MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 6, 2013 held in the City Council Chambers, 88 E. Chicago Street.

1. 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:

   Chairman Leigh Rivers
   Vice Chairman Stephen Veitch
   Commissioner Matthew Pridemore
   Commissioner Bill Donaldson
   Commissioner Phil Ryan

   Also present:

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

   Absent and excused:

   Commissioner Andrew Baron
   Commissioner Katy Cunningham

4. APPROVAL OF MINUTES
   MOVED BY VICE CHAIRMAN VEITCH, seconded by COMMISSIONER DONALDSON to approve the minutes of the February 20, 2013 Planning Commission Hearing. The motion passed unanimously 4-0 with 1 abstention from Commissioner Pridemore as he was not present at that meeting. Also, Commissioners Baron and Cunningham were absent from this meeting.

5. 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 action.

A. APL12-0003 SOUTHSHORE AREA PLAN AMENDMENT/DVR12-0013/PPT12-0007 SOUTHSHORE VILLAGE

Approved.

Request an Area Plan amendment from Medium Density Residential to Low Density Residential, and Rezoning from Planned Area Development (PAD) medium density residential to PAD low density residential for a single-family residential subdivision with Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for subdivision layout and housing product on approximately 45 acres located north and east of the northeast corner of Arizona Avenue and Chandler Heights Road.

Area Plan

Planning Staff, upon finding consistency with the General Plan, recommends approval of the Area Plan amendment.

Rezoning

Planning Staff, upon finding consistency with the General Plan and Southeast Chandler Area Plan, recommends approval of the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SOUTHSHORE VILLAGE", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0013, 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 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.
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. 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.
11. 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.
12. 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 SOUTHSHORE VILLAGE development shall use treated effluent to maintain open space, common areas, and landscape tracts.

Preliminary Development Plan

Planning Staff, upon finding consistency with the General Plan, recommends approval of the Preliminary Development Plan request subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SOUTHSHORE VILLAGE", kept on file in the City of Chandler Planning Division, in File No. DVR12-0013, 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 tot lot shall be a minimum of 20 total play stations.
6. The side yard building setbacks shall be a minimum of 5 feet and 10 feet.
7. No more than two identical side-by-side roof slopes should be constructed along arterial or collector streets or public open space.
8. All homes built on corner lots within the residential subdivision shall be single-story or a combination of one- and two-story with the one-story portion on the street side.
9. The same elevation shall not be built side-by-side or directly across the street from one another.
10. 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.

Preliminary Plat

Planning Staff, upon finding consistency with the General Plan, recommends approval of the Preliminary Plat request 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.

B. DVR12-0005 MAMMOTH PROFESSIONAL BUILDING

Approved.

Request rezoning from Planned Area Development (PAD) general office to PAD general office and medical office for an existing building. The site is approximately 4 acres and located at the northwest corner of Price Road and Willis Road.

Rezoning

Planning Staff, upon finding consistency with the General Plan and Chandler Airpark Area Plan, recommends approval of the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance with the representations and exhibits (narrative, parking/tenant list) kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0005 MAMMOTH PROFESSIONAL BUILDING, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3777 in case DVR05-0034, except as modified by condition herein.
3. Medical office uses are limited to those requested; Psychiatrist, Psychologist, Counselor/Therapist.
4. No more than a maximum of 3,800 square feet in building area shall be permitted for medical office and any additional medical office users as permitted in Condition No. 3 shall be reviewed by Staff with the submittal of an updated parking analysis. A separate Preliminary Development Plan shall be required if parking cannot be provided.
5. All existing and future tenants in the building shall submit for Certificate of Occupancy and/or building permits requiring a City building inspection as well as filing for a City business license.

C. DVR12-0034/PPT12-0019 SAN VALENCIA

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) multi-family residential for a multi-family apartment community with Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for site and building design on approximately 32 acres located at the northeast corner of Germann Road and Oxford Lane; east of McQueen Road and west of the Consolidated Paseo Canal.

Rezoning

Planning Staff, upon finding consistency with the General Plan and Chandler Airpark Area Plan, recommends approval of the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SAN VALENCIA", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0034, 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 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.
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 SAN VALENCIA development shall use treated effluent to maintain open space, common areas, and landscape tracts.
10. The development shall dedicate a 10-foot wide landscape easement along the Paseo Canal.
11. In the event the multi-family residential is platted to allow unit ownership, prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/developer shall provide a written disclosure statement, for the signature of each buyer, 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 and other externalities. This document signed by the homebuyer shall be recorded with Maricopa County Recorders Office upon sale of the property. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot/unit property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing municipal airport, 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/developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

12. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and/or in relation to limits established in FAA determined Terminal Procedures (TERPS). All construction cranes shall be installed and operated in accordance with FAA rules and regulations including notification through the filing of FAA Form 7460-1, Notice of Proposed Construction or Alteration.
13. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.
14. The 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.
15. All apartment buildings shall be designed and built with noise attenuation construction to achieve an interior noise level of 45 decibels for a single event from an aircraft. A registered engineer shall certify that the project is in conformance with this condition.
    1. In the event the residential component is platted to allow unit ownership, the following stipulations shall be the responsibilities of the sub-divider/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) 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 with noise attenuation construction to achieve an interior noise level of 45 decibels for a single event from an aircraft. A registered engineer shall certify that the project is 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 or adjacent to 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."

Preliminary Development Plan

Planning Staff, upon finding consistency with the General Plan, recommends approval of the Preliminary Development Plan request subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SAN VALENCIA", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0034, 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 parking space canopies shall incorporate building materials, forms, and colors to match the development.

Preliminary Plat

Planning Staff, upon finding consistency with the General Plan, recommends approval of the Preliminary Plat request 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.

CHAIRMAN RIVERS asked if anyone in the audience would like to have one of these items pulled for a full presentation or comments. There was one speaker who was concerned with Item C. He said he just wanted to make a comment.

SCOTT CLEMEN, 1298 E. THOMPSON WAY, CHANDLER, stated he was a realtor and has been the Vice President of the La Paloma HOA since the builders turned it over to them in 2006. He and his colleagues have not given their support for this development or for the vacation of the Armstrong road to the north for a couple of reasons. Number one, it is his professional opinion that home values would plummet as a result of this development. With a transition to multi-family development that would engulf and almost completely surround the current single-family residences coupled with the existing medium to high-density of the single-family residences of La Paloma and using the same entry off of Germann, it would certainly limit the number of buyers that would see homes on the market as they pull into what they thought was going to be a family residential neighborhood and only to see it look like an apartment development.

The demands of the developers to vacate Armstrong Road to the north and redevelop it into landscaping and then turn over the landscape cost to them would increase their costs as a result of this development versus having it the exact way it is now. They actually do not approve the vacation of Armstrong Road to the north and are discussing with their legal counsel as to how to respond to that. The developers have asked them to sign a memorandum of understanding as to effect and they have not done so and have submitted it to their lawyers.

On the build-out of this development, the property was wanted by the Episcopal Church as they had planned to build a school. Going from a neighboring school which raises property values to being surrounded by a development of multi-family housing that takes up more than 20 acres of a more than 100 home development, is just going to encumber the residents of La Paloma, who are just now being able to come out of the dank pit and back into equity. This development occurred at the top of the real estate market and homeowners who put in a lot of equity are now starting to see their properties come into equity status. He said he put $100,000 down into his home and he is still in that dank pit. As they come closer to being able to be in a place where they can have some equity, then seeing a development like this come along and only prove to drop that even further.

It would make a lot more sense to put a development like this to the west where they could put in a different entry way that is not shared and that they would need to provide an easement for egress to a property that is already on a main street where it would allow a little extra buffer there; coupling them with a multi-family development surrounded by a neighborhood that is the only single family residential development in the area and is already isolated. Currently the way it is it's already difficult to do a comparative market analysis because there isn't anything close to it south of the freeway. You have to go north of the freeway. It's already isolated from a real estate standpoint to put multi-family housing around it and not allow any other single-family residential development to grow up around it. It makes doing a comparative market analysis

much more difficult and without that buyer agents are least likely to show those properties to their clients if they can't get a good comparative market analysis there.

He asked that they deny this request and they would much rather see something like a school, single-family residences or something with that nature. It is very attractive to those who want to build a single-family residence community. It is not too small. Theirs is about half of the size and made for a wonderful development. He thanked the Commission for their time.

CHAIRMAN RIVERS asked Staff if they had any comments.

MR. KEVIN MAYO, PLANNING MANAGER, stated there were quite a few statements that were made and he would try to go through them.

In terms of property value, obviously they don't make comments on that. The access point off of Germann and Oxford Lane, regardless of the lane exclusion on the piece, will take access off of that public right-of-way that La Paloma takes access off of. Regardless of whether or not the church continues to maintain ownership or not or whatever their projected long term plans are, it already had a couple of things. It had its existing zoning of AG-1 and it has been agriculturally farmed for a long period of time. Then it had an Area Plan that kind of guided future land use decisions; the Special Use Commercial in the Airpark Area Plan did not indicate that the school would be there. He indicated that a church would be there. It was a different kind of 'very unique' only in that area and just south of Germann as well as land use designation that allowed for the more intense retail and intense higher density residential to be developed there. In terms of an 'anticipated school' to be built there as part of the church, even though the church may have been that property owner or not because it doesn't really matter, there is the underlying zoning of the Area Plan that would need to be abided by. The Area Plan pre-dated the development of La Paloma. It was approved he believes in 1998; La Paloma was built in 2006.

The long term traffic plan for this area has been thrown up in question. You could see that on Oxford Lane basically La Paloma built half of it and the subject property would have ultimately built the other half. There was anticipation that there was going to be a larger kind of circulating roadway network that came around the property. Just based on the way everything is laying out, that doesn't make any sense. You end up with little strips of land that become undevelopable. When La Paloma was built and they had Armstrong Way, the south half of that street dedicated at their northern end, as they have been looking at lane solutions for this piece and the property to the west, it is acknowledged that right-of-way (the half street that exists today) is not necessary. It has never been driven; it is just kind of a no man's land up there. There is a gated access point at the northwest corner of La Paloma that they would ultimately have gotten out to and then once the circulation was taken further west to the McQueen, they would have access to that. The majority of Armstrong Way is just an unnecessary piece of land. What do you do with it? The City owns it. It is a dedicated right-of-way. They have their half street. This subject property is not required to build the other half of the street. There would be no reason for the City to require dedication and construction of another half of the street that is not needed anymore. They have been working with this subject property owner and then they have been

going back and working with the HOA to figure out what is the best long term solution for this. One of the suggestions that was brought up was why don't they put a cul-de-sac at the eastern end of Armstrong Way, finish building the other half and then let the apartments take access off of that. Well obviously since Armstrong doesn't go anywhere today that wouldn't be built and it would really be a no man's land again and allow for people to get behind the homes of La Paloma and do the things people do whenever they have places to go they can't be seen. It really wasn't a good long term or short term solution to do anything with Armstrong Way other than abandon what can be abandoned and then create the cul-de-sac at that far western end that they can see in their packet that the apartment complex would eventually have secondary access to.

Armstrong Way has been something that has been long and hard thought out. It had a purpose in the past that is no longer viable based on how things are developing around it and how things are coming in. It isn't something that just the developer wants. It is really at the encouragement of the City that you don't want that kind of no man's land right-of-way being behind your house. Let's figure out the best solution for it and the conversion back to landscaping and open space was deemed the best solution for it.

In terms of the single point of access for Oxford Lane and while 500 apartments sound like a lot– Mr. Mayo said back in the day when he started in 2000 and he remembers looking at the Special Use Commercial designation and people had visions of retail centers because of the west half of the Consolidated Canal is the equestrian side, they had visions of cowboy bars where you had a hitching post and you could literally ride your horse and hitch up and go inside. Ultimately, that turned into the higher intensity retail that is also talked about in the Area Plan. You could have significantly more cars as part of that property that would also only be going out to Oxford Lane because you just cannot get a 2nd point of access on Germann. From going to any type of retail consideration to the apartment it is actually a less intense traffic pattern and much more of a bleed type. Everyone assumes that all apartment dwellers leave at the same time in the morning and come back home at the same time in the afternoon and that just isn't the case. From a traffic impact standpoint on Oxford, are they going to see more vehicles out there today? Absolutely. Today there are no vehicles but it isn't something that as they have studied it, would warrant anything other than just finishing off that public street of Oxford Lane. He said he hoped his statements answered some of the questions that were asked.

CHAIRMAN RIVERS asked if there were any questions for Staff.

COMMISSIONER PRIDEMORE said of all the items that they just heard about, personally he thinks the one at the northwest corner on Armstrong is probably the most fluid. He asked if this should move forward, do they have language built into the current stips. that there is some flexibility if it is there? If there is some give and take between property owners, can they work that out at a Staff level without having to come back here? Mr. Mayo the Planning Manager replied absolutely.

CHAIRMAN RIVERS asked if there were any additional comments. There were none. He looked for a motion for the Consent Agenda.

MOVED BY VICE CHAIRMAN VEITCH, seconded by **COMMISSIONER PRIDEMORE** to approve the Consent Agenda as read into the record by Staff. The Consent Agenda passed unanimously 5-0 (Commissioners Baron and Cunningham were absent).

CHAIRMAN RIVERS asked when this would go before City Council. Mr. Mayo replied March 28, 2013. He suggested to Mr. Clemen that he take his concerns to the City Council meeting on this date.

6. DIRECTOR'S REPORT
Mr. Mayo, Planning Manager said there was nothing to report this evening.

7. CHAIRMAN'S ANNOUNCEMENTS
CHAIRMAN RIVERS said the next regular meeting is March 20, 2013 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 5:50 p.m.

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Leigh Rivers, Chairman

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Jeffrey A. Kurtz, Secretary