

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 2, 2012 held in the City Council Chambers, 88 E. Chicago Street.

1. Vice Chairman Rivers 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:

Vice Chairman Leigh Rivers  
Commissioner Matthew Pridemore  
Commissioner Andrew Baron  
Commissioner Katy Cunningham  
Commissioner Bill Donaldson  
Commissioner Phil Ryan

Absent and Excused:

Commissioner Stephen Veitch

Also present:

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

4. INTRODUCTION OF NEW COMMISSIONER  
Vice Chairman Rivers introduced the new Commissioner Phil Ryan.
5. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER PRIDEMORE**, seconded by **COMMISSIONER BARON** to approve the minutes of the April 4, 2012 Planning Commission Hearing. The motion passed 6-0 (Commissioner Veitch was absent).
6. ANNUAL PLANNING COMMISSION BUSINESS MEETING  
Election of Officers:
  - A. Chairman
  - B. Vice Chairman

**COMMISSIONER DONALDSON** nominated Leigh Rivers for Chairman. Leigh Rivers was voted in as Chairman unanimously 6-0 (Stephen Veitch was absent.)

**COMMISSIONER PRIDEMORE** nominated Stephen Veitch for Vice Chairman. Stephen Veitch was voted in as Vice Chairman unanimously 6-0 (Stephen Veitch was absent.)

7. ACTION AGENDA ITEMS

**CHAIRMAN RIVERS** 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. APL12-0001/DVR12-0001 STONEFIELD LUXURY APARTMENTS

**Approved.**

Request Area Plan Amendment of the Clemente Ranch Area Plan from Commercial to Multi-Family Residential, along with rezoning from Planned Area Development (PAD) for a commercial shopping center to PAD for multi-family residential development and Preliminary Development Plan approval for a multi-family residential development on approximately 10.8 acres. The subject site is located at the southeast corner of Dobson and Germann roads.

**Area Plan Amendment**

Staff, upon finding consistency with the General Plan, recommends the approval of APL12-0001 STONEFIELD LUXURY APARTMENTS, Area Plan amendment of the Clemente Ranch Area Plan, amending the plan from commercial development to allow for multi-family residential development.

**Rezoning**

Staff, upon finding consistency with the General Plan recommends approval of DVR12-0001 STONEFIELD LUXURY APARTMENTS, Rezoning from PAD for commercial development to PAD for multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit 7, Development Booklet, entitled "STONEFIELD", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0001, 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. 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. 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.
8. 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 STONEFIELD LUXURY APARTMENTS shall use treated effluent to maintain open space, common areas, and landscape tracts.

### **Preliminary Development Plan**

Staff, upon finding consistency with the General Plan, recommends approval of DVR12-0001 STONEFIELD LUXURY APARTMENTS, Preliminary Development Plan for site layout and building architecture for a multi-family development, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit 7, Development Booklet, entitled "STONEFIELD", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0001, except as modified by condition herein.
2. Approval by the Director of Transportation & Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development 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 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.

**B. PDP10-0019 /PPT12-0003 CALABRIA**

**Approved.**

Request Preliminary Development Plan (PDP) approval for a new single-family residential subdivision located on approximately 30 acres at the southwest corner of Cooper Road and Brooks Farm Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Calabria", kept on file in the City of Chandler Planning Services Division, in File No. PDP10-0019, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3401 in case DVR02-0028 CALABRIA, except as modified by condition herein.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

Staff recommends approval of the Preliminary Plat subject to the following condition.

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

**C. LUP12-0008 SOMEBURROS MEXICAN FOOD**

**Approved.**

Request Use Permit approval to sell liquor for on-premise consumption only within a restaurant that includes an outdoor patio (Series 12 Restaurant License) at 3461 W. Frye Road, west of the Loop 101 Price Freeway and south of the Chandler Fashion Center.

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. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

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 reapplication and approval of the Use Permit.
5. The outdoor patio shall be maintained in a clean and orderly manner.

D. ZUP12-0004 LEISURE LIVING HOME

**Approved.**

Request Use Permit extension approval for the continued operation of an assisted living home for the elderly within a single-family residential home. The subject site is located at 507 N. Nantucket Ct., north and east of the northeast corner of Chandler Boulevard and McQueen Road.

1. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The assisted living home shall have no more than eight (8) residents at any time.
3. Should the applicant sell the property, this Use Permit to operate an assisted living home shall be null and void.
4. This 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.

E. PPT12-0002 ARIZONA-ELLIOT COMMERCE CENTER

Request Preliminary Plat approval for a new commercial development that includes a fuel station located at the southwest corner of Elliot Road and Arizona Ave.

1. Approval by the City Engineer and Director of Transportation and Development with regard to the details of all submittals required by code or condition.

**COMMISSIONER CUNNINGHAM** stated she had concerns about Item B and she will be opposed to this item. She said she would be voting no on it. She is not convinced that the increased density and the decreased lot size is good for the community around it. She is also not convinced that you can put a quality product on a 60 foot lot with 15 foot side distances and a 30 foot garage. They are going to have a very small community with a lot of garages. It's all you will see. It will look like a storage facility. She is convinced that will not benefit the surrounding communities and the surrounding subdivisions. It will be a detriment to the value of the surrounding subdivisions.

**COMMISSIONER BARON** stated he will be abstaining from voting on Item A, APL12-001/DVR12-001 STONEFIELD LUXURY APARTMENTS as his firm is involved with the design of the project.

**MOVED BY COMMISSIONER PRIDEMORE**, seconded by **COMMISSIONER RYAN** to approve the Consent Agenda as read into the record by Staff. The Consent Agenda passed unanimously 6-0 with exceptions noted. (Newly elected Vice Chairman Veitch was absent).

8. DIRECTOR'S REPORT

Mr. Mayo congratulated the new Chairman and the new Vice Chairman on their appointments. He also welcomed Mr. Ryan back to Planning Commission. He said he enjoyed working with him in the past and was looking forward to working with him in the future.

GLENN BROCKMAN, ASSISTANT CITY ATTORNEY introduced Kate Bigelow who is a new Assistant City Attorney with Chandler and said we would be seeing her from time to time.

9. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN RIVERS announced that the next regular meeting is May 16, 2012 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

10. ADJOURNMENT

The meeting was adjourned at 5:38 p.m.

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Leigh Rivers, Chairman

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Jeffrey A. Kurtz, Secretary