MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 7, 2012 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Cason 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 Michael Cason
   Vice Chairman Leigh Rivers
   Commissioner Stephen Veitch
   Commissioner Matthew Pridemore
   Commissioner Andrew Baron
   Commissioner Katy Cunningham
   Commissioner Bill Donaldson

   Also present:

   Mr. Kevin Mayo, Planning Manager
   Mr. David de la Torre, Principal Planner
   Mr. Erik Swanson, City Planner
   Mr. Glenn Brockman, Assistant City Attorney
   Ms. Joyce Radatz, Clerk

4. APPROVAL OF MINUTES

   MOVED BY VICE CHAIRMAN RIVERS, seconded by **COMMISSIONER BARON** to approve the minutes of the January 18, 2012 Planning Commission Hearing. The motion passed 6-0 with one abstention (Commissioner Veitch abstained as he was not present at the meeting).

   MOVED BY VICE CHAIRMAN RIVERS, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the February 1, 2012 Planning Commissioner Hearing. The motion passed 6-0 with one abstention (Commissioner Veitch abstained as he was not present at the meeting).

5. ACTION AGENDA ITEMS

   CHAIRMAN CASON informed the audience that prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After Staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion. There were no items pulled for discussion.

A. DVR11-0016 THE PRESIDIO

Approved.

Request rezoning from Planned Area Development (PAD) to PAD Amended to increase the allowed percentage of Medical Office, with Preliminary Development Plan (PDP) approval utilizing an off-site shared parking model for an approximately 6.35-acre business park located south of the southwest corner of Pecos and Dobson roads.

Rezoning

Upon finding consistency with the General Plan, Staff recommends approval of DVR11-0016 THE PRESIDIO zoning amendment from PAD to PAD Amended to increase the allowed percentage of Medical Office by eliminating Condition No. 10 of Ordinance No. 3760 limiting Medical Office to 20%.

Preliminary Development Plan

Upon finding consistency with the General Plan, Staff recommends approval of DVR11-0016 THE PRESIDIO Preliminary Development Plan (PDP) approval utilizing an off-site shared parking model, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Presidio", kept on file in the City of Chandler Planning Services Division, in File No. DVR11-0016, except as modified by condition herein.
2. The General Office vs. Medical Office percentages will be based upon a demonstrated amount of available parking through a recorded Reciprocal Easement Agreement for Parking, or other similar instrument.
3. All new off-site parking shall be constructed to City standards.

B. DVR11-0045 COVO CAFÉ

Approved.

Request rezoning from Community Commercial with a Planned Area Development overlay (C-2/PAD) to PAD and Preliminary Development Plan (PDP) approval for a new restaurant at 55 W. Chicago Street, located approximately 200 feet west of Arizona Avenue at the southwest corner of Chicago and Wall Streets.

Rezoning

Planning Commission and Staff, upon finding consistency with the General Plan and the South Arizona Avenue Corridor Area Plan, recommend approval of the rezoning from C-2/PAD to PAD in case DVR11-0045 COVO CAFÉ subject to the following condition:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Covo Cafe" and kept on file in the City of Chandler Planning Division, in File No. DVR11-0045, 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
Planning Commission and Staff, upon finding consistency with the General Plan and the South Arizona Avenue Corridor Area Plan, recommend approval of the PDP in case DVR11-0045 COVO CAFÉ subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Covo Cafe", kept on file in the City of Chandler Planning Division, in File No. DVR11-0045, except as modified by condition herein.
2. Any portion of the screen wall or other improvements in the right-of-way shall require an encroachment permit and shall abide by the requirements of said permit, including those pertaining to screen wall materials.
3. The subject development shall allow for an 8' separation between the screen wall and the existing curb.
4. The subject development shall allow for a 6'-wide pedestrian path in the right-of-way that is unencumbered by landscaping.

C. PDP11-0015 TEMPE KOREAN PRESBYTERIAN CHURCH

Approved.
Request Preliminary Development Plan (PDP) approval for the construction of a shade ramada in conjunction with outdoor fellowship and playground space on an approximate 11.5-acre church campus located at the northwest corner of Dobson Road and the Loop 202 Santan Freeway.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Tempe Korean Presbyterian Church", kept on file in the City of Chandler Planning Services Division, in File No. PDP11-0015, except as modified by condition herein.
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3384, case DVR02-0011 WELLSPRING CHURCH ON DOBSON, except as modified by condition herein.
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. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.

D. LUP11-0026 IRISH REPUBLIC PUBLIC HOUSE

Approved.
Request Use Permit approval to sell and serve all spirituous liquor within a restaurant and pub that includes an outdoor patio (Series 6 Liquor License) at 58 S. San Marcos Place in Historic Downtown Chandler.

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

3. The Use Permit shall be in substantial conformance with previous Use Permit approvals (LUP10-0027 & UP08-0042) except as modified by condition herein.
4. **Music shall be controlled so as to not unreasonably disturb area residences.**

E. LUP12-0004 CIRCLE K STORE

Approved.

Request Use Permit approval to sell wine and beer for off-premise consumption only (Series 10 Wine & Beer Store License) from a new convenience store at the southwest corner of Arizona Avenue and Elliot Road.

1. The 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 Use Permit is non-transferable to any other location.
3. Expansion beyond the approved Floor Plan and Narrative shall void the Use Permit and require new Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

F. ZUP12-0002 CIRCLE K STORE

Approved.

Request Use Permit approval to allow a new fuel station and convenience store to operate as a "late hour business" at the southwest corner of Arizona Avenue and Elliot Road.

1. Expansion beyond the approved 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. Site maintenance activities such as trash pickup, parking lot sweeping, and landscape maintenance shall not occur between the hours of 12 a.m. and 6 a.m.

COMMISSIONER BARON said he would be abstaining from voting on Item B DVR11-0045 COVO CAFÉ as he is working on that project.

MOVED BY VICE CHAIRMAN RIVERS, seconded by **COMMISSIONER VEITCH** to approve the Consent Agenda with additional conditions as read into the record by Staff. The Consent Agenda passed unanimously 7-0.

6. PARKING CODE AMENDMENT - BRIEFING

Briefing to discuss potential amendments to Article XVIII Parking and Loading Regulations of the Land Use and Zoning Code.

Mr. David de la Torre, Principal Planner, presented his briefing on Parking Code Amendments to the Commissioners. He said there was no action required tonight but they would like to receive feedback from Commission on the proposed amendments. He

stated that after tonight Staff plans to come back to Commission two more times with the same agenda item. The second time would be to hear input from stakeholders and the third time would be to request approval by the Planning Commission. After that the proposed amendments would be taken forward to the City Council for their review and approval. In 2010 the City hired a Consultant to interview developers and other professionals involved in the development process in Chandler. One of the comments that came out of that report was that Chandler's requirements for number of parking spaces was too high which hurts Chandler from a competitive standpoint and parking standards need to be reduced.

He went on to discuss the Code Amendment process and the Proposed Parking Code Amendments. He discussed in detail the parking ratio reductions with examples for multi-family, indoor recreation, medical office vs. general office, vehicle service stations, manufacturing & warehousing and hotels and lodgings. He noted that on indoor recreation uses the ratio would not apply to uses that have tournaments or exhibitions. Those would be calculated at the 1 per 200 ratio because they bring in more people.

Mr. De la Torre had further discussion about potential new categories which included day care centers, recreational vehicle parks, recreation community centers, libraries, museums, call centers, convention centers, car washes and motor vehicle sales and leasing. He talked about why we should establish maximum parking limits. Valley cities with maximum parking ratios include Avondale, Glendale, Mesa, Phoenix, Surprise, and Tempe. Chandler is proposing a combination of Mesa, Tempe and Phoenix.

Next Mr. De la Torre discussed the Shared Parking Model along with Parking Demand Studies which may be submitted to justify parking reductions due to several factors such as shared parking with other uses, reduced parking demand generated by unique land use, off-site parking and transit accessibility.

Mr. De la Torre finished up his presentation by discussing the Parking Overlay/Districts, On-Street Parking Credits, and Tandem and Parallel parking. He summarized the proposed parking code amendments as follows:

- Decrease certain parking ratios
- Establish maximum parking limits
- Allow parking reductions through:
    - Shared parking
    - Parking Demand Studies
    - Parking Overlay/Districts & In-lieu fees
- Provide credit for on-street parking
- Allow tandem parking

Mr. De la Torre stated the proposed amendments that Staff is proposing to the Parking Code they believe will help Staff and the City be more responsive to developments and

particularly the varying parking needs they present to them on a day to day basis. He answered questions from the Commission and discussed with them any general concerns they might have.

QUESTIONS AND CONCERNS FROM COMMISSIONERS

CHAIRMAN CASON asked about any statistics that the TechSolve Report provided specifically about what competition they lose if the parking standard needs to be reduced. He is not convinced that Chandler hurts from a competitive standpoint. He also asked when it is time to sell the property and another user wanted to come into it but they actually need more parking spaces, then how much more difficult would it be for them to promote the property being resold in the condition now that they allow fewer parking spots because of the original tenant. Does that encumber their ability to be able to turn that property over on behalf of the City? The way this is proposed and the way they read it leaves all of the tools in their tool belt they need to perform their task. Ms. Christine Mackey, Economic Development Director, said they are looking for that flexibility. As they read the report, they were very pleased with what they saw giving them the opportunity to be flexible, be responsible and be respectful for the use of that building.

VICE CHAIRMAN RIVERS said from past experience he has had very bad experiences with parking and consultants and developers who tell you that they have enough parking when in reality they don't. It disturbs him that they want to now take their word that they can reduce our parking requirements up to 40% without any kind of action on the part of the Staff other than to say go ahead. It bothers him that what he is hearing is that they are considering making the Chandler City Code dependent upon a developer who says they don't need that many parking places and years later parking is spilling over into the neighborhoods and the neighbors have to take it upon themselves to police this action because the developer obviously provided bad information or had no intention of honoring their commitments. It's up to the neighbors to be the police department for that and then there is all kinds of other problems that are arising from it even as it is today and can they tell them what they are going to be able to do to avoid that in the future with these new lower requirements.

CHAIRMAN CASON said if you take the Vice Chairman's comments and look at them from the 30,000 foot level he thinks what he is saying is that perhaps in the presentation they can protect them from under parking and then wanting to over park needs to be further emphasized so that they understand they are looking at this. This is a conscious decision and this is the process they go through.

COMMISSIONER VEITCH said this is what one respondent from TechSolve's outreach had to say; it is not a conclusion that TechSolve came to. Correct? With all due respect to what Chris had to say and he believes it and regardless how they might feel about the

individual suggestion, this is not a declaration of an earth shattering problem as much as it is that they need to take a look at this stuff.

CHAIRMAN CASON asked if the consultant offered any opinions on electrical vehicle parking requirements. What is their opinion as to whether electric vehicles would drive more traffic or less traffic? In other words, will more people use up more parking spaces as they evolve to electric vehicles than not? Is there any kind of survey or data out there that shows a trend of how people would utilize that new technology so they don't blow the whole process based around a carbon automobile when in fact somebody may be able to produce some sort of data to at least be able to examine as whether there is some sort of impact with the change the way vehicles operate and whether that will impact either to decrease our parking or will it increase the parking? He would like Carl Walker to be asked that question.

CHAIRMAN CASON asked if they had done any examination with older apartment complexes to see some of the 30 year old complexes and what is their occupancy rate, how much of their parking is used up, what kind of ratio does it match? Does it match the original ratio that they forced upon them or are they parking less? Are they parking substantially less because just by casual observation the older apartment complexes probably park quite a bit less than newer apartment complexes do so do they really need to take that into account even though they change their multi-family parking when in fact they still may be over parking it on a long term basis. He thinks being able to know that information might actually make them feel more comfortable about the numbers because they know it will be the worse that they will ever be. He thinks that would be a good thing to know.

COMMISSIONER PRIDEMORE asked about the indoor recreation. In regards to how they exclude that ratio for tournaments or exhibitions, to him Chandler wants to have the competitions here. They want the people coming in and spending their money and their time in the city. He is thinking of a facility that may host a tournament once every 10 years and all of a sudden getting dinged. When they come through they may not have anything to do with it but they grow and change over time where they get the privilege or honor to host something like that and then now all of sudden there is an issue. To him the exception seems odd like the fencing school that came through here where they could demonstrate most of the time that these events are happening off hours or on weekends. He just hates to see that exception right out of the gate and especially then language for people that are changing over time and how that would be handled.

CHAIRMAN CASON asked if people come through and they have limited parking where there isn't shared parking available, have they thought about requiring a use permit for having a competitive event so that they have an opportunity to know whether there is parking available or what their parking plan is for the people that are expected to come in and is that even feasible to do? He asked the question because he doesn't recall any type of these uses coming through here saying if they are going to have a tournament and they

are going to exceed their parking allowance that they need a special use permit in order to do that especially an event permit. That could be because they just never had that circumstance come up where there hasn't been some sort of shared parking opportunity available to go ahead and take care of the situation. But should something happen in the future where somebody is limited on that and there isn't another way to solve that temporary parking situation, then they would expect the applicant to submit an application that shows that if they do have an event they will submit a special use permit if they do not have another way to park for the events.

CHAIRMAN CASON asked if the one space for 150 square feet is just based on where the personnel sit. In other words, if this was a Call Center that was also a Data Center under one roof and they were operated by the same people, would it be like a regular medical and dental office in the same building that the square footage that is dedicated to the Call Center staff would be parked at one ratio and then the other which requires virtually no staff but uses up a heck of a lot of square footage, that would be done at a different ratio?

When they compared our parking ratio with the rest of the cities, do all of the other cities also park at the gross? Would that change the data in the presentation? Would the ratio that the other cities are providing, are they true orange to orange, apple to apple numbers or would there numbers be different if they were grossed out rather than net out? It is important to know if the data they are presenting is that they are both gross or they are both net but they have to be the same based statistic.

COMMISSIONER DONALDSON said in regards to the indoor recreational facilities, Chandler seems to be attracting them which is a good thing. There seems to be more than one experience with indoor recreation over the last few years. He remembered David saying that they are using one parking study from one applicant as kind of the model bringing it from 200 to 300. He thinks these facilities like the fencing facility they aspire for tournaments. Once they get the attraction and the attention, they want these things. It is the best marketing tool they could ever get. As they evolve and they establish their business that is something that needs to be considered in the experiences they have had with these facilities and a little more studies associated with those as opposed to just one applicant, one parking study.

COMMISSIONER PRIDEMORE said on the Vehicle Service Station on the example he provided, if he is doing the math right this is going to be over parked no matter which method they use. He personally doesn't know that he has ever done a project that wasn't over parked. That is just the reality. This is just pointing out that more people would come up against it than not. Using the Quick Trip as an example he can't imagine any Quick Trip owner not wanting to provide as much parking as they could absolutely do and obviously this is going to lead to how can they do it. He knows they are providing some examples later on of how they can exceed it but he is thinking they may need more of that. His example here is pointing out that this is the reality. How can they help

mitigate that as opposed to these hard caps that he thinks is going to scare off more people than not.

In response to Staff's response, he said that it is the pessimist in him that is always 'I can get a report that can say anything I need it to say'. The burden is going to be on Staff now to go through these reports because he has seen it first-hand. If an owner wants it to happen, they will find a way. To him those reports can get very wordy, very technical and that burden is now falling on them. You are going to get a Parking Demand Study that shows exactly what they need to see.

CHAIRMAN CASON asked if they could run Cobblestone Auto Spa through this slide and make sure that whatever they put in there that they have captured what they did wrong there and if they did anything wrong. It sure looks like they did something wrong. It sounds like they have captured the details of those functions that allow you to say well wait a minute they have seen something like this before and so they know they are going to have to park this a little bit more than just that square footage. By that being able to make an argument to the applicant as to why they need more parking spots.

COMMISSIONER CUNNINGHAM said they mentioned that paving material that could be used to keep the heat zone lower. What was that material? What is going to be done with the excess land where they are not going to require so many parking spaces? Are they then going to require more landscaping or are they going to allow more building. If they allow more building you have to have more parking. Is there a Catch 22 in that? She said she was thinking about the impact on the multiple housing situation and if they took 139 parking spaces away, how many residences would be added?

COMMISSIONER BARON, regarding Staff's proposal to allow parking to exceed a maximum limit, said 10% in the whole scheme of things based on the standard code that Chandler has really isn't that much. He said that is one of his biggest pet peeves is the little diamonds in the parking lots. He would rather see an actual parking island. He suggested they require more open space as opposed to just shade trees. He thinks that would translate to real substantial impact on that heat island effect. It is a balance between open space and maybe larger trees because the other challenge is that the developer because they don't want to have to maintain it, they will plant a 24" box olive tree that won't provide any shade at all for 15 years. That is the other issue. Let's be realistic about what they are trying to say. Phoenix has done a real good job. For them to have to do a project in Phoenix and have parking it is real complicated and he understands if Staff wants to try and simplify that process. When they are talking about light reflective and heat islands, carbon offsets and adding trees, all of those things speak to being green. In these developments even though on the surface it looks like a real beautiful project, it is really just a lot of asphalt. They could have done a better job at requiring some other landscape elements to be put in place.

With respect to the covered parking, he would say he could achieve that through landscaping. He would say that is something they would want to clarify. What is the covered parking material if it is physically a hard surface? Does it have to have an LRV value that also offsets the heat island effect? He would be specific. It has to have an LRV of 69 or 67 or something like that so they are setting some metrics that have to be met. He suggested Staff look at the LEEDS standards for what has to be implemented for them to accomplish or receive points to be certified or meet any of those criteria for green building standards. Allow the creativity to happen but flexibility for different types of materials.

COMMISSIONER PRIDEMORE asked on the Shared Parking, Shared Parking would be counted within 600 feet as measured from? What are they measuring from?

CHAIRMAN CASON asked what happens when the Shared Parking Agreement fails or goes into default and the businesses are already established, they already have the parking spots used and stuff like that and then the other property holder says they are done, they are not doing this any longer. Now they have businesses in building x that needed parking spaces from building y and now they are under parked. How do they deal with that situation?

COMMISSIONER VEITCH asked on the On-Street Parking Credit if that was intended to be for any use anywhere or would it be specifically negotiated through development plans? You can imagine for example the townhomes in the downtown area where some visitor parking spaces might be credited, but with on-street alcoves that are constructed for that purpose and that is fine. There are a lot of areas where on-street parking might not be desired and shouldn't be credited. Public streets aren't met for the permanent storage of vehicles, etc. These would be addressed on a development by development basis?

He asked about the parallel parking slide on page 14. What is the distinction between that and what they were just talking about?

VICE CHAIRMAN RIVERS asked when they allowed the on-street parking to be counted as parking spaces, would it not be a good idea to have them make their created street a little bit wider to allow room for the parking rather than just deciding because they created a street that it would be o.k. to park on the edge of it? Your bigger streets and your residential streets have a certain width that is required of them. They just need to make sure the street is wide enough to support parallel parking on both sides.

CHAIRMAN CASON asked in regards to Tandem Parking he thinks there should be some allowance in there for staffing. If you have a situation where they have so many parking spots reserved for staff, perhaps staff parking could be tandem as well. It is listed here certainly for office development but he doesn't know whether that is restricted to where valet is required. That might be another option for that type of parking.

COMMISSIONER PRIDEMORE said on the Tandem Parking based on his experience he has never come across a situation even when he was doing multi-family that this would really help him. The resident living in a multi-family project, the Tandem spaces are just going to be used - more of a burden is not going to be pushed onto the landlord or the entity. He sees that Tandem parking, that front space having a car sitting in it forever. It may look fine. He doesn't have an issue with the other proposed locations for its potential use. He seriously on various levels has an issue with it being used in multi-family. He is trying to avoid somebody jumping to that solution right away. In certain cases he doesn't have an issue with it being there and there may be a situation where they absolutely have to have it. His concern would be is people jumping to it right out of the gate. Maybe there are some other criteria that needs to be met before they can do that. How did this come into the mix? Was it the Parking Consultant that said this is what progressive cities are doing now? Where is this coming in? They have come across this themselves in terms of people coming up as opposed to a consultant saying this is what they want.

COMMISSIONER VEITCH asked about the anticipated time table for coming back with the draft ordinance.

7. DIRECTOR'S REPORT

Mr. Mayo said there was nothing to report.

8. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN CASON announced that the next regular meeting is March 21, 2012 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 7:27 p.m.

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Michael Cason, Chairman

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Jeffrey A. Kurtz, Secretary