can specially identify certain areas but he agrees that the redundancy in that area is not needed. However, he stated if a stipulation could be added and worded in such way that they are not building a wall the length of the eastern property.

VICE CHAIRMAN BARON stated that the applicant has designed something that has a lot of character and that is the cost there. So maybe removing the wall from the loading dock and spent the money in creating something more interesting on the property line, it would be a win win. It would be offsetting some cost for the developer at the same time creating something that still has an architectural character that is complimentary. He is trying to think out loud because he understands there is a lot going on and he is trying to find ways to reach a happy median.

MR. HAYS stated the architect have to be careful about safety.

CHAIRMAN PRIDEMORE stated some additional screening is wanted along the eastern property line. He doesn't think a solid wall is necessary; his biggest concern is security for everyone that uses the pathways on the canal. He stated green screen or perforated metal will still get some views, so no is hiding as neighbors try to use the facilities that are available to them. He stated a stipulation needs to be added to make sure something covered additionally for the eastern property line and he is willing to discuss what that would be but he stated they all agreed that they need to do something. They do not want to let the case go through the way they are looking at it out and it looks like the applicant and owner are open to adding such.

VICE CHAIRMAN BARON asked Erik what he thought about the wall and what stipulation they can use.

MR. SWANSON stated he created two additional stipulations written down. One is addressing the wall and screening. The second one would be addressing the lighting of the drive-thru to ensure the proper screening to mitigate that. Condition No. 14. The applicant should work with staff to provide additional screening, whether a wall, landscaping or a combination thereof, commensurate with the agrarian architectural design presented, along the eastern property line for the area and length adjacent to the Mayor space. Condition No. 15 The applicant shall work with Staff to provide screening to mitigate vehicular lighting from the drive-thru.

CHAIRMAN PRIDEMORE stated he would like it to state drive-thru's in general.

VICE CHAIRMAN BARON stated that gives it flexibility to be creative on the design that is what they were asking for. He asked Mr. Erik Swanson if it needs to say anything about height, specially.

MR. SWANSON responded that if he understands him correctly that there is some flexibility whether it's something that is solid structure, perforated structure or if it's an increase in landscaping and if the height gets there to cover that, he thinks it is ok with not saying that it needs to be an 8 ft. wall.

VICE CHAIRMAN BARON stated he agreed and the most important for them is to see some articulation so it's just not a straight horizontal plane. Because the architecture itself has a lot of geometry on it and he doesn't think he wants it to track from that.

MR. MAYO stated for clarification for staff, as everyone heard from the neighbors, it does not appear to be an in goal to screen the entire facility. They highlighted various things such as the loading dock and head lights of the exits of the drive - thru. That is the end result and goal is to screen the effects of the loading dock and the exits, any of the service areas of the Sprouts. That will be directed they will take when they work with the applicant. Not necessary screen out the entire center because that would result in a solid wall.

VICE CHAIRMAN BARON stated he agreed and thinks they need to let the design team come up with something that has the articulation that meets the intent of what everyone is talking about without being overly described.

MR. HAYS stated the stipulations that Mr. Erik Swanson has crafted to address the two issues takes care of Mr. Kevin Mayo's concerns. They will work on it and will work with staff to create something great.

CHAIRMAN PRIDEMORE asked Mr. Hays if his client was ok with the stipulations created.

MR. HAYS stated they were ok.

VICE CHAIRMAN BARON asked if there needs to be anything written down for the SRP easement.

MR. MAYO stated in the event that they are not able to deliver the intent of the design; they would have to come back. Nobody would want to do that and they will work hard to deliver the intent with the rules SRP gives them at that time.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER DONALDSON** to approve Item C PDP15-0003 THE PLANT as read in by Staff with the noted stipulations 14 and 15. Item C Preliminary Development Plan passed 5-0 (Commissioner Cunningham and Commissioner Foley, absent).

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER DONALDSON** to approve Item C PPT15-0008 THE PLANT as read in by Staff. Item C Preliminary Plat passed 5-0 (Commissioner Cunningham and Commissioner Foley, absent).

CHAIRMAN PRIDEMORE let the audience know that they are just a recommending body. He stated all the items will still need City Council approval and stated Council meeting will be held on June 11, 2015.

H. LUP15-0009 THE PLANT (SPROUTS)

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 10 Beer and Wine Store License in conjunction with a new grocery store, and to allow for limited sampling within the grocery store. The subject site is located at the southeast corner of Gilbert and Ocotillo roads.

1. The Liquor Use Permit granted is for a Series 10 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor 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 Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to make a statement on the consent agenda. There was one.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER RYAN** to approve Item H LUP15-0009 THE PLANT (SPROUTS) as read in by Staff. Item H passes 5-0 (Commissioner Cunningham and Commissioner Foley, absent).

7. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing to report.

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 3, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan

Absent and excused:
Chairman Matthew Pridemore
Commissioner Devan Wastchak

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER RYAN to approve the minutes of the May 20, 2015 Planning Commission Hearing. The motion passed 3-0. (Commissioner Cunningham and Commissioner Foley abstained since they were absent May 20, 2015, Chairman Pridemore and Commissioner Wastchak absent)
5. ACTION AGENDA ITEMS
VICE CHAIRMAN BARON informed the audience 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.

A. APL15-0002 PECOS RANCH AREA PLAN AMENDMENT/DVR15-0008/PPT15-0003 RESEDA

Approved. (REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)
Request Pecos Ranch Area Plan amendment from Church to Single-Family Residential. Request rezoning from Planned Area Development (PAD) for Church to PAD (Single-Family Residential) with Preliminary Development Plan (PDP) for subdivision layout and housing product along with Preliminary Plat (PPT) approval on approximately 4 acres located at the northwest corner of Germann Road and Arrowhead Drive. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

B. LUP15-0007 THE YARD CIGAR BAR

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 7 Beer and Wine Bar License in conjunction with an existing cigar bar for indoor and outdoor consumption. The subject site is located at 1981 W. Elliot Road, east of the southeast corner of Dobson and Elliot roads.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
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 re-application and approval of a Liquor Use Permit.
6. The site shall be maintained in a clean and orderly manner.
7. Noise shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
8. The Liquor Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

C. ZUP15-0003 FUSION SURPLUS SOLUTIONS

Approved.

Request Use Permit approval to allow an auction business within the Planned Industrial District (I-1) zoning. The property is located at 344 N. McKemy Avenue, west of Kyrene Road and north of Chandler Boulevard.

1. Expansion or modification beyond the approved exhibits (Exhibit A narrative, Exhibit B site plan, Exhibit C floor plan) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other property.
3. The property shall be maintained in a clean and orderly manner.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting in accordance with City approved construction plans.
5. All vehicle/truck/trailer parking, loading/unloading, staging, or like shall be maintained on-site. All business activity shall occur inside the building or in the gated rear yard.
6. 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.

VICE CHAIRMAN BARON asked the audience if anyone would like to make a statement on the consent agenda or have any items pulled for a presentation. There was one.

MOVED BY COMMISSIONER CUNNINGHAM, seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Chairman Pridemore and Commissioner Wastchak, absent).

6. DIRECTOR'S REPORT

Ms. Jodie Novak, Senior Planner had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

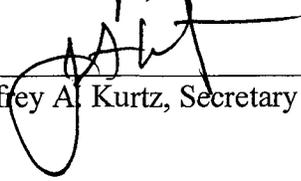
VICE CHAIRMAN BARON stated the next regular meeting is June 17, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.



Andrew Baron, Vice Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 17, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak

Absent and excused:
Commissioner Phil Ryan

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER DONALDSON to approve the minutes of the June 3, 2015 Planning Commission Hearing. The motion passed 4-0. (Chairman Pridemore and Commissioner Wastchak abstained since they were absent June 3, 2015. Commissioner Ryan, absent)

5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

- A. APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029 SERENADE

Approved. (REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)
Request Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Medium-Density Residential, and rezoning from Agricultural to Planned Area Development for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product for a 6.7-acre, 26-lot single-family residential subdivision located east of the SEC of Alma School and Germann roads. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

- B. APL15-0002 PECOS RANCH AREA PLAN AMENDMENT/DVR15-0008/PPT15-0003 RESEDA

Approved.

Request Pecos Ranch Area Plan amendment from Church to Single-Family Residential. Request rezoning from Planned Area Development (PAD) for Church and School to PAD (Single-Family Residential) with Preliminary Development Plan (PDP) for subdivision layout and housing product along with Preliminary Plat (PPT) approval on approximately 4 acres located at the northwest corner of Germann Road and Arrowhead Drive.

Area Plan

Planning Staff, upon finding consistency with the General Plan, recommends approval of the Pecos Ranch Area Plan amendment from Church to Single-Family Residential.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RESEDA", kept on file in the City of Chandler Planning Division, in File No. DVR15-0008, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
5. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement
8. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RESEDA", kept on file in the City of Chandler Planning Division, in File No. DVR15-0008, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
5. 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.
6. The same elevation shall not be built side-by-side or directly across the street from one another.

Preliminary Plat

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

C. DVR14-0031/PPT14-0014 RHYTHM

Approved. (REQUEST CONTINUANCE TO THE JULY 15, 2015 PLANNING COMMISSION HEARING.)

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing product along with Preliminary Plat approval on approximately 30 acres located at the northwest corner of 56th Street (Priest Drive) and Orchid Lane, north of Ray Road. **(REQUEST CONTINUANCE TO THE JULY 15, 2015 PLANNING COMMISSION HEARING.)**

D. DVR15-0016 MADERAS

Approved.

Request amendment to the Planned Area Development (PAD) zoning and Preliminary Development Plan (PDP) for a low-density single-family residential development. The property is located west of the northwest corner of Cooper Road and Markwood Drive, south of Queen Creek Road.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MADERAS", kept on file in the City of Chandler Planning Division, in File No. DVR15-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3780 (DVR05-0050 Maderas), except as modified by condition herein.
3. Condition No. 2 of Ordinance No. 3780 shall be deleted.
4. Condition No. 10 of Ordinance No. 3780 shall be deleted.
5. Condition No. 11 of Ordinance No. 3780 shall be deleted.

6. Condition No. 12 of Ordinance No. 3780 shall be deleted.
7. Condition No. 13 of Ordinance No. 3780 shall be deleted.
8. Condition No. 23 of Ordinance No. 3780 shall be deleted.
9. Condition No. 25 of Ordinance No. 3780 shall be deleted.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MADERAS", kept on file in the City of Chandler Planning Division, in File No. DVR15-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3780 (DVR05-0050 Maderas), except as modified by condition herein.
3. All homes along the west property line of this development (Lots 7, 12, 13, 18, and 19) are limited to one-story homes, a maximum of 24 feet in building height.
4. No homes that are side-by-side or directly across the street from each other shall have the exact same floor plan and exterior building elevation.

E. PDP15-0001 EXPRESS CAR WASH

Approved.

Request Preliminary Development Plan (PDP) approval of site layout and building architecture for a new car wash facility located east of the southeast corner of Ray Road and McClintock Drive.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "EXPRESS WASH" kept on file in the City of Chandler Planning Division, in File No. PDP15-0001, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 1909 in case Z87-156 RAY & MCCLINTOCK, except as modified by condition herein.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. Raceway signage shall be prohibited within the development.
5. The fabric canopy structures shall be maintained in a manner similar to that at the time of installation.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. 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.
10. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
- 11. The Applicant shall work with Planning Staff to modify the landscape palette including upsizing some trees to 36 inch box.**

F. LUP15-0008 CHARM THAI CUISINE

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for an extension of premises to sell and serve liquor for on-site consumption within an existing outside patio at a restaurant in downtown Chandler. The property is located at 11 W. Boston St., Suite 5, west of Arizona Avenue and south of Boston Street.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site and patio shall be maintained in a clean and orderly manner.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to make a statement on the consent agenda or have any items pulled for a presentation. There was one.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda and noted stipulation added to Item E as read in by Staff. The Consent Agenda passed 6-0 (Commissioner Phil Ryan, absent).

6. DIRECTOR'S REPORT

Ms. Jodie Novak, Senior Planner had nothing to report.

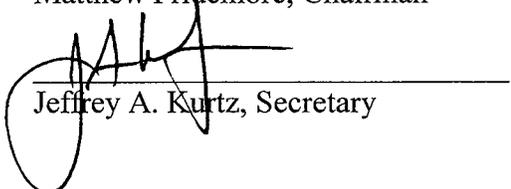
7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is July 1, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.


Matthew Pridemore, Chairman


Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, July 1, 2015 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Pridemore called the meeting to order at 5:30 p.m.
2. Moment of silence led by Chairman Pridemore in honor of Zoning Attorney; Michael Curley.
3. Pledge of Allegiance led by Chairman Pridemore.
4. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan

Absent and excused:
Vice Chairman Andrew Baron
Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

5. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by COMMISSIONER DONALDSON to approve the minutes of the June 17, 2015 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron and Commissioner Wastchak, absent)
6. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. LUP15-0011 JUAN JAIME'S TACOS AND TEQUILA

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License within an existing restaurant including an expanded outdoor patio located at 2510 W. Chandler Blvd, Suite 1.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
5. The site shall be maintained in a clean and orderly manner.

B. LUP15-0012 THE WILD VINE UNCORKED

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License and Series 7 Beer and Wine Bar License for on-premise consumption indoors and outdoor consumption on two patios at a new restaurant located at 4920 S. Gilbert Road, Suites 1-3.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license and Series 7 Beer and Wine Bar license only, and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
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 re-application and approval of a Liquor Use Permit.
6. The site shall be maintained in a clean and orderly manner.
7. Noise shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

C. ZUP15-0009 BRENNTAG PACIFIC, INC.

Approved.

Request Use Permit approval to allow for an additional storage tank within an existing outdoor storage tank yard on a property zoned General Industrial (I-2). The subject site is located at 6750 W. Boston Street, south and west of the southwest corner of Chandler Boulevard and Beck Avenue.

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 is non-transferable to other locations.
3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

4. The site shall be maintained in a clean and orderly manner.
5. Compliance with the City of Chandler's Fire Health and Medical Department provisions with regard to the Hazardous Material Management Plan.

D. PPT15-0004 METRO CHANDLER AIRPORT CENTER

Approved.

Request Preliminary Plat approval for a business park development located at the southwest corner of Cooper and Germann roads.

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

CHAIRMAN PRIDEMORE announced a speaker card from Kim Rubens for Item B stating she is in favor of the item.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to make a statement on the consent agenda or have any items pulled for a presentation. There was one.

COMMISSIONER FOLEY abstained from voting on item D due to financial interest.

COMMISSIONER RYAN abstained from voting on Item D since he provided consulting services on the project.

MOVED BY COMMISSIONER CUNNINGHAM seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff and noted abstentions on Item D. The Consent Agenda passed 5-0 (Vice Chairman Baron and Commissioner Wastchak, absent).

7. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated there is a project that will be going to Design Review Committee (DRC). He explained that the City Council Policy requires a DRC meeting for any case on Price Road before it goes to Planning Commission. He stated he wants to find an easier process to schedule the meeting to ensure a higher level of quorum. He stated since the first and third Wednesday is already scheduled for Planning Commission, they can utilize those days and just start an hour earlier. All DRC meeting last about an hour and stated they are informal. He has a project that will be going to Planning Commission on August 19, 2015 and wants to schedule the DRC meeting August 5, 2015. He stated the time will depend upon the length of the agenda that will follow it. He also mentioned the meeting will probably take place in the City Hall building. He asked if anyone had any suggestions.

CHAIRMAN PRIDEMORE stated Planning Commission dates would work best for the DRC meetings and stated it is very helpful to participate first hand since there is sometimes a history already developing in a project. He stated based on his past experience the meetings do generally last about an hour and thinks those times would work.

8. CHAIRMAN'S ANNOUNCEMENTS

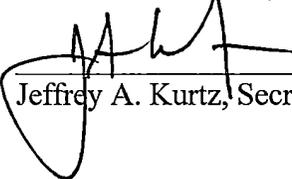
CHAIRMAN PRIDEMORE stated the next regular meeting is July 15, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

9. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.



Matthew Pridemore, Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, July 15, 2015 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Pridemore called the meeting to order at 5:35 p.m.
2. Pledge of Allegiance led by Chairman Wastchak.
3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:
Vice Chairman Andrew Baron
Commissioner Bill Donaldson

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Jodie Novak, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by COMMISSIONER FOLEY to approve the minutes of the July 1, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Wastchak abstained since he was not present July 1, 2015. Vice Chairman Baron and Commissioner Donaldson, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. DVR14-0031/PPT14-0014 RHYTHM

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing product along with Preliminary Plat approval on approximately 30 acres located at the northwest corner of 56th Street (Priest Drive) and Orchid Lane, north of Ray Road.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RHYTHM", kept on file in the City of Chandler Planning Division, in File No. DVR14-0031, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
6. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
7. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RHYTHM", kept on file in the City of Chandler Planning Division, in File No. DVR14-0031, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
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.

B. DVR15-0002 FAMILY BIBLE CHURCH

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Church with Preliminary Development Plan (PDP) for site layout and building design approval on approximately 4 acres located south of the southwest corner of Ocotillo and McQueen roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "FAMILY BIBLE CHURCH", kept on file in the City of Chandler Planning Division, in File No. DVR15-0002, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "FAMILY BIBLE CHURCH", kept on file in the City of Chandler Planning Division, in File No. DVR15-0002, except as modified by condition herein.
2. The site shall be maintained in a clean and orderly manner.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. 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.

C. PPT15-0005 ARTESIAN MARKETPLACE.

Approved.

Request Preliminary Plat approval for a commercial development located at the southwest corner of Ocotillo and Gilbert roads.

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

CHAIRMAN PRIDEMORE announced he had several speaker cards for item A and in no particular order he was going to have the person come up and speak.

MR. TIM NEWQUIST, 2033 E. WARNER RD #107, stated that the Senior Executives at Chapman Automotive could not attend the meeting and asked for him to speak on their behalf. He asked to read a letter into the record that was sent by David Bower who is Chief Financial officer to a number of departments in the city. He stated that in the last 24 hours it seemed if so a number of individuals did not receive the letter, therefore, he will read it. Dear Chairman and Commissioners, for 50 years, Chapman Automotive Group has invested in Arizona. Over this time period, Chapman Automotive Group has developed over 20 dealerships. Two of these dealerships are in the City of Chandler, Freeway Chevrolet and Chapman BMW, Both located off I-10 & Ray. As you may know, Mattamy Homes now owns the 28 (+/-) acres located just east of our two locations located on the NWC of Priest Road and Orchid Lane. The current zoning on this property is AG-1 and the General Plan for the City of Chandler calls for General Commercial for this property.

We had been told by the City of Chandler that the property bordering Orchid Lane up to 56th Street was to be earmarked for dealerships in the General Plan. This piece of land is the last property that is viable for auto dealers in the corridor along I-10. There are three major automotive groups represented in this corridor (Earnhardt, Penske, and Chapman), who at any time could receive a letter of interest for a new franchise from a manufacturer. Once this is turned into residential, there is no more property available to auto dealerships in West Chandler. It is in the best interest for the City of Chandler and the auto dealers along Orchid Lane, to not allow the entire 28 acres to be zoned for residential. This would hinder further economic growth for the automotive retail industry along the I-10 corridor.

As a major employer here in your city, creating hundreds of jobs and millions of sales tax dollars, we felt that we needed to write to you today and ask that you not allow this entire parcel to be changed from the General Plan, which has been in place for many years along the Orchid Lane corridor. The current General Plan gives us the protection and the opportunity for future growth. By allowing this to move forward as proposed, this forces us to look elsewhere for future dealership properties, if such an opportunity arises.

We welcome the opportunity to speak with you in person to discuss any questions that you may have. Please do not hesitate to reach out to us. David Bower, Chief Financial Officer, Chapman Automotive Group.

Since, David wrote this letter, they had a few follow-up thoughts since then and they know that with P&Z and Staff (Jodie & Kevin), they know there are multiple questions Commission need to answer. Two of them that they talked about are; the allowable uses within the proposed zoning change and the design guidelines for that use within that zoning change. He wants to talk about timing, is this the right time before go, what is in the General current plan, the regional commercial zoning along Orchid Lane. It changes the synergy amongst the existing dealers. They also lose on the marketing presence along Priest Road. Earnhardt and Chapman as you know have unobstructed use for dealing with vacant land right now. When that subdivision is built, you will be closing the front door to all 4 of those dealerships off of Priest Road. And as

some of you may know, the Chapman's specifically have tried to work with the City on monument signage off of 54th Auto way. Marketing, visibility, signage, directional signage is huge for the Chapman, Earnhardt and for Penske. He asked a question regarding what he heard during study session. Is the proposed entrance of the subdivision; is that off of Orchid Lane? Or is it a secondary egress easement.

MS. JODIE NOVAK, SENIOR CITY PLANNER, Responded that the primary entrance and exist is off of 56th and Priest Drive. The secondary exist which is also for emergencies is off of Orchid Lane.

MR. NEWQUIST, stated he wanted to add what Mr. Bower stressed to him is what the ingress and egress into the community on Orchid will be on. Not knowing of any study that has been done by Chevrolet, BMW, Mercedes, Fords and so on. On the amount of semi-trucks that go in and out of Orchid to Priest, and delivery trucks. They feel it is a safety concern with the amount of semi traffic.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to ask the speaker questions. There was one. He explained for the record the letter that the speaker read was provided in the Commissioners packets.

MS. LINDA ARTERS, 1303 W. LISA LANE, stated she is a resident of Tempe which is bordered by Chandler on three sides and stated sometime she wishes Chandler could adopt them because she appreciates having services from the City of Chandler. She stated she speaks as an informal speaker on behalf of the neighborhood to say that a group of them have been spreading the information to their neighbors about the Mattamy development and what's been going on from Chandler's standpoint. She wants to complement the staff from the City of Chandler, in particular Jodie Novak. There has been a lot of information going back and forth about uncertainty of the actual facts. She deserves a significant amount of recognition as to others within the City for clarifying information for neighbors. She states there are multi generations living in her neighborhood and for whatever they decide to go forward with in the Chandler section of the property, the neighbors of all ages would greatly appreciate as much direct communication with the homeowners, more so than just the 600 ft. jurisdiction and can help the City get the information out. She really wanted to thank City of Chandler staff of doing a wonderful job.

MR. ERIC EMMERT, PRESIDENT OF SIERRA TEMPE #4 HOA, stated that it is the southwestern most part of the community, across the street from the Mattamy proposed project. There is an HOA south of his community Sierra Tempe #123 to clarify since he believes there's a speaker to speak on behalf of that association. He stated that there are 151 single-families detach homes. Many of whom use Priest to go to work or take their kids to school which happens to be in the neighborhood to the south and with 450 plus homes coming on line in both Mattamy projects. They have two major concerns, traffic and safety. They are supportive of the project with a couple of mitigation request of the Commission. On December 2, 2014 they sent Jodie and staff a joint letter with his community and the one to the south stating the concerns. There were 5 request but have paired it down to 2 and present them. 1. Because of the traffic impact on Priest and because they are uniquely situated running parallel to a major freeway, because

congestion during peak hours when the I-10 is blocked or shut down when traffic pours down to Priest. There are a number of developments going online along Priest 56th St. corridor in both Tempe and Chandler that would impact traffic. Because of all those issues, they are concerned that the proposed community needs mitigation measures. They would like to see the primary entrance shifted to Orchid Dr. traffic is very much like water it seeks the path that is least resistant. Their hope is that if the primary entrance is on Orchid the resident would access the I-10 off of Orchid down 54th over to Ray on to the I-10. There are number of communities in Chandler more than a dozen that do not have access to a major freeway. This would not be unique for this request to be granted in the process. 2. If it please the Commission to move the project forward with primary access at Priest. They would have that the deceleration lane be stipulated in development agreements from Chandler. He stated that Staff would probably let them know that Tempe has jurisdiction over Priest. However, he states that Chandler staff has the power to stipulate to the developer shall include south bound deceleration lane in the subdivision at Priest and Lisa Ln entrance provided the City of Tempe does not object.

He hopes that with this mitigation measure that traffic would get on to an off of Priest as quickly as possible and would provide southbound continuity. There is a decal lane at the project to the north, there's another one in the Tempe portion of the Mattamy project. He would ask that they add one in the Chandler portion of it. There a decal lane moving south on the street and a decal lane into the Lowes plaza as well as you get to Priest. So to get traffic off Priest, he asks for the mitigation measure. Lastly, he would like to compliment Jordan Rose and Chris Web the law firm that represented their client extremely well and have communicated with them very well and stated that City of Chandler Staff is top notch. Jodie has been extremely communicative throughout the process.

MR. STEVE EVANS, 9646 S. DAROW DR, stated his home is at the west end of the communities in Sierra Tempe 123 to the east of the proposed development. He stated he has lived in the neighborhood for 20 plus years. He stated he regrets the change in the character of the neighborhood that's happened because lingering rural agriculture essence is going away. That is something no one can stop. For that reason, he signed in favor of this measure. He wants to second to what Mr. Emmert and Ms. Arters have said and said it very well and agree to everything they said. He said he is a board member Sierra Tempe 123. He stated he is not speaking on behalf of the board but on his own. He spoken to a lot of neighbors and they all feel the same. The project is going to happen and the land is going to be developed. He wants to see it develop the way Mattamy is proposing to develop.

That the view of the mountain is going to be blocked and rather have it blocked by nice residential development than with all due respect another car dealership. He is in support. However, like Mr. Emmert emphasized, the measures to decrease the negative impact on traffic on Priest Rd. are essential. Traffic on Priest Rd. is a nightmare already. Within the last couple of months, an apartment complex up to the north and west at the corner of Warner and Priest has opened up and being occupied. He stated he is feeling the traffic impact already. There is high density there and at the townhomes to the south of the proposed project. This would be more of that. Deceleration lanes putting the entrance in a place where it is not going to directly impact the flow on Priest and appropriately place some of the traffic lights are critical. If anyone doubts the impact that the places are having on traffic on Priest, he provided his cell phone on the speaker

card so anyone could call him and drive through these streets on different times a day with him. He thanked everyone present at the meeting.

COMMISSIONER WASTCHAK stated he wants to understand what the neighbors are proposing for this project. He asked Mr. Evans is moving the entrance to Orchid what they want? And a traffic light on Orchid.

MR. EVANS responded that the traffic light is being considered further north either on Knox, which is half-way point along Priest between Warner and Ray or a further south.

COMMISSIONER WASTCHAK stated he is trying to understand if the traffic gets directed down to Orchid Lane, when people leave, most people are heading north, so when they come out of Orchid and go north how is that different than if they come out further north of the community and go north. It seems like if they move south and then they are going to head north on Priest. They are going to impact more people than they would and still going to go past Lisa Ln. and impact those people trying to make a right out. He stated he is not exactly sure, why having an exit down there or because it seems like the location across from Lisa Ln. and at the lights there is actually going to be a better solution for them than moving it to the south. He is just trying to understand why it's better to have it on the south end.

MR. EVANS stated he is not a traffic engineer; he is speaking based on his own experience. In the last couple of months when the Mark Taylor apartment complex began being occupied with people coming and going from there now, at least twice in a few weeks he had to break check going by there because of somebody peeled out of the entrance because they are in a hurry. He doesn't think it's because there's poor drivers but there's more drivers coming and going at the same time. He explains for a common sense stand point to him, it seems if traffic flowing on Priest would impacted less if the people leaving their neighborhood immediately getting onto the roadways were coming from a roadway unto Priest and that the entrance to and from the neighborhood was not directly on Priest. It is a common sense from his perspective. He states he is sure that they could find traffic engineers on both side of that issue. He finds that there have been more problems with traffic coming and going from that Mark Taylor development that he has ever experienced. His main way of getting in and out of his neighborhood is Stacy, which is the Tempe version of Orchid, same road just on opposite sides of the street. He stated he's had far more trouble with traffic that is coming off directly out of the apartment than with the people turning left or right north or south coming from Orchid. The traffic has been there for a long time. The dealerships have been there and that traffic has impact as well. However, it seems to him to be fewer problems with them coming from another established road turning onto another one rather than coming out of the driveway.

COMMISSIONER WASTCHAK stated that it seems to him that somebody from that neighborhood, they are going to go to the main entrance whether there's traffic signal and head north versus south. If somebody is going south to get to the freeway, he thinks they'd go down to orchid and then catch that lane that is south of the Earnhardt and take that down, take a right Ray then go north on the freeway, and not even mess with trying to go down to Priest. To him, it seems more logical if you are going to head north, you want people leave further north out of the subdivision and take a left at the light and go north. And if they are going to go south, he thinks

the traffic is going to want to get out on Priest, if traffic is an issue they will probably leave through that to get down there. He thinks logically having that all directed south like that it could not be in the neighbors favor.

CHAIRMAN PRIDEMORE stated the people that have spoken have been on item A and he opened it up to all three items on the agenda. There were none.

CHAIRMAN PRIDEMORE stated regarding item A, he thinks it's a nice project, the fact that it has been dirt for so long, he is glad to see something moving forward. The current owner of the property has the right to develop it and believes they have come forward with a nice project. He was surprised on the mixed of residential but it will work. He wished they had more that they can say to the neighbors in Tempe regarding traffic; he assured the audience that the Chandler engineers have been in communication with Tempe engineers and unfortunately the traffic side of things is out of their purview or they would be looking at it in more debt. They have recommended certain things to Tempe and it is unfortunately entirely up to Tempe. He wished he had something better to say about that. He is glad to the project going forward.

COMMISSIONER CUNNINGHAM asked a question to the gentlemen to the HOA that spoke first. He mentioned if a stipulation could be created for the deceleration lane subject to approval of the City of Tempe. She stated it sounded like a logical request and asked if staff can put that stipulation there; subject to cooperation from City of Tempe.

MR. KEVIN MAYO, PLANNING MANAGER stated that staff could stipulate anything they want but it depends on if it has any legal strength. When it comes to stipulating public improvement in somebody else jurisdiction, it is something that they don't do. As it was worded it would require Tempe objection to not put it in. Even if staff would have stipulated; if they don't care or if they do care or object, it is something they don't do. He explained he would want Tempe stipulate the developer to do something unless they strongly object to it if they were indifferent. Or if they never receive a formal objection from Tempe, then are they not in compliance with the stipulation approval? Staff can't force them to build something a public improvement in another city. They will always stay away from those stipulations. He agreed with the speaker, the way it was worded seemed very logical and reasonable but it is the way the two governments work with each other is something that isn't practiced. However, he understands the desire of it.

COMMISSIONER RYAN abstained from voting on Item B, he provided consulting services for the applicant.

CHAIRMAN PRIDEMORE explained to the audience, that Planning and Zoning Commission is just a recommended body. All the items presented will go to City Council on August 13, 2015.

MOVED BY COMMISSIONER WASTCHAK seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda with the two modifications to item A as read in by Staff and noted abstentions on Item B. The Consent Agenda passed 5-0 (Vice Chairman Baron and Commissioner Donaldson, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated he wants to utilities Planning and Zoning Commission meeting to schedule the DRC at 4p.m. on August 5, 2015, since there is an item on the agenda on that day. A conference room will be scheduled in the same building.

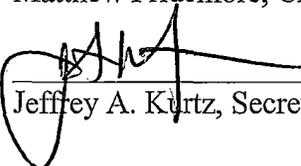
7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is August 5, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 6:10 p.m.


Matthew Pridemore, Chairman


Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 5, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:
Commissioner Katy Cunningham
Commissioner Ryan Foley

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Lauren Schumann, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER RYAN, seconded by COMMISSIONER WASTCHAK to approve the minutes of the July 15, 2015 Planning Commission Hearing. The motion passed 3-0. (Commissioner Donaldson and Vice Chairman Baron abstained since they were not present July 15, 2015. Commissioner Cunningham and Commissioner Foley, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. LUP15-0013 THE LOCAL PLAY YARD BAR & GRILL

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within a patio at a new restaurant. The business is located at 3002 N. Arizona Ave., Suite 1, west of the northwest corner of Elliot Road and Arizona Avenue.

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

2. The Liquor Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. 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 re-application and approval of a Liquor Use Permit.
5. The site and patio shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Commissioner Cunningham and Commissioner Foley, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

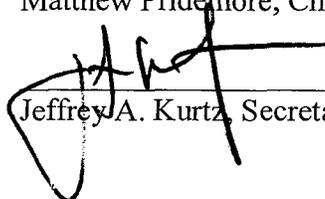
7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is August 19, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

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


Matthew Pridemore, Chairman


Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 19, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Devan Wastchak

Absent and excused:
Commissioner Katy Cunningham
Commissioner Ryan Foley
Commissioner Phil Ryan

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER DONALDSON to approve the minutes of the August 5, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Cunningham, Foley and Ryan, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. DVR15-0010 RMB BUSINESS PARK

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial, and Preliminary Development Plan (PDP) for site layout and building architecture. The 15-acre site is located north of the northeast corner of Ryan Road and Arizona Avenue.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RMB BUSINESS PARK", kept on file in the City of Chandler Planning Division, in File No. DVR15-0010, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RMB BUSINESS PARK", kept on file in the City of Chandler Planning Division, in File No. DVR15-0010, except as modified by condition herein.
2. Cross access agreements and/or other agreements between the property owner/developer of the business park and the land owners to the north and south, regarding the Arizona Avenue driveways, shall be recorded with Maricopa County prior to the issuance of the Certificate of Occupancy.
3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. The site shall be maintained in a clean and orderly manner.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Raceway signage shall be prohibited within the development.
8. Signage shall comply with the City of Chandler Sign Code.
9. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

10. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

B. DVR15-0021 HABITAT FOR HUMANITY

Approved.

Request rezoning from Medium Density Residential (MF-1) to Planned Area Development (PAD) for single-family residential with Preliminary Development Plan (PDP). The property is located at 334 South Dakota Street.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Habitat for Humanity Central Arizona, 334 South Dakota Street" kept on file in the City of Chandler Planning Division, in File No. DVR15-0021, except as modified by conditions herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Habitat for Humanity Central Arizona, 334 South Dakota Street" kept on file in the City of Chandler Planning Division, in File No. DVR15-0021, except as modified by conditions herein.
2. Building setbacks shall be a minimum of 10 ft. front yard, 20 ft. side yards, and 10 ft. rear yard.
3. A 6 ft. tall concrete masonry wall is permitted along the front yard, extending from the concrete patio to the north property line.

C. LUP15-0014 MOD SUPER FAST PIZZA

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors and within an outdoor patio for a new restaurant in the Paseo Lindo development. The property is located at 3977 S. Arizona Avenue, Suite 4.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site and patio shall be maintained in a clean and orderly manner.

D. ZUP15-0008 VERIZON WIRELESS – NWC ARIZONA AND WARNER

Approved.

Request Use Permit approval to install a monopalm wireless communication facility located at 70 West Warner Road.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. Landscape shall be maintained at a level consistent with or better than at the time of planting.
3. All trees and shrubs removed shall be relocated or replaced with similar plant species.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 4-0 (Commissioner Cunningham, Foley and Ryan, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

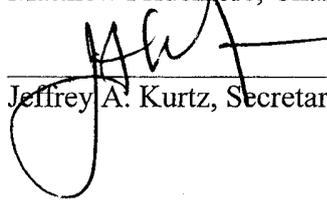
7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is September 2, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:34 p.m.


Matthew Pridemore, Chairman


Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, September 2, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:
Commissioner Katy Cunningham

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER WASTCHAK to approve the minutes of the August 19, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Foley and Ryan abstained; they were not present on August 19. Cunningham, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. DVR15-0013/PPT15-0006 AVALON

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a 14-lot custom single-family residential subdivision with Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for subdivision layout and development standards on approximately 12.23 acres located ¼-mile south of the southeast corner of McQueen and Germann roads.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "Avalon at Chandler Airpark" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. 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.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.
5. Unless otherwise included as part of the City's Capital Improvement Program, the developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Records Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled *Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area)*, as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

- c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
 - d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
 - e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
 - f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
 - g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:
 - “This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler.”
7. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a heliport at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
8. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an aircraft engine repair and testing facility that may cause adverse noise, odors, and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an aircraft engine repair and testing facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and

sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled “Avalon at Chandler Airpark” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. No more than two, two-story homes may be built side-by-side within the development.
3. Lot 1 along McQueen Road is restricted to a single-story home only
4. An 8-foot tall engineered sound wall shall be constructed along the eastern property line of Lot 14.
5. A roadway-style sign shall be placed near the entrance along Kingbird Place identifying the presence of aircraft.
6. Future custom homes will be reviewed and approved Administratively.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

Preliminary Plat

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

B. DVR15-0015 WELLS FARGO CHANDLER CAMPUS

Approved.

Request rezoning from Planned Area Development (PAD) for office, retail and data center uses, to Planned Commercial Office (PCO) with a PAD Overlay on approximately 15.5 acres of the approximate 68-acre Wells Fargo Chandler campus. In addition, request PAD Mid-Rise Overlay amendment for buildings up to 200 feet in height, with Preliminary Development Plan (PDP) approval for the site layout, building architecture, and comprehensive sign package for the future phases of the Wells Fargo Chandler campus on approximately 68 acres located at the northwest corner of Price and Queen Creek roads.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled “Wells Fargo Chandler Campus” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0015, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with the following original stipulations adopted by the City Council as Ordinance No. 3389, case DVR02-0021 WELLS FARGO OCOTILLO CORPORATE CAMPUS. Any stipulation originally adopted with Ordinance No. 3389 not specifically referenced below is hereby deleted.

A. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).

B. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

C. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled Wells Fargo Ocotillo Corporate Center, kept on file in the City of Chandler Planning Services Division, in File No. DVR02-0021, except as modified by condition herein.

D. The landscaping, exclusive of the medians, in all site open-spaces and adjacent rights-of-way shall be maintained by the property owner.

E. 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, landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler. 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 Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Wells Fargo Ocotillo Corporate Center development shall use treated effluent to maintain open space, common areas, and landscape tracts.

F. The landscaping design shall include turf in areas visible from the adjacent streets, such as along the frontages or on berms or slopes. Along the 50-foot setback for the Queen Creek Road street frontage there shall be 100 percent turf.

3. 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.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.
5. Unless otherwise included as part of the City's Capital Improvement Program, the developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Building heights shall be limited to a maximum of 200-feet in height.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled “Wells Fargo Chandler Campus” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0015, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3389, case DVR02-0021 WELLS FARGO OCOTILLO CORPORATE CAMPUS, except as modified by condition herein.
3. Compliance with the original stipulations adopted by City Council in case PDP02-0025 WELLS FARGO OCOTILLO CENTER, except as modified by condition herein.
4. Compliance with the original stipulations adopted by City Council in case PDP13-0015 WELLS FARGO CHANDLER CAMPUS PHASE II, except as modified by condition herein.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. Future buildings will be reviewed and approved administratively.

C. DVR15-0020 GILA SPRINGS

Approved.

Request rezoning from Planned Area Development (PAD) for mini-storage to PAD for light industrial and office with a Preliminary Development Plan (PDP) for site layout and building architecture. The 4-acre site is located west of the intersection of Kyrene Road and Gila Springs Place.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “GILA SPRINGS”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0020, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “GILA SPRINGS”, kept on file in the City of Chandler Planning Division, in File

No. DVR15-0020, except as modified by condition herein. The Development Booklet provides that building layout, architecture, and design for future development, and related onsite site layout related to such future development, will be reviewed and approved administratively.

2. The site shall be maintained in a clean and orderly manner.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Raceway signage shall be prohibited within the development.
6. Signage shall comply with the City of Chandler Sign Code.
7. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation, and the like as established in the attached Development Booklet.
8. Building architecture shall promote consistent architectural character and detail on all sides of the structure.
9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

D. LUP14-0021 THE PERCH

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquors as permitted under a Series 6 Bar License, operate the microbrewery under a Series 3 Domestic Microbrewery License, and have live entertainment indoors and outdoors for the expansion of the premise area to include a new roof-top area, the Hair Salon, and Covo. The site is located at 232 South Wall Street, north and west of the northwest corner of Arizona Avenue and Frye Road.

1. The Liquor Use Permit granted is for a Series 6 Bar License and a Series 3 Domestic Microbrewery License, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor 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 Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music and entertainment shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live music and entertainment occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. No live entertainment shall occur after 11 p.m. on Friday and Saturday.
7. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. The site shall be maintained in a clean and orderly manner.

E. LUP15-0010 VINTAGE 95

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License and Series 7 Beer and Wine Bar License for on-premise consumption indoors and outdoor consumption on an enlarged outdoor patio at an existing restaurant located at 95 W. Boston Street.

1. The Use Permit is granted for a Series 12 Restaurant and Series 7 Beer and Wine Bar license only, and any change of licenses shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. persons with disabilities shall have direct access to all indoor and outdoor pedestrian spaces).
6. The outdoor patio shall be maintained in a clean and orderly manner.
7. Music shall be controlled so as to not unreasonably disturb area residents.
8. The restaurant shall provide contact information for a responsible person (restaurant owner and/or manager) to interested neighbors that will allow music complaints to be resolved quickly and directly.

F. LUP15-0015 SIDELINES GRILL AND TAVERN

Approved.

Request Liquor Use Permit extension approval to allow liquor sales as permitted under a Series 12 Restaurant License for on-premise consumption indoors and on an outdoor patio at an existing restaurant located at 2980 S. Alma School Road, Suite 2.

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. Expansion beyond the approved Floor Plan shall void the Use Permit and require new Use Permit application and approval.
3. 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 of the Use Permit.
4. The Use Permit is non-transferable to any other store location.
5. The patio and area adjacent to the restaurant entrance shall be maintained in a clean and orderly manner.

G. ZUP15-0010 CHANDLER COMMONS

Approved.

Request Use Permit approval to allow an indoor self-storage facility to locate within a Planned Area Development (PAD) district. The site is located at 1919 East Ray Road, southwest corner of Cooper and Ray roads.

1. Expansion or modification of the self-storage use and building beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. **Moving trucks shall be limited to two trucks and parked in the west parking lot when not in use for loading and unloading by customers.**
6. Outdoor storage of recreational vehicles, trailers, and personal automobiles shall not be permitted.

H. PPT15-0011 RAY ROAD APARTMENT HOMES (BRIO APARTMENTS)

Approved.

Request Preliminary Plat approval for a multi-family residential development located east of the northeast corner of Arizona Avenue and Ray Road.

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

I. CANCELLATION OF THE SEPTEMBER 16, 2015 PLANNING COMMISSION HEARING.

Approved.

CHAIRMAN PRIDEMORE stated he had a speaker card for item D that is in opposition.

RICK SCOTT, 241 S. OREGON ST, he stated he owns the restaurant at Yoli's café, he also stated he was representing his father which also owns the restaurant. He apologized to staff for not making the neighborhood meeting that took place for case LUP14-0021. His father lives in a remote island in Michigan and only gets the mail every couple months. He stated one of the issues opening up the liquor permit is that there's been fence built between an easement between their properties that have been there for more than 30 years prior to the other owner of the property. Which has greatly impacted their business since their customer cannot enter their property since approx. 125 ft. of metal fence was put in place by The Perch owner. There was not a gate or any other access made available to their business to continue to do business. They had to rent the property next door to get access to their property. There was no notice from that owner. They basically said it was a retribution for then calling the police on them.

CHAIRMAN PRIDEMORE stated unfortunately they are were only looking at the Use Permit at meeting. He stated that he is not saying there are no issues around their property but he stated that their hands are tied because the preview of the meeting was their liquor use permit only. He asked staff for direction regarding his concerns that are not liquor related.

KEVIN MAYO, PLANNER MANAGER, stated he did not know but will have to dig into what they are dealing with, if it is simply just always being and access that has been or not been recorded. Also mitigate conversations if it is something that the City can be involved with. He does not know but will get his contact information to figure out the issues.

MR. SCOTT stated he appreciated the answer however another objection he has is the noise complaint with the live music. He knows that it is within reason at the property line but doesn't measure decibel level; he said he will have to find out decibel level and how that can be kept. He said in better times there was never a worry or complaint to the police department but did have issues with the noise level with their patrons sitting within 5ft. of a speaker. They were addressed at that time but it is a future thing.

CHAIRMAN PRIDEMORE stated that was duly noted.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was one person

FRED WALKER, 12137 E. BLUEBIRD DR., stated there is a 14 unit PAD that is converting from an AG-1 to PAD, Avolon project. There is a right away that Avolon has on the west corner that is part of their housing development. 2 of the three lots are from his subdivision. When the City wanted to inject water from their sewage facility in to the ground, they said they didn't know we had a well there. The City found the original owners who still had the well right because they hadn't done the paperwork correctly, several years ago the City broke off the road Bluebird from what it was to a road that is now taxable. They bought the well and now the City provides water and also lets them use the garbage however still considered county. The Avolon, legally should have a portion of 4.6 percent of their road and no one is caring for maintaining of their road. And they now have a district form to support and provide for their road. The subdivision will create another layer for him to fix the problem that exist the orphan parcel that is his road. If the Avolon project is allowed to come in, that the parcel was once a part of his community, it will add another level of complexity trying to figure out the road issue.

When the City put in the road, they convince the owners to sign the paperwork and made everything legit in 2007 but Randy which will come to the next meeting has been there since 1971 and the parcels were supposed to be different. His dead stated he is supposed to have 2 full acres but he only has 1.87 because of the easement was stripped off. He objects to the Avolon project because 4.6 of the road were stripped off, while their road will be left in a county island. It sounds like a long tail. But they look at Aerial; their property line goes up to their property lines. Steven Jeffery did all this with the parcel and also wrote the deed. He stated the Avolon project will cause a lot of headaches for him.

MR. MAYO stated that the road he was referring to is Bluebird drive, when you dig into the county parcels maps, it is not listed as a drive or access way. It is just a parcel. Mr. Jeffrey that did all the subdividing, that parcel was created, from my best record Bluebird drive has a parcel and it touches McQueen drive all the way to the canal and was created on June 4, 1974. That is when it comes in existence with that parcel number. The majority of the parcels that are on both

sides of it from a City coming in and forcing the creation of Bluebird it already existed as a parcel. They came in with the last conversations that started in the 90's, but when they came in the City had worked with them since he was the property owner of Bluebird and worked to service the County Island. They had injection wells coming from bluebird from the City reclaim system. They got them on City water and City trash. It wasn't quiet two acres; maybe it was back in the day when McQueen got widen. On the vicinity map you can see the two parcels. It took about 2 acres to 1.6, cumulative what they are today. In terms of City Vs. county, the two pieces that are on McQueen that were once a piece of the two acre piece of this subdivision, they have been annex into the City and their property line goes up to Bluebird as would be expected because Bluebird is a separate parcel. At the time, I am sure it was done of best of interest when it was created in the 70's. Nothing has come into the surface. Mr. Jeffrey has passed away, it has been rolled off to two of the family members that are not sure where they reside but can't find them. They are on the Bluebird parcel that has back taxes form the county. There has been no tie.

CHAIRMAN PRIDEMORE stated that their scope of what they are able to look at is very narrow. And unfortunately it does not encompass his concern. He stated they are only a recommended body; it will be going to Council September 24th.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff with the noted abstention on Item H and modified Stip #5 on Item G and opposition on item G. The Consent Agenda passed 6-0 (Commissioner Ryan abstained on voting on Item H, he provided consulting services, Commissioner Wastchak opposing on Item G).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

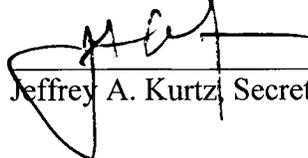
CHAIRMAN PRIDEMORE stated the next regular meeting is October 7, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

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



Matthew Pridemore, Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, October 7, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:

Vice Chairman Andrew Baron
Commissioner Ryan Foley

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Ms. Lauren Schumann, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER WASTCHAK to approve the minutes of the September 2, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Cunningham abstained; not present on September 2, 2015)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. APL15-0003 SOUTHEAST CHANDLER AREA PLAN
AMENDMENT/DVR15-0022 DOLLAR SELF STORAGE

Approved.

Request Area Plan Amendment to the Southeast Chandler Area Plan from Envisioned Community / Regional Open Space to Traditional Suburban Character, along with rezoning from Agricultural to Planned Area Development for a mini-storage facility and Preliminary

Development Plan approval for site layout and building architecture. The subject site is located at the northwest corner of Gilbert Road and the Brooks Farm Road alignment.

Rezoning

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. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
4. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. Development shall be in substantial conformance with the Development Booklet, entitled "DOLLAR SELF STORAGE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0022, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "DOLLAR SELF STORAGE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0022, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The commercial development standards shall be in accordance with the requirements of the Southeast Chandler Area Plan.
3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. Raceway signage shall be prohibited within the development.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. 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.

8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

B. DVR15-0014 ARIZONA EYE CENTER

Approved.

Request rezoning from Planned Area Development (PAD) for general office to PAD for medical and general office, and Preliminary Development Plan approval for site layout and building architecture. The 1.55-acre site is located at the northwest corner of Ray Road and Arrowhead Drive.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arizona Eye Center" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0014, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. 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.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arizona Eye Center" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0014, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
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. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler shall apply.

C. DVR15-0017 SOUTH OF THE SOUTHEAST CORNER OF ARIZONA AVENUE AND CHANDLER HEIGHTS ROAD

Approved.

Request to establish the initial City zoning of Industrial on approximately 11.56 acres located south of the southeast corner of Arizona Avenue and Chandler Heights Road.

1. The building setback along the north property line shall be reduced from fifty (50) feet to thirty (30) feet.

D. DVR15-0018 SPECTRUM ASSISTED LIVING COMMUNITY

Approved.

Request rezoning from Planned Area Development (PAD) for commercial uses to PAD for an assisted living facility along with Preliminary Development Plan approval for site layout and building architecture. The subject site is located at the northeast corner of Rural Road and Chandler Boulevard.

Rezoning

1. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit No. 4, Development Booklet, entitled "SPECTRUM ASSISTED LIVING COMMUNITY", and kept on file in the City of Chandler Planning Division, in File No. DVR15-0018, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The site shall be maintained in a clean and orderly manner.
4. The applicant shall work with Planning Staff to ensure that all parking along the site's south and west are screened from street view.
5. The applicant shall work with Planning Staff to ensure that the monument signs are commensurate with the Village at Wild Tree signage.
6. 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.
7. Approval by the Director of Transportation 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.

E. DVR15-0029 SOUTHEAST CORNER OF ARIZONA AVENUE AND QUEEN CREEK ROAD

Approved.

Request to establish the initial City zoning of Regional Commercial (C-3) on approximately 7.83 acres located at the southeast corner of Arizona Avenue and Queen Creek Road. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

F. DVR15-0030 NORTHEAST CORNER OF 138TH STREET AND OCOTILLO ROAD

Approved.

Request to establish the initial City zoning of Agricultural (AG-1) on approximately 19 acres located at the northeast corner of 138th Street and Ocotillo Road.

Planning Staff recommends Planning Commission motion to recommend approval of the initial City zoning.

G. PDP15-0007 LAYTON LAKES PARCEL 28

Approved.

Request Preliminary Development Plan approval for housing product for a 17-lot single-family residential subdivision located east of the northeast corner of Gilbert and Ocotillo roads.

1. Compliance with original conditions adopted by the City Council in Ordinance Nos.3250 and 3987 in cases DVR00-0025 LAYTON LAKES and DVR07-0012 LAYTON LAKES, except as modified by condition herein.
2. Development shall be in substantial conformance with the Development Booklet, entitled "Layton Lakes Parcel 28" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0007, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
3. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
4. For lots 1-12, the same floor plan and elevation shall not be built side-by-side or across the street from each other.
5. For lots 1-12, the same color scheme shall not be used side-by-side or across the street from each other.
6. For lots 13-17, no more than two of the same floor plan shall be built side-by-side.
7. For lots 13-17, the same elevation and color scheme shall not be built side-by-side.

H. LUP15-0016 THE BRICKYARD DOWNTOWN

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors and within outside patios along with an extension of premises for an outdoor patio along Boston Street and live entertainment indoors and outdoors at a new bar/restaurant in downtown Chandler. The property is located at 85 W. Boston Street.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

I. CANCELLATION OF THE OCTOBER 21, 2015 PLANNING COMMISSION HEARING.

Approved.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY COMMISSIONER DONALDSON seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Vice Chairman Baron and Commissioner Foley, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

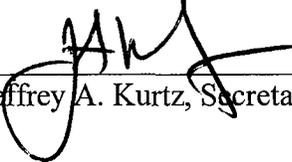
CHAIRMAN PRIDEMORE stated the next regular meeting is November 4, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:39 p.m.



Matthew Pridemore, Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 4, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Susan Fiala, City Planner
Ms. Lauren Schumann, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER RYAN, seconded by COMMISSIONER CUNNINGHAM to approve the minutes of the October 7, 2015 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron and Commissioner Foley abstained; not present on October 7, 2015)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. PDP15-0005 SHARP CONTRACTING

Approved.

Request Preliminary Development Plan (PDP) approval for site layout and building design of a new light industrial building located on approximately 0.77 acres at the southeast corner of Corporate Place and Delaware Court, east of Arizona Avenue and north of Warner Road.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SHARP CONTRACTING", kept on file in the City of Chandler Planning Division, in File No. PDP15-0005, except as modified by condition herein.

2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The site shall be maintained in a clean and orderly manner.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

B. LUP15-0017 EL HERRADERO LLC

Approved.

Request Liquor Use Permit approval to continue to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption in an existing restaurant and continue live entertainment indoors. The site is located at 474 West Ray Road, east of the northeast corner of Ray Road and Iowa Street.

1. Expansion or modification beyond the approved exhibits (Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live entertainment occurring indoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. The site shall be maintained in a clean and orderly manner.
7. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. **The Liquor Use Permit shall remain in effect for three (3) years from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.**

C. LUP15-0018 VINUM 55 CHANDLER

Approved.

Request Liquor Use Permit approval for liquor sampling under a Series 7 Beer and Wine Bar License and to sell liquor under a Series 10 Beer and Wine Store License in a new wine tasting and wine storage facility. The site is located at 2577 West Queen Creek Road, the southwest corner of Dobson and Queen Creek roads in Downtown Ocotillo.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license and a Series 10 Beer and Wine Store license, and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.

4. The site shall be maintained in a clean and orderly manner.

D. LUP15-0020 EKLECTIC PIE

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors and within a new outside patio. The property is located at 2990 E. Germann Rd., Suite 1, the northwest corner of Gilbert and Germann roads.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
3. The Liquor Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
4. The Liquor Use Permit is non-transferable to other store location.
5. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
6. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. persons with disabilities shall have direct access to all indoor and outdoor pedestrian spaces).
7. The site and patio shall be maintained in a clean and orderly manner.

E. ZUP15-0014 PALM PLAZA (HG THERAPIES, LLC)

Approved.

Request Use Permit approval to allow a therapeutic massage and aesthetics/skin care business within the Planned Industrial District (I-1) zoning with a Planned Area Development (PAD) overlay, I-1/PAD. The property is located at 3130 N. Arizona Avenue, Suite 108, west of Arizona Avenue and north of Elliot Road.

1. 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.
2. The site shall be maintained in a clean and orderly manner.
3. The Use Permit is non-transferable to any other property.
4. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
5. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require Use Permit re-application to and approval by the City of Chandler.

F. ZCA15-0001 ADAPTIVE REUSE OVERLAY DISTRICT

Approved.

City initiative to adopt Article XXXIII A.R.O.D. - Adaptive Reuse Overlay District of Chapter 35 (Land Use and Zoning) of the Chandler City Code. **(REQUEST CONTINUANCE TO THE DECEMBER 16, 2015 PLANNING COMMISSION HEARING.)**

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda and the modified stipulation for Item B, as read in by Staff. The Consent Agenda passed 7-0.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

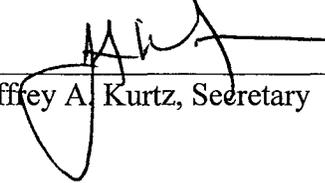
CHAIRMAN PRIDEMORE stated the next regular meeting is November 18, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:39 p.m.



Matthew Pridemore, Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 18, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:
Vice Chairman Andrew Baron

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Mr. Susan Fiala, City Planner
Mr. Glenn Brockman, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by COMMISSIONER DONALDSON to approve the minutes of the November 4, 2015 Planning Commission Hearing. The motion passed 6-0. (Vice Chairman Baron, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

A. DVR15-0023 BOGLE HOUSE

Approved.

Request rezoning from Single-Family District (SF-10) to Planned Area Development (PAD) for single-family residential with a bed and breakfast, and a Preliminary Development Plan (PDP) for site layout and building architecture. The property is located at 275 West San Marcos Drive, south and west of the southwest corner of Arizona Avenue and Chandler Boulevard.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "BOGLE HOUSE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0023, except as modified by condition herein.

2. Building setbacks shall be a minimum of 7 feet on San Marcos Drive, 12 feet on south, 25 feet on east, and 25 feet on north.
3. Utility easements, including but not limited to water and/or sewer, shall be dedicated to achieve conformance with City codes, standard details, and technical design manuals.
4. Permitted uses shall be those allowed in Article VI.1 Section 35.601.1 Single Family District (SF-10), as well as, a bed and breakfast with ancillary events including but not limited to weddings, baby showers, birthday parties.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "BOGLE HOUSE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0023, except as modified by condition herein. The Development Booklet provides that building layout, architecture, and design for future development, and related onsite site layout related to such future development, will be reviewed and approved administratively.
2. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
3. Building architecture shall promote consistent architectural character and detail on all sides of the structure.
4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
5. All outdoor events shall end no later than 11 p.m.
6. The Applicant shall work with Planning Staff to insure adequate parking is provided during each project phase including new construction, altering an existing floor plan, additions to existing structures, and wedding and special events. When parking demands exceed available on-site parking as phases and/or modifications occur, off-site parking shall be provided through a parking agreement with the San Marcos Hotel. Details of the parking agreement shall be developed by the property owners in consultation with Staff.
7. The property shall be maintained in a clean and orderly manner.

B. DVR15-0036 ALLRED CHANDLER AIRPORT CENTER

Approved.

Request to amend Planned Area Development (PAD) zoning Stipulation No. 3 to allow athletic training facilities and/or recreation/instructional uses to locate within Building B and modify Stipulation No. 4 for adjacency of uses in suites where "H" occupancy rated businesses locate. The existing development is located at the northeast corner of Germann Road and Piper Drive, east of Cooper Road and south of the Loop 202 Santan Freeway.

Rezoning

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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Airport Center Zoning Application", kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0037 Chandler Airport Center, except as modified by condition herein.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a Chandler Airpark Center property owners' association.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
9. 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 development shall use treated effluent to maintain open space, common areas, and landscape tracts.
10. The development shall provide sound attenuation measures in accordance with ADOT standard details and requirements excepting any decibel reductions or sound attenuation

- credits for the use of a rubberized asphalt-paving surface. Any noise mitigation if required is the responsibility of the development.
11. No television, communication towers or stand-alone antennas shall be constructed on the property. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and detailed in the Airport Layout Plans.
 12. All development shall comply with the approved FAR Part 150 Noise Compatibility Study and specifically sound proofing the buildings to achieve a 25- to 30-db reduction within the applicable noise contours.
 13. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Hewson Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0026, except as modified by condition herein.
 14. There shall be no general automotive engine repair/auto mechanical work, auto body and paint work, auto detailing, or washing of vehicles. There may be alignment and fluid removal occurring due to accessory parts installation only. Retail sales of accessories and products are permitted as long as the installation takes place on-site and within the principal building.
 15. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR10-0005, except as modified by condition herein.
 16. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR15-0036, except as modified by condition herein.
 17. 'Athletic training facilities' and/or 'family recreational/instructional' uses such as basketball, volleyball, gymnastics, rock climbing, cheer leading, bounce facilities, toddler gyms, and other uses of this nature shall be permitted.
 18. Businesses rated as 'H' occupancies shall not locate in adjacent suites where an 'Athletic training facilities' and/or 'family recreational/instructional' use is located. Conversely, 'Athletic training facilities' and/or 'family recreational/instructional' uses shall not locate in suites adjacent to where an 'H' occupancy rated business is located.
 19. There shall be no competitions held Monday through Friday between the hours of 8 a.m. to 4 p.m., holidays excluded.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Airport Center Zoning Application", kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0037 Chandler Airport Center, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Hewson Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0026, except as modified by condition herein.
3. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR10-0005, except as modified by condition herein.
4. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR15-0036, except as modified by condition herein.

5. The development shall provide additional landscaping to include one (1) 24-inch box tree and three (3) 5-gallon shrubs for every 20 feet of freeway frontage to be installed in the freeway right-of-way.
6. 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.
7. Monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
8. The landscaping shall be maintained at a level consistent with at the time of planting.

D. PDP15-0013 ARIZONA AVENUE AND QUEEN CREEK ROAD

Approved.

Request Preliminary Development Plan approval for housing product within a single-family residential subdivision on approximately 13 acres located at the northeast corner of Arizona Avenue and Queen Creek Road.

1. Development shall be in substantial conformance with the Development Booklet, entitled "ARIZONA AVENUE AND QUEEN CREEK ROAD", kept on file in the City of Chandler Planning Division, in File No. PDP15-0013, except as modified by condition herein.
2. One-story housing plans 1483 and 1626 are approved for lots 22, 27, and 34 (along Queen Creek Road); lots 60, 61, 66, 67, 72, 73, 78, 79, 84, 85, and 90 (along the interior open space area), and lots 39, 40, 45, 46, 51, 52, and 57 (abutting the east property line).
3. No more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.
4. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.

E. LUP15-0019 HOT WOK FENG

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption in an existing restaurant. The business is located at 1050 East Ray Road, Suite 6, northeast corner of McQueen and Ray roads.

1. Expansion or modification beyond the approved exhibits (Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.

F. ZUP15-0007 VERIZON AT LAGUNA VILLAGE

Approved.

Request Use Permit approval to install a monopine wireless communication facility on property located at 5865 West Ray Road, east of the southeast corner of Kyrene and Ray roads.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
3. The existing T-Mobile canister monopole shall be removed and the antennas shall be relocated to the new monopine.
4. The monopine branch density shall be no less than three branches per foot with antenna socks to camouflage the antennas.

G. ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE

Approved. CONTINUED

Request Use Permit approval for an indoor mini-storage facility located within a Planned Area Development zoning district, along with Preliminary Development Plan approval for site layout and building architecture. The subject site is located south of the southwest corner of Dobson and Germann roads. **(REQUEST CONTINUANCE TO THE DECEMBER 16, 2015 PLANNING COMMISSION HEARING.)**

H. CANCELLATION OF THE DECEMBER 2, 2015 PLANNING COMMISSION HEARING.

Approved.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

CHAIRMAN PRIDEMORE stated a speaker card for Item F ZUP15-0007 VERIZON AT LAGUNA VILLAGE.

MR. ISAAC BLAKE, PO BOX 12555 TEMPE, AZ 85284, thanked Commissioners for their attention and time. He stated he is the original owner of the home for the past 23 years. He stated, whether it is pine vs. palm and the aesthetics, everyone can agree to disagree. He wanted to mention something that was not mentioned in the study session. There is a large pole that has been on the east side for few years. He stated he would take a palm or pine solution rather than a vertical pipe that has been there for few years. He stated that there is an increase in land lines turning to wireless, he stated wireless is becoming critical for the environment. He stated we should be able to meet and address the wireless demand. Whether it may be thru Wi-Fi or wireless technology, but there needs to be something there. He stated he is a Verizon wireless customer, he stated, walking outside to get signal is not ideal. He stated there is an increasing demand for wireless. Unfortunately, the intersection of Kyrene and Ray is known for accidents and not having coverage of wireless service is not good. He stated his security system was installed and couldn't connect it because there was no wireless signal. Chandler Police

department also need it for their mobile computers and phones use wireless to send information back and forth. He asked if we would want to delay the officer's response time. He stated his wife cannot get her kindle updates because she does not have connection. He stated he does not care of aesthetics of the wireless connection. He stated that there needs to be some time of service in the area. He thanked the commissioners.

MOVED BY COMMISSIONER RYAN seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 7-0.

ACTION ITEM

C. ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE

Approved

Request Preliminary Development Plan approval for site layout and building modifications including additional parking, shade canopies, monument signage, and building color. The subject site is located at the southeast corner of Alma School and Germann roads.

Preliminary Development Plan

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3313, case DVR01-0010 COBBLESTONE AUTO SPA, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Cobblestone Auto Spa", kept on file in the City of Chandler Planning Division, in File No. PDP15-0011, except as modified by condition herein.
3. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
4. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
7. The site shall be maintained in a clean and orderly manner.
8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
9. The color shade canopies shall be tan in color.
10. Stone accent material shall be installed on the support columns of the shade canopies to a height consistent with the existing steel support structures
11. No detailing or cleaning activities shall occur beneath the proposed shade canopies along Alma School and Germann roads.
12. The applicant shall work with Planning Staff to incorporate design elements such as, but not limited to, architectural integration, adding three-dimensional lettering, and enhancing landscaping around the sign for the monument signs along Alma School Road.
13. The proposed V-shaped Germann Road monument sign is denied.

MR. ERIK SWANSON, CITY SENIOR PLANNER, stated there was a supplemental memo that was handed out before the meeting that included emails that outlined the concerns of the neighbors to the east, to his understanding the neighbor does not want to speak. The PDP, the site layout and building modifications, was originally zoned in 2001 for the carwash; following up there has been additional items that have been through modifications, some relating to the enterprise, also coming to ask for shade canopies along Germann road. In the staff memo, you can see the existing site plan and proposed site plan with those site modifications. It is interesting because staff is recommending approval; however, the primary concerns are the colors of the canopies and the monument signage. The existing site plan, the carwash is in the east side of the building which comes out to be a vacuuming area. What they want to do is have parking spaces on the east site and create stalls on the west side of the little island, in addition they want to add canopies to the area and Planning staff does not have a problem with that. The intersection corner, they have existing parking along Germann and Alma school frontage. On the existing plan they already have shaded out parking shape canopies. They would like to take those down, modify the design and expand those along Alma school. It has been looked at in a design stand point. It does meet the intent of design, there is an arch on the canopies and the building does have arches. The concern is the color scheme they are presenting.

When the initial request in 2006 was presented for the canopies, there was a stipulation that the color of the canopies needed to be tan and also they needed to add stacked stone to the column for those canopies, to tie it into the rest of the center because the building had a lot of stone element and a lot of tan on there. At that point in time it was recommended for approval and received approval. The only reason why they got approved for that is because they went through the process and added stone and making the tan colors. They are ok with the additional canopies however, they need to keep it that theme, tan and stacked stone element. Over the years they have made modification to their signs, which we have been able to make it administratively. What they are requesting tonight is modifications to the two signs along Alma School road by adding a third tenant panel and taking down the existing sign on Germann road and building a V shaped sign. We are supportive of the modification of the two signs on Alma school road with the condition requirement to to add some integration and some architectural interest that is outlined in the zoning code that allows for the modification.

The monument sign along Germann road is the one that there are concerns with as a V- shaped sign. When it came to initial approval it was approved 6ft high with a little architectural embellishment. What is now being presented is an 8 ft. high sign with addition 20 inches on top of the 8ft. so about 9 ft. On top of that it is a V-shape sign which is something it is unprecedented from a design stand point for a commercial center. They sat down with the development team and struggled with it. Staff is willing to work with them on the monument sign. However, it has to be within the perimeter with what the code allows. This doesn't allow any of that. Where to find the language in the subchapter in the code is for billboard. It is not a sign for a billboard consideration. A condition number 13 has been added, monument sign along Germann Road to be denied. Those are really the primary concerns. Staff is recommending approval with those stipulations addressing our concerns with canopy colors and the monument sign. He stated he went to the neighborhood meeting, there were several people there, there wasn't any opposition expressed with the exception with the sound from the carwash.

COMMISSIONER RYAN asked with the removal of the sidewalk along Germann road, if there was still going to be accessibility from the street into the development.

MR. SWANSON responded that it was one of the concerns they had when they looked at the site plan. They looked at the pedestrian area where vacuuming area occurs and there is pedestrian activity along that. What they are proposing to eliminate that and reroute it to an access point along Alma School Rd. So if he looked at the proposed site plan, just in between the fuel pump canopy and the parking stalls that run adjacent to Alma School, there is a connection there. He sat down with the Site Development team that reviewed the plans after it goes through the zoning process and got their feedback as to if this created an ADA issues and there were none. What we have directed the applicant to do if they are going to eliminate that access point across the parking lot that they are going to have to reconstruct that side walk and the curbing so nobody goes that route thinking that have that access across so they are going to eliminate all that together and the routing of pedestrians will be all the way up to Alma School Road.

MR. JESSE MACIAS, 1425 N 1ST ST, PHOENIX AZ, he thanked staff for their attention. He stated he appreciated Planning Staff. He stated he had no issues with the stipulations except for three. He stated he wanted to give a little bit of history. In 2001 they went before commission and City Council to rezone the property with a PAD with a PDP. He stated the project turned out to be one of the premier car wash facilities and he feels it has set the bar for any type of facility that is not only in the City of Chandler but around the valley. They are very happy about it, in 2003 they received an Architectural Excellence Award and they also came in second, nationally for the architectural design. He has worked for Cobble Stone over 16 years now. They have a retail owner and they really take pride in all their facilities. He has been involved with 12 of the 14 locations they have and since remodeled the 2 original ones.

PowerPoint went up. The original color pallet was tan; the tower had neutral tan colors, but if you look at the PowerPoint, the tower color pallet now is what we are proposing for the additional canopies. We wanted to bring this facility with a new color pallet. We worked with Cobblestone about 6 months and paint companies that can come up with this specific and unique blue. This is the pallet with our proposal based on the vacuums canopies by the existing car wash. And two structures outside for covered parking. The existing tan canopies that were presented in 2006, is because that was the old color pallet and it matched then. What they are proposing now, is that new design that matches the building arches. He feels strongly that it is a very uniform design that has the tan and fabric deep blue color pallet that is on the building.

The rendering of the two proposed structures, one of them being the vacuum and the other one being the cover parking. We have two actual photos that were installed in two other facilities. He wants to make it appoint that the proposed design has a very small angle and arch to it. It is not something that they are trying to propose something that will be overbearing for the customers. He stated him and staff have agreed to disagree. He feels very strongly that the color they are proposing is classy and complements the building. He stated it is not something that will detracts from the overall design. He stated that previous cases such as the Hog Wash carwash on McClintock that was approved with approval of the blue canopies and blue towers of the building. He described the color pallet of the Hog Wash Car wash and also mentioned that it was approved by City Council 6-1. He stated that their canopies are visually impactful compared to

the ones they are proposing with the subtle arch. He also showed their site and elevation plans. He also mentioned the Clean Freak Carwash that is in existing carwash that has the blue canopies. He stated they love competition because they feel like they are the best retail in the valley. He stated he does not agree with their color pallet compared to what they have done to their own building.

He stated they don't agree with Stipulation No. 9. They feel that the two carwash facilities that were approved with blue shaped canopies. He also mentioned Stipulation No. 10, cooperating stone on the columns; He stated they is not in opposition in spending the money to and do it a quality job because he feels they set the bar. But they don't agree with the stone because the way that the column is incorporated into the parking space, adding stone to it, would create a conflict with the vehicle. They would be happy to accentuate the base with a darker tan, or something that matches the stone with the building. But not install the stone.

He stated he Condition No. 11 was a surprise to see because they have not discussed this with staff. The canopies out front are not vacuums canopies and are not proposing that, however they don't agree with Stipulation No. 11 that dictates that the operations of this facility can never happen. So respectfully he disagrees with that Stip. Condition No. 13 is another item they have proposed, the V-shape monument sign. They understand the V-shape is has no precedent and something staff feels they can support. He stated he went through the sign code and he couldn't find anything that prohibited that type of sign. He mentioned that staff said something regarding billboards; however, it has no relation to what they are proposing. He explained that the reason they are proposing that type of sign is because their sign is very long and very narrow and at the time when the PDP, rezoning and sign Package was a part of the application. They were allowed to have two signs one Alma School and one along Germann. He stated they don't the ability to put the sign on Germann where it is visible and he explained he drove to the site before the meeting and he stated the sign is parallel to the street and the southbound traffic cannot see it because of the height. The middle sign does not have the price Id sign only has the tenants names was going to be modified but they decided to remove it. He stated the other sign that has the price Id sign that they have is the southern one but he thinks that by the time they pass the median curb cut, people won't be able to see the price Id sign. The people going north, there is an existing wells site with an enclosure that blocks the first sign that is on their property and the only reason why they installed the sign is because it was the only location they were allowed at the time with the PDP, which have to be every 300 ft. So they didn't have a choice as to where to place the sign. It is not visible because of the enclosure, and people cannot see the price Id sign. In the corner, the sign on Germann is parallel to Alma School; no one can see it either. He stated he knows it seems unorthodox to what they are proposing.

He stated they can locate the price Id sign on the bottom of the sign and they are not opposed to that. But if staff has an issue with the sign, the only reason why the sign is 9 ft. is because the corneous matches to what it the building has. But they are willing to reduce it and bring down the height. They feel it is a quality design and he thinks they shouldn't be penalized just because no one has proposed it. He stated that was his first choice. But if it doesn't pass, He stated they are willing to work with staff and sign department so they can be allowed to build a new 8ft height sign that is perpendicular to Alma School in the same location to have the visibility, south and northbound. He stated if commissioners had any question Tuck Bentin was present to speak

about operations. He stated they had a neighborhood meeting that 3 neighbors attended, one of was Moe that was in support, however, no opposition.

CHAIRMAN PRIDEMORE stated his understanding is that he has been a part of this project from its inception. He asked Mr. Jesse if he understood the process of the DRC meetings and why they were meeting at Planning Commission. He stated the blue on the building that he worked with his client for 6 months is already on the building. He asked Mr. Macias if at any point he mentioned to his client that the project has certain stipulation and requirement that are held to a certain standard that they can't be changed when they want however; need to go through public process. He stated he is not a big fan of doing something and asking for forgiveness later. He stated he does not have an issue with it, and he knows that staff is working with him; however, there is a history that has been lost over that is important to the case and is surprise they have gotten to that point.

MR. MACIAS stated it was probably something as a maintenance upgrade with the repaint and it was on another project in Gilbert and Surprise. Not also did the building get repainted but the blue was established and he felt it was a pallet was very strong so as part of maintenance the blue was painted on the three towers. He stated it was not just a "go ahead and do it". It was just part of maintenance. He understands where Mr. Chairman is coming from but explained they didn't have the malicious intent that no one was going to know.

CHAIRMAN PRIDEMORE stated he is surprised given the past history of the project and amount of steps they had to go through to get to where they are now, he is surprised that the comment wasn't made somewhere along the road that "Hey to make some exceptions" in that nature would require public process or at least a conversation with the City before you move forward with it.

COMMISSIONER DONALDSON asked that the tunnel showed in the aerial photo is blue; he asked Mr. Macias if that was something that was changed since it was built or something that was approved as blue at its inception?

MR. MACIAS responded that it was built blue at the beginning of the inception of the project. He stated normally these carwashes get built with partial roof at the tower with canvas. He stated it was built with canvas and left it open because people tend to get claustrophobic, but he said it was not something that was changed.

COMMISSIONER DONALDSON asked if it was a part of the approval.

MR. MACIAS stated he does not remember if it was, however he knows it was discussed.

MR. SWANSON stated when it originally came through, those canopies were allowed that way for the simple fact they you couldn't see them. When the awnings came into play in 2001, a specific condition that prohibited any certain awning, when it came back in 2006 the condition was removed. With that exception they allowed it to do it on that back side because it was not visible.

COMMISSIONER DONALDSON asked staff if there was a benefit to it being blue as opposed to tan matching the other.

MR. SWANSON stated they were not sure.

MR. RYAN stated he is not opposed and think it looks well with the tan. However, the canopies that are on the east side of the proposed new canopies, they are tan. He was thinking a tan would be better instead of having an accent because it will visually read better. As far as the sign, he is not in favor of an 8ft sign that close to the street but if they work with staff so the sign can be read in all directions that would be his suggestion on that.

COMMISSIONER MACIAS stated as long as they are able to work with staff on the orientation for better visibility and not looking for any advantages of anybody else. He mentioned the canopy because they selected that particular shade of blue because it matched the color pallet and feel like it is well designed with the tans and blues. He stated he is not thinking it detracts or they are not asking for a red or yellow. He feels strongly that is it a nice deep see blue and it matches to the facility. He stated if you compare those other carwashes to his carwash, they are not at the same level and is very proud of the facility.

COMMISSIONER CUNNINGHAM stated that her understanding about the carwashes Mr. Macias mentioned with the blue and yellow was approved because they were grandfathered in because there were already 2 businesses in the plaza with the bright yellow and blue canopies for the daycare facility. She stated that this project is in an area that the residential area is yet to build around the business like the gentlemen in the letter points out. The blue on the canopies is going to be conducive to a tranquil setting nearby. However, the noise is going to be more of an issue. She asked Mr. Macias that he discussed 2 blues but is saying that his canopy specifically matches the blue, not the color of his shirt but the blue that is on the building. Is it not the exact color? She stated they might as well leave it tan to keep it from being obtrusive to the rest of the surrounding area.

MR. MACIAS stated he respect her opinion, but explained that it might not be the same blue on their building but it will be something that will complement the over all. He stated the Ray and McClintock carwash with the blue and yellow, on the reports it says it matches the center; however, he was out there last week and said there is no blue or yellow. He stated he does not know how it got approved with those colors. He feels that his proposal and his building don't come close to what other carwashes do. He stated they are not asking for something that detracts from the neighborhood and they have never had any noise complaints and they are not adding any noise. He hopes the commission sees the quality of the building.

MR. TUCK BENTIN, 3739 E BELL RD, PHOENIX AZ, stated he is the General Manager and one of the partners of the company of this location. He stated he was also present in 2001 as they worked through the community and City Council. He stated the City did a great job holding them in a high standard. He stated he is extremely proud of what they built and maintained in the community in Chandler. In the past, 7 or 8 years the City of Chandler has changed and some of the additional businesses whether it's gas stations or carwashes have also changed. They don't mind competition because they understand that the world is very competitive. However, what

they ask for is a level of fairness. There were some concerns with what he heard from the City. They understood where they were coming from and their response was that the Chevron a mile north were going to be built with different new design standards and they were welcomed if they chose to take the time, effort and money to evolve but welcomed to change the architecture and signage. That is the purpose of the proposal. He explained their business is doing well and are not going to go bankrupt, but it is not what it was 8 years ago. The Quicktrip down the street can do whatever they want with their facility. But he only has 1 building that is limited as to what he can do. He stated if the project is approved it would be a great investment with zero profit because it is just for the consumer. However, they are willing to keep the business to a level and standard to welcome residents of Chandler the way it was when they first opened. He stated Mr. Macias is not the bad guy, he has help them a lot and to create the great rich blue color. They felt it was about time to make the building look nice and for the building not to fall apart. He was the one that paid the painter. He apologized for the oversight. He stated his last comment will be regarding the V- shaped sign. He mentioned all of the research they made it not really precluded. He stated in other City's they operate in, that type of sign is an alternative with the straight panel sign orient it one way or the other doesn't accomplish traffic needs of visibility at a facility. Tempe is extremely difficult on sign standards and guidelines but a V-shape sign was ok and approved because it needed two way traffic addressing the visibility. He stated is not a money factor, it is just a way to better communicate with the customers. He is just trying to restore the image appearance and customer friendliness of the facility and also to be competitive. He stated he could guarantee in the years they have been there they have had a noise complaint. He stated it is not like the vacuum is outside, it is contained inside the building and for sure 10 to 15ft you cannot hear it. Lastly, he explained that it is impossible to match the paint color since it is fabric but it is very similar and it is hard to tell there is a difference. The only reason why they wanted the two tone look is so they can have a differential tone look in aesthetic. Tan on tan tends to look bland.

COMMISSIONER WASTCHAK stated he lived in the neighborhood next to the facility and drives by it every day. He complimented Mr. Macias and Mr. Bentin because it is a great looking facility and is not surprised they did awards. He noticed the blue and like the blue but didn't know they didn't get approval. The canopies being out on the corner, there is a different between facilities on Ray on McClintock being midline. The location of the project is a prominent corner with tons of traffic. He stated he would want the tan canopies and thinks it will look good with the building and blue should not be the main color. He is not opposing to blue or adding canopies but he thinks the color should be tan.

He stated he notices the signs from the freeway and anyone that lives around there and the amount of traffic that goes on Alma School Road will see the sign. He mentioned even though the sign is blocked by the pump people are still going to see them. Most of the customers are the ones that live around there. He has been there as well and waits for a spot to open. He stated the fact that they need to have an 8ft sign is not necessary because anybody that needs to know they are there, knows they are there. If there is an issue with anybody seeing the sign that's behind the pump station, can the sign with gas pricing be swapped out to the center one, therefor; you can see it going north and south. The perpendicular to Germann you will see it going east and west. If you are sitting at the intersection to make a left going southbound from Alma School unto Germann you see that sign. So, there is visibility and if those signs can be swapped.

MR. MACIAS thanked his for his comments and being a customer. He understood the canopy comment but look at it in a monochromatic with tan. He states he understands that the blue was approved at the McClintock and is going to be seen from the rest of the center; however, they are not a part of a center. He would request that they don't have a condition that color would be tan. He would like to be able to work with staff to come up with another color, even a terracotta color that would match the barn, if they feel much better to approve and not get stuck with the tan color. He understands Mr. Wastchak's opinion on signage and he knows that the customers know who they are. It is the customer that is coming down and looking at gas prices, those are the customers that are comparing gas prices and cannot see their signage. The first sign going 50mph, you cannot see because one has already passed it and with the median cut, no one is going to take the time to make a U-turn. He explained the only reason they installed the last sign is because they were mandated by the distance requirements but willing to completely remove the last sign which is blocked by the enclosure with the opportunity to do what they are proposing. They are willing to do it at 6ft.

COMMISSIONER WASTCHAK asked if the price signage can be swapped with the center.

MR. MACIAS responded yes there is nothing that says they cannot do that.

MR. BENTIN stated it would provide north and south visibility; the problem is that it is 300 ft. south and the customers approaching the intersection are not going to see it in time. What Mr. Macias was suggesting is part of the consideration would be having improved signage at the corner and giving up the sign at the south. The problem with swapping the signs is that there are other users like Dunkin Donuts that he doesn't think they would appreciate it if it were him.

COMMISSIONER WASTCHAK asked staff if there is a limit of the size of the sign to the mid sign with the new sign code.

MR. SWANSON stated it depends on what the sign become, if it becomes a fuel station showing gas station, it is limited to 6ft. They were all approved at 6ft when they came through the development booklet. Another option they can look at, maybe through a condition, reviewing the complete sign layout and are willing to give up the south, he doesn't think there's anything that is prohibiting them from shifting the one in the middle to the south and gain the 300ft from the one closer to the intersection. Staff can look at it and if that is the case they can continue this and come back with a much more of a complete package.

COMMISSIONER WASTCHAK stated he understand the applicant but does not think it is appropriate to have a huge sign in the corner. He mentioned he lives in the area and doesn't have an issue with seeing the signage and agrees with Mr. Swanson.

MR. MACIAS stated they are willing to remove the last sign and willing to lower the proposed sign to 6ft. He mentioned if the V-shaped sign is not going to get approved, they request that to build a new sign perpendicular to Alma School for visibility. The middle sign is not a good idea and if there is no price Id sign, the ordinance allows them to raise that to 10ft. That is not the

proposed but they want to work with staff and get approval today to have a new sign 6ft perpendicular.

MR. BROCKMAN stated the legal department generally is not in favor deferring all the criteria to working with staff. Based on the discussion it makes more sense to continue the matter and have them touch up the proposal.

COMMISSIONER DONALDSON stated on the stack stone, how wide are the poles themselves.

MR. MACIAS responded 6"

COMMISSIONER DONALDSON stated by looking at the visual there are a lot of poles and seeing them covered in stacked stone it is going to look more mass. It feels to him like a lot of poles that will be placed on the atrial and doesn't sound attractive.

MR. MACIAS stated it's not a matter of cost; they look at it from a functionality stand point. By the time the stone is on, it will look about mass about 16" and will burden them and it will impact the access of a car trying to park. They are willing to paint it to match the stone. He stated the last thing they want is a continuance.

COMMISSIONER WASTCHAK stated he agreed with the applicant and does think it will be a problem with parking. If they can enhance the pole another way, he encourages staff to look at that again.

MR. SWANSON mentioned it would probably be better to go through design review.

MR. MACIAS stated they don't see the need to go to design review and feel it would be a waste of time, if the very least they can work together to come up with a color for the canopies and to have a perpendicular signage.

MR. BENTIN stated if commission doesn't want the blue they can stipulate it however, provide approval. If it is tan, they will live it that. If the V-shape does not work, they can stipulate that and as long as they have a perpendicular sign and give them an approval, that would be fine.

CHAIRMAN PRIDEMORE stated that they look at the project case by case and this project has a long history and think the tan canopies is the way to go. Regarding the V-shape sign, he is not comfortable with letting a V-shaped sign be built and has not heard a compelling argument for it to be included. He stated he is going to rely on sign code for what is allowed, however in terms of the V-shaped sign; he is not in support of that. He is in mind that staff has worked with the applicant and reached agreement on certain things, obviously there are certain conditions that the applicant has not agreed with. But, from his point of view there is nothing that is a burden. He knows that Cobble Stone is a unique site that has packed a lot of stuff in there and it still looks nice. Kudos to them. However, because of the size and shape it comes with certain restrictions that to him were obvious from day one and that they are still trying to work with. Some of them will or might not go away. It is just a burden of that particular site. The other

carwashes that were mentioned, he stated he likes to look at them as case by case bases and that is a good enough argument for the blue canopies. He would like to see a motion from a staff recommendation before they start changing it. The stone, He could see this argument but everyone is trying to move forward and he appreciate Mr. Brockman's comment, leaving it too open and letting it fall back on staff. He would be concerned about what he would see at the end. He is in support of what staff has recommended but can be convinced otherwise.

COMMISSIONER WASTCHAK asked staff if they were approve, will it the stipulated of the V-shaped sign to work with staff according to sign code.

MR. SWANSON responded that is correct.

COMMISSIONER CUNNINGHAM stated she agrees with the applicant on the stone accent, even though she is a great fan of the way Cobble stone look with the stone accent. If they are going to add 8 pillars along Alma School, that is going to detract from the business rather than enhancing it. She agrees it will also be an issue with parking.

COMMISSIONER DONALDSON stated he counted 14 poles on the arterial streets, 7 on each side and he does believe there will be functional issues. He stated he is not trying to take it Design Review, however, when you look at 7 poles with canopies above. He is trying to picture how it is going to look, probably a narrow look. He thinks they should soften the stipulation.

MR. SWANSON stated there seems to be a little confusion with the stacked stone. The stack stone element that they are looking at is consistent to the ones they have already. This places it to 24" to 36" inches. They were not looking at having the stone all the way to the top because that would change visibility. The other option for softening could be groupings of them so 3 and space than 3 again. They're also going to be inside canopy area when you pull into vacuum that will also have the poles, so it will not just be the 14 but inside the carwash as well. He is not sure how to soften it.

COMMISSIONER DONALDSON he stated he would be ok with the stipulations that were proposed by staff. He also mentioned they are great business and have good improvements, so the stipulations will not be burdensome.

CHAIRMAN PRIDEMORE asked staff if there are aware of any noise complaints.

MR. SWANSON stated he is unaware of any phone calls regarding noise issues. With property to the east and starting their zoning process and being proposed as single-family residential the noise issue has come about that process. He has not received a direct phone call.

MOVED BY COMMISSIONER DONALDSON seconded by **COMMISSIONER WASTCHAK** to approve the ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE with the stipulation recommended by staff. The Consent Agenda passed 6-0.

6. DIRECTOR'S REPORT

Mrs. Jodie Novak, Senior City Planner had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

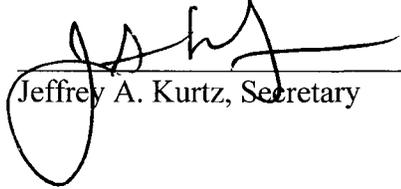
CHAIRMAN PRIDEMORE stated the next regular meeting is December 16, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 7:00 p.m.



Matthew Pridemore, Chairman



Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, December 16, 2015 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:
Commissioner Bill Donaldson

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Mr. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER RYAN, seconded by COMMISSIONER CUNNINGHAM to approve the minutes of the November 18, 2015 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron, Abstained, not present that meeting and Commissioner Donaldson, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience 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.

B. DVR15-0025 PARKLAND MEMORY CARE

Approved.

Request rezoning from Planned Area Development (PAD) for Office to PAD (Office/Medical Related Uses) with Preliminary Development Plan (PDP) approval for a memory care facility and other associated uses on approximately 4.5 acres located at the northwest corner of Arizona Avenue and Appleby Road

Rezoning

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0025 PARKLAND MEMORY CARE, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "PARKLAND MEMORY CARE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0025, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0025 PARKLAND MEMORY CARE, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "PARKLAND MEMORY CARE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0025, except as modified by condition herein.
2. The site shall be maintained in a clean and orderly manner.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. 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.

8. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

C. DVR15-0035/PPT15-0015 MAINSTREET TRANSITIONAL CARE FACILITY

Approved. CONTINUED

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Commercial/Medical Related Uses with Preliminary Development Plan (PDP) approval for a transitional health care facility and other associated uses with Preliminary Plat approval on approximately 8 acres located at the southeast corner of Arizona Avenue and Queen Creek Road. **(REQUEST CONTINUANCE TO THE JANUARY 20, 2016 PLANNING COMMISSION HEARING.)**

D. DVR15-0040 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 zoning district of I-1/PAD, along with Preliminary Development Plan approval for site layout and building architecture for an office building. The existing PAD zoning designation is for commercial retail, office, industrial, and showroom uses for an approximate 13-acre site located at the southeast corner of Arizona Avenue and Elliot Road.

Zoning Time Extension

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0040 POLLACK BUSINESS PARK SOUTH, extending the timing condition for an additional three (3) years, with all of the conditions in the original approval remaining in effect.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0040 POLLACK BUSINESS PARK SOUTH, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pollack Business Park South" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0040, or in substantial conformance with the Development Booklet entitled "Pollack Business Park South" and kept on file in the City of Chandler Planning Division in File No. DVR05-0057, except as modified by condition herein.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

E. ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE

Approved.

Request Use Permit approval for an indoor mini-storage facility located within a Planned Area Development zoning district, along with Preliminary Development Plan approval for site layout and building architecture. The subject site is located south of the southwest corner of Dobson and Germann roads.

Use Permit

Planning Staff recommends Planning Commission motion to recommend approval of ZUP15-0011 EXTRA SPACE STORAGE, subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3472, case DVR02-0026 CHUPAROSAS, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Extra Space Storage", kept on file in the City of Chandler Planning Division, in File No. PDP15-0008, except as modified by condition herein.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend approval of PDP15-0008 EXTRA SPACE STORAGE, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Extra Space Storage", kept on file in the City of Chandler Planning Division, in File No. PDP15-0008, except as modified by condition herein.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The site shall be maintained in a clean and orderly manner.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

F. ZUP15-0017 VERIZON – HUNT HIGHWAY

Approved. CONTINUED

Request Use Permit approval to install a monopalm wireless communication facility on property located east of the northeast corner of Cooper Road and Hunt Highway. **(REQUEST CONTINUANCE TO THE JANUARY 20, 2016 PLANNING COMMISSION HEARING.)**

G. ZCA15-0001 ADAPTIVE REUSE OVERLAY DISTRICT

Approved.

City initiative to adopt Article XXXIII A.R.O.D. - Adaptive Reuse Overlay District of Chapter 35 (Land Use and Zoning) of the Chandler City Code.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation.

COMMISSIONER RYAN stated he will abstain from voting on Item B, due to conflict of interest.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 7-0.

ACTION ITEM

- A. APL15-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0028/PPT14-0012 ENCLAVE AT HAMILTON RANCH

Approved.

Request Chandler Airpark Area Plan amendment from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. Request rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for Offices to PAD for Residential with Preliminary Development Plan (PDP) approval for subdivision layout and housing product with Preliminary Plat (PPT) approval on approximately 28 acres located south and east of the southeast corner of Arizona Avenue and Queen Creek Road.

Area Plan

Planning Staff recommends Planning Commission motion to recommend denial of APL15-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT.

Rezoning

Planning Staff recommends Planning Commission motion to recommend denial of DVR15-0028 ENCLAVE AT HAMILTON RANCH.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend denial of DVR15-0028 ENCLAVE AT HAMILTON RANCH.

Preliminary Plat

Planning Staff recommends Planning Commission motion to recommend denial of PPT14-0012 ENCLAVE AT HAMILTON RANCH.

Rezoning

1. **Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “Enclave at Hamilton Ranch, kept on file in the City of Chandler Planning Division, in File No. DVR15-0028, except as modified by condition herein.**
2. **Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.**
3. **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.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
 5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
 6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
 7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
 8. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.
 9. Unless otherwise included as part of the City's Capital Improvement Program, the developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
 10. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
 11. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorders Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled *Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area)*, as

adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

- c) **Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.**
 - d) **The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.**
 - e) **The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.**
 - f) **All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.**
 - g) **The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:
"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."**
12. **Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a heliport at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.**
13. **Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing railroad tracks and railroad right-of-way that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure**

statement outlining that the site is adjacent to or nearby an existing railroad track and railroad right-of-way, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

- 14. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.**

Preliminary Development Plan

- 1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Enclave at Hamilton Ranch, kept on file in the City of Chandler Planning Division, in File No. DVR15-0028, except as modified by condition herein.**
- 2. No more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.**
- 3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.**
- 4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.**
- 5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.**
- 6. 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.**
- 7. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.**

Preliminary Plat

- 1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.**

MS. JODIE NOVAK, SENIOR PLANNER stated there are three components, Area Plan amendment requesting an amendment to the City's current adopted Chandler Airpark Area plan, changing land use from neighborhood commercial and commercial/office/business Park with a light medium corridor overlay to a low medium density residential. The second component is rezoning the last, if it were to be approved, from AG1 to PAD from offices to a new PAD for a single-family residential. The third is a PDP which is a subdivision layout and housing product design, as well as a PPT an engineering document.

The property is located south and east of the south east corner of Arizona Avenue and Queen Creek Rd. It is approximately 28 acres. The proposal includes 128 single-family residential units.

The case came before the planning commission. The request is coming back to be reconsidered, they have made minor changes to the development request and would like reproach the proposal and land use change.

Planning staff recommends denial of the application of the foundation that is inconsistent that currently adopted General Plan so there is fundamental principles of land use, what the City's vision is for the corridor and particular property. She stated the PDP and overall design is a really nice development proposal, it meets the development standards in terms of subdivision layout quality, housing product quality and amenities. She stated she staff had no concern with that, but due to the concern with the land use and the forth coming of rezoning with PDP and Plat would be recommended for denial.

In summary, is it the in the Airpark Area Plan, which has special land uses and not does consider single-family residential as a use for the particular parcel. As a part of the development, they did have to go through the Airport Commission. As a part of the Airport Commission which occurred in November, they reevaluated it and did recommend that the project would constitute a conflict with existing or a planned Airport uses. They do not prefer residential in that particular area. But if it were to be approved through the regular zoning case hearing processes, they did have some corrective actions. The Staff memo does go over some of them. One of them that she wanted to clarify, there was a request that they have been asking from subdivision that, if a development were to be approved and built within the Airpark Area, they would prefer the term Chandler Airpark put somewhere in the project subdivision name. She stated that the applicant might have concerns about trying to do that or substantially changing their name. She explained there was a prior case that had a zoning condition for that. She didn't proposed one with the optional conditions but she wanted to point that out for the record, maybe which is something they can discuss.

She stated that some of the other administrative corrective actions are being address by the stipulations that she handed out. Some may deal with noise attenuation with the home construction. Notifying homeowners about where they are that they are right next to an airport. She stated staff looked at the changes that they made in the proposal, such as going from 132 lots to 128, the four lots that they removed were at the very east end of the street, which allows them to add a little bit more open space. One of the key elements that they discussed that has been mingling in the development booklet, which they felt that compared to other developments along the corridor; they have substantially a larger amount of open space from the center line of the railroad. For clarification, staff measure all open space from where the actual railroad right-away starts which is the east property line of the subdivision. So they have a different option on that, it is not really substantial element but she just wanted to clarify that because it was pointed it out. Another item to make Commission aware of is that staff has not received any opposition or concerns to the particular project. She did receive a letter from the Council office from the Carino Estates Home owners Association which happens to be to the west, it stated they are fully aware of what is being proposed and are in full support of the zoning case and prefer residential subdivision use over any kind of multi-family or office/industrial at the location. In addition she stated that the applicant made them aware that they had over 250 petition signed in support of the case and wanted to get that on the record.

She stated in the packet there is a noise study that the applicant hired a professional to complete and also included documents regarding influence over the Airport area and included a letter and bound report. In addition to that, they have done an office market analysis. She clarified that the property is not planned just for office it could have the potential for commercial related type uses retail, restaurant and or office Business Park sort of light industrial business park type uses. Most of the documents were discussed at the Airport Commission and stated the applicant will address them at the meeting. She reiterated that they are recommending denial of all the different components that are requested fundamentally based on the General Plan. She then stated she would be happy to answer any questions.

MR. ADAM BAUGH, 2525 E. ARIZONA BILTMORE CIRCLE, SUITE A-212, PHOENIX, AZ 85016 stated Mr. Withey Morris is at City Council at Phoenix and will try to make the meeting on time. He thanked Commissioners for their time and reminded them that the case came forth to Planning Commission in February and they recommended approval, it went to City Council and it was denied and were given clear direction on things to get the approval. In the last nine months they have been actively working on addressing some of the specific comments they received and doing the things they were requested to do. It is a very similar case as last time, however, a new and improved version. He stated that everybody seemed to like the site plan and amenities and product from the prior case that came forward. They were really careful not to make too many of those changes, they made a few changes but some of the things that has changed since last time is the willingness to do a taller wall along the railroad track. They have also eliminated 4 lots which helped increased the setbacks both from the building and the landscape setback. There is a willingness to do additional landscape along the eastern boundary, where before they didn't have that. They are doing something's with the construction type two by six construction, rather than two by four, wet blown insulation, sound proofing, installing high air created STC windows to the homes next to the railroad. Those are the things that manifested both in site plan and construction type that has adjust from some of the comments they received from Council the last time.

He stated it is important to highlight that beyond those element, comments from the airport, noise and land use, were very clear directions given to them. So they reached out to some consultants to help prepare that study. They are grateful for the feedback that they provided and shared with staff. For the airport study, they retained Richard Crosman from Genesis Consulting Group, very reputable airport consultant and works for a number of municipalities in the valley and the Airport Commission recommended him as a good consultant and wrote good reports. He stated that the consultant's study specifically stated that the proposed subdivision was no detriment impact on the airport. As a point of highlight, the prior Avalon case that came forth before Commission not too long ago, which was on McQueen on Germann Rd, Planning Commission approved it. The Airport Commission gave them the exact same recommendation that they provided Avalon case and same stipulations which were fine with. The consultants compared their site the Avalon site and they are further away from that one and are not off the run way. There are more than thousand homes in closer proximity to the airport than this particular case. He stated the airport study is very clear and won't have any impact on the operations of the airport. The noise study was something they looked into as well; they have railroad track and an arterial street and flights from the airport. The noise study measured the noise and it maybe a shocker, but the report concluded that the noise from the arterial street was

by far the greatest noise generator than the railroad tracks or the airport because of the infrequency of those types of things. It also concluded that the Avalon site which the commission approved had much greater airport related noise than this site.

He stated they hired a land use consultant to prepare a study that helps analyze what the marketable barrier and there was a general consensus last time that there is an overabundance of commercial builds so the emphasize had been focused on more office employment type uses. Judy has prepared reports and recently in the Town of Queen Creek in analyzing the inventory of land uses that they have. She concluded that it is somewhat ludicrous to think that someone would build 400,000 sq ft of office on the corner. More importantly there are greater office opportunities at the Loop 202, Price Road Corridor, right near the airport, even on Rivulon, which is just on the other side of Gilbert Corridor. He appreciated what staff pointed out in their staff report; it was a comment that the market study said. "Office, Commercial, Industrial employment on the subject property would be a disruption to the emerging neighborhood that already occurring in the area. More importantly the presence of the existing proposed office developments in Chandler combined with the proposed residential developments and the lack of proximity to a freeway, make this property a residential site division." Lastly, he explained there was a big concern from both Planning Commission and City Council, what happens to the out parcel? He stated at the time, he did not have a good answer but now, that is a huge benefit to the case, 9 months later we all know what is happening and it is on the agenda called Mainstreet, case no C, Transitional Care Facility. The wildcard that existed has now been answered, and now they all know what the full 40 acre looks like and not just partial acres. He stated he liked that project because it is entirely compatible with his proposal; it is a short term kind of quasi residential use. People stay there up to 27 days as they go through rehab but it's a low traffic volume generator with very minimal noise which is a perfect complement to this type of subdivision and he is glad to hear that the case is being continued so they can modify the elevation from two story to single story which is even more optimal for this subdivision. But that solves that wildcard question that was out there before hand. Another thing that is important that has changed for this process is that the City has been going through the General Plan update and he stated he loved what David De La Torre mentioned in his presentation, said something like "originally this was planned for employment for some residential but the way it's develops is mostly residential with some employment" and he thinks they are starting to reflect that change most likely in the next General Plan cycle. It shows that a number of factors have evolved over the last 9 months that makes it appropriate to bring the case forward a second time. He stated he doesn't know how the General Plan language will eventually look at the end, although, from what it's trending today, it looks like it would be more favorable even for the optics of this case and thinks it gives the City Council greater flexibility when it gets adopted to prove that type of case. He stated it is a type of reflection of their recommendation that things have changed in the area.

He stated, lastly, they spent a lot of time doing community outreach that they also lacked in the prior case because they thought there was no necessity. He stated they received feedback from Council and realized they thought they should do neighborhood work. Exhibit was shared, a map of green plotting that are home owners that have signed a petition letter in support and green area represented HOA's that they have met with and signed in support. They have met with others in the area but have not had a chance to get to the HOA board and that is coming in January and he

suspects by January, all that area should be shaded in green. He enjoyed the support of the project and thinks they recognize that it is the most appropriate land use there. 250 plus letters, 4 HOA's and also letters in support from the adjacent Church property next to them. The Mainstreet people are expressing support that is the corner parcel and the veterinarian clinic just south that are also in support. He stated to wrap it up; they are ok with the same stipulations that they had last time. Also they are okay with the Airport mitigated factors. The only thing he would ask is the discussion about using the word Airport Area Plan in the name of the subdivision. He believes that the airport is an important part but they don't want to miss brand it and sometimes throwing those names in the subdivisions that are not particularly close to the airport, you miss brand what the airport is all about. He is grateful to see that staff is recommending that not be included. He thinks it is essentially a similar case as last time just with better circumstances that help blend its support and appreciated the considerations.

CHAIRMAN PRIDEMORE stated he had a speaker card for Ralph Pew and wished to speak regarding Item A.

MR. RALPH PEW, 1744 S. VAL VISTA DR. SUITE 217, MESA, AZ 85204 thanked Commissioners for the opportunity to speak. He stated he represents Mainstreet, the project on the immediate south east corner of Queen Creek and Arizona Ave. The request was to continue the case. He just wanted make clear and be on the record that the project is a very unique in the medical industry that provides transitional care for those patients who have had acute operative care or acute incidents in the hospitals and need a few more weeks of time for full recovery. It is short term and it is post-operative care generally speaking. It is a very good fit for that commercial corner and is very supportive of the residential use being proposed next to them. Their experience in the industry across the country is that their use fits nicely with a joining residential uses. Their guest who are onsite, do enjoy going outside from time to time, recovering from surgery. He stated it is a very peaceful environment if residential is next to them. They are supportive and will see Commission next month with the revised plans.

VICE CHAIRMAN BARON asked Mr. Ralph if there is ambulance transport associated with the facility.

MR. PEW responded that they do arrive in multiple ways but yes there is transportation that arrives there from time to time.

VICE CHAIRMAN BARON stated if something went wrong is there transportation back to the hospital? He is curious of the frequency of the ambulance visits.

MR. PEW stated that the Chris Senior Development Director and Development Director for Mainstreet are present and could answer that but he believes the answer clearly is that there is nursing care onsite and if there is an emergency or a need, there will be transportation available.

VICE CHAIRMAN BARON stated so there is probably not transported there from the hospital with ambulance sirens up to the front door?

MR. PEW stated they are not doing that all and it is not an emergency care. He stated that everyone will need the service eventually.

CHAIRMAN PRIDEMORE turned to the audience for comments, questions for Mr. Pew. There were none.

COMMISSIONER WASTCHAK agreed with staff and the applicant that it is not necessary to have the Airpark in the name, he thinks it's confusing and he doesn't think it helps the intent of the Airpark which is "hey you live near an Airpark" but the project is so far away and it is not necessary. He stated he would not want it stipulated or required for the applicant.

CHAIRMAN PRIDEMORE agreed with Commissioner Wastchak's comments. He stated that he knows that the comment coming from Airport Commission was what suggested for Avalon, but as everyone is aware Avalon is a lot closer to the airport than this project. And agrees it will lead to unnecessary confusion, especially because all the other residential products along Arizona Ave do not have it. He stated he was in favor from the first time they saw it. He agreed with the applicant with the information that they have now and studies they have done, especially with what's going at the corner, even though it was continued, he still think it's an appropriate use. And does not have any issues with the proposed strips from Airport Commission and believes they are appropriate and does not think they are unnecessary burden to the developer.

COMMISSIONER CUNNINGHAM stated she was opposed to the case in the past because she felt it was not appropriate to take a commercial area and turn it into residential, however, with the residential across the street that was also opposed to, that condition no longer applies. She does like what is happening with the corner and based on what she sees coming in the future, she withdraws any objections and will be voting yes.

CHAIRMAN PRIDEMORE stated looking at the proposed zoning conditions that came before them; he did not see one regarding the name. He asked staff if that one had already been struck.

MS. NOVAK responded yes.

CHAIRMAN PRIDEMORE stated there was a list of proposed conditions that are pretty standard and include the proposed ones from Airport minus the ones that had already been made. So everyone is clear.

COMMISSIONER WASTCHAK stated one of the concerns he had with it first came forth, was the proximity to the railroad and sound is going to be an issue and he did want to tell the applicant that he appreciated that they took that into account and adding a further separation that is going to make it a more livable community for those people along the railroad tracks. He wants to make sure if there are future residential that comes along, this would be an example of what is done to try to mitigate sound and what he will be looking for.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER WASTCHAK** to approve APL15-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT as read by staff. Passed 6-0 (Commissioner Donaldson, absent).

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER CUNNINGHAM** to approve DVR15-0028 ENCLAVE AT HAMILTON RANCH with the noted stipulations recommended and handed out by staff. Passed 6-0 (Commissioner Donaldson, absent).

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER WASTCHAK** PPT14-0012 ENCLAVE AT HAMILTON RANCH with the noted stipulations recommended and handed out by staff. Passed 6-0 (Commissioner Donaldson, absent).

6. DIRECTOR'S REPORT

Mr. Kevin thanked Commission for their efforts in 2015 and wished them a happy and safe Holiday season.

7. CHAIRMAN'S ANNOUNCEMENTS

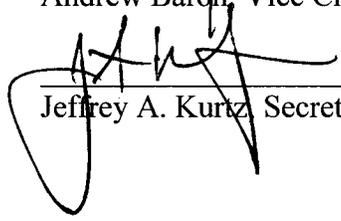
CHAIRMAN PRIDEMORE also wished everyone a happy and safe holiday and stated the next regular meeting is January 6, 2016 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 6:02 p.m.



Andrew Baron, Vice Chairman



Jeffrey A. Kurtz, Secretary