

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 20, 2013 held in the City Council Chambers, 88 E. Chicago Street.

1. Vice Chairman Veitch 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:

Vice Chairman Stephen Veitch
Commissioner Matthew Pridemore
Commissioner Andrew Baron
Commissioner Katy Cunningham
Commissioner Phil Ryan

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, City Planner
Ms. Jessica Sarkissian, City Planner
Glenn Brockman, Assistant City Attorney
Ms. Joyce Radatz, Clerk

Absent and excused:

Chairman Leigh Rivers
Commissioner Bill Donaldson

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER PRIDEMORE, seconded by COMMISSIONER RYAN to approve the minutes of the March 6, 2013 Planning Commission Hearing. The motion passed unanimously 3-0 with 2 abstentions (Commissioners Cunningham and Baron). Also, Chairman Rivers and Commissioner Donaldson were absent from this meeting.
5. ACTION AGENDA ITEMS
VICE CHAIRMAN VEITCH, acting as Chairman for this meeting, 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 3 items pulled for action-Items A, B and G.

C. DVR13-0002 PARK PLACE

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan (PDP) approval for a business park on approximately 29 acres located at the southwest corner of Price and Willis roads.

Rezoning

1. Development shall be in substantial conformance with the attached Development Booklet, entitled "PARK PLACE", kept on file in the City of Chandler Planning Services Division, in File No. DVR13-0002, except as modified by condition herein. The Development Booklet provides that building layout, architecture and design for future development of individual parcels, and related onsite site layout related to such future development of individual parcels, will be reviewed and approved administratively.
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 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 Park Place development shall use treated effluent to maintain open space, common areas, and landscape tracts.

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. Approval by the Director of Transportation and Development for landscaping (open spaces and rights-of-way), perimeter walls and arterial street median landscaping is required.
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. Notwithstanding any provision of the Development Booklet or of any other conditions of the Rezoning, no data center use of any type, unless ancillary and secondary to a primary use, shall be a use permitted for the property that is the subject of this Rezoning.

Preliminary Development Plan

1. Development shall be in substantial conformance with the attached Development Booklet, entitled "PARK PLACE", kept on file in the City of Chandler Planning Services Division, in File No. DVR13-0002, except as modified by condition herein. The Development Booklet provides that building layout, architecture and design for future development of individual parcels, and related onsite site layout related to such future development of individual parcels, will be reviewed and approved administratively.

D. ZUP12-0035 EVA'S MI AMORE

Approved to continue to the April 3, 2013 Planning Commission Hearing.

Request Use Permit extension approval to operate a wedding planning and bridal service office in a converted residence in the SF-8.5 Single-Family Residence zoning district. The property is located at 598 W. Chandler Blvd. **(REQUEST CONTINUANCE TO THE APRIL 3, 2013 PLANNING COMMISSION HEARING.)**

E. ZUP12-0036 PERFORMANCE AUTO SALES

Approved.

Request Use Permit extension approval to allow an automotive repair and performance modification business in the I-1 Planned Industrial zoning district. The property is located in Stellar Industrial Airpark at 4122 W. Venus Way.

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

F. ZUP13-0001 P2 PERFORMANCE PLUS

Approved.

Request Use Permit extension approval to allow a sports training facility to operate within a Planned Industrial (I-1) zoning district. The property is located at 1 N. Roosevelt Ave., Suite 2, southeast corner of Chandler Blvd. and Roosevelt Ave.

1. The Use Permit shall remain in effect for four (4) 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. 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.
3. The Use Permit is non-transferable to another location.
4. Use Permit approval does not constitute Final Development Plan approval; compliance with all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
5. The site shall be maintained in a clean and orderly manner.
6. The building owner shall not sublet any portion of the southern suite.

COMMISSIONER RYAN stated he wanted the record to reflect that he will be abstaining on Item A as he was a consultant for that item.

MOVED BY COMMISSIONER PRIDEMORE, seconded by **COMMISSIONER BARON** to approve the Consent Agenda as read into the record by Staff. The Consent Agenda passed unanimously 5-0 (Chairman Rivers and Commissioners Donaldson were absent).

ACTION:

A. APL12-0004/DVR12-0041 202 COOPER PLACE

Approved.

Request Area Plan Amendment of the Chandler Airpark Area Plan from Community Commercial to allow for multi-family residential development, along with rezoning from Planned Area Development (PAD) for commercial and Agricultural (AG-1) to PAD for multi-family residential and Preliminary Development Plan approval for a multi-family residential development on an approximate 18.75-acre site located at the northwest corner of Cooper Road and the Loop 202.

Rezoning

1. Development shall be in substantial conformance with Exhibit 9, Development Booklet, entitled "202 COOPER PLACE", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0041, 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.

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 202 COOPER PLACE shall use treated effluent to maintain open space, common areas, and landscape tracts.

8. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
9. The multi-family apartment manager shall display, in a conspicuous place within the rental office, a map illustrating the location of the 202 COOPER PLACE Multi-Family Apartments in the context of the Chandler Airpark Area Plan. Such map or aerial photo shall be a minimum size of 24" x 36". Compliance with this condition shall be demonstrated by the property owner or multi-family apartment manager by submittal to the Zoning Administrator of a signed affidavit and photograph that acknowledges such map is on display prior to beginning any rental activity.
10. Prior to execution of any lease, prospective apartment tenants shall be given written disclosure in their lease and in a separately signed disclosure statement acknowledging that this apartment community is located proximate to the Chandler Municipal Airport, that an avigational easement exists on the property, and that the property is subject to aircraft noise and overflight activity. The requirement for such disclosures shall be confirmed in an Avigation Notice Covenant that runs with the land and is recorded with the Maricopa County Recorder prior to issuance of the first Building Permit for this development.
11. 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.
12. 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.
13. In the event the development is proposed to be subdivided to allow individual condo unit ownership, the proposed condos shall be processed in accordance with City of Chandler plat requirements which includes public hearings and, if such Condo Plat is approved and Recorded, 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 condo unit reservation or purchase agreement, any and all prospective condo buyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies proximate to the Chandler Municipal 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 condo buyer shall be recorded with the Maricopa County Recorder's Office upon sale of the condo to such buyer.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the condo sales office, a map illustrating the location of the Condo Plat in the context of Chandler Municipal Airport. Such map or aerial photo shall be a minimum size of 24" x 36". Compliance with this condition shall be demonstrated by the subdivider/developer by submittal to the Zoning Administrator of a signed affidavit and photograph that acknowledges this map is on display prior to beginning any sales activity.
14. The aircraft noise, overflight activity and avigational easement information referenced above in "a" and "b" 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 law.
 15. All leases at the 202 COOPER PLACE multi-family apartments shall provide that all questions, concerns or complaints any tenant may have about Chandler Municipal Airport of the operation of aircraft landing at, taking off from or operating at or on Chandler Municipal Airport shall be directed solely to the manager of the 202 COOPER PLACE development and not to the Chandler Municipal Airport, the City of Chandler, the FAA, any aircraft owner or any pilot. All leases shall also provide that it shall be within the sole and absolute discretion of the Manager of 202 COOPER PLACE (and not the tenant) to determine (after the Manager's due consideration of all airport related acknowledgements and disclosures that are required by these Zoning Stipulations and consideration of all information known to 202 COOPER PLACE Manager) whether or not, when and how to communicate any tenant's question, concern or complaint to the manager of the Chandler Municipal Airport.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit 9, Development Booklet, entitled "202 COOPER PLACE", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0041, 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.

MR. ERIK SWANSON, CITY PLANNER, stated the request is for an Area Plan Amendment of the Chandler Airpark Area Plan from Community Commercial to High-Density Residential along with Rezoning from Planned Area Development for Commercial and Agricultural to Planned Area Development for a Multi-Family Residential development as well as Preliminary Development Plan approval for site layout and building architecture. The subject site is located at the northwest corner of Cooper and the 202. It is just shy of 19 acres and it is being proposed as 332 dwelling units which equates to 17.7 dwelling units per acre. In the Study Session they discussed this a bit and said he would be more than happy to go into those specifics but he would prefer to touch on some of the process and then answer any questions they may have.

The site is offering a number of units. There are single stories, two-stories and three-story elements. The three-stories on the site plan are more centrally located and/or located at the southeast and the furthest away from residential. Additionally, the units themselves have 7 different layouts for the plans so there are a wide variety of layouts for those buildings along with building architectural elements.

When they look at the elevations, they are a bit muted compared to recent approvals. This was done intentionally. This was done in an effort to tie it into the residential communities to the north and west to kind of make it where it is a continuation of those albeit as a multi-family development. They will see on the site plan that they do offer a number of amenities that aren't typical so they have 2 pools, a number of tot lots, and barbeque Ramada's just kind of scattered throughout.

They had a neighborhood meeting. There were a few neighbors that attended that. Additionally, the applicant met with some neighbors prior to that neighborhood meeting that could not attend. Following that Staff has heard from a number of residents regarding the project. Some of them were simply concerned and had questions about the project. Some of the concerns expressed were related to primary traffic and the multi-family component and overall the apartment use as that land use. Additionally, there are some requests for deviations. Staff finds that these deviations are relatively consequential. You will see that some of it is encroaching into building setbacks to allow for their perimeter walls that is a combination of 3-foot solid and 3-foot wrought iron. Then there is a request for a different layout of their outdoor patios but overall again they are relatively inconsequential. With that he said he would be happy to answer any questions and Staff is recommending approval for both the Area Plan Amendment and the Rezoning.

VICE CHAIRMAN VEITCH asked if there were any questions for Staff. There were none. He asked the applicant if he wanted to make any comments at this point.

MIKE WITHEY, said he was there representing the applicant. He said with him was Greg Gienko, the owner of the property as well as Mike Perry, who is the architect. They worked a very long time with Staff to get here today and they are fine with the Staff's recommendation. He said he was going to be very brief and then they will hear from a couple speakers. He just wanted to say before the speakers came up that they have dealt with years on what the best land use would be on this property. He thinks everybody knows this but he wanted to repeat that it is zoned commercial already. It could be retail, it could be a number of commercial items and they have the 27 plans for commercial development to prove it that they have had over the years. A number of things happened; primarily the most recent thing is the Mayor's Report that came out that talked about the fact that Chandler had excess retail and commercial and not enough housing. That was sort of presented to them and that their site might be one of those sites that would be appropriate for a land use change. They looked at that really carefully and considered it and ultimately concluded that yes that is probably the best result for this site and they can see from the aerial that everything north of the 202 is really residential and south of the 202 is commercial. With that dividing line it made sense to them but they don't go into this in essence down zoning of the property lightly. They wanted to make sure that they felt comfortable with it. He would say from a compatibility standpoint and from the neighbors standpoint most people they have talked to have been very, very happy about this down zoning of the property. It obviously generates for less traffic and a much better setback than commercial, much better view corridors and they think it is a much better neighbor than the back of a commercial center. So most of the folks they have talked to have been really happy about that. With that he ended his comments and said he would like to save a little bit of time depending on what comments are made.

VICE CHAIRMAN VEITCH stated he had some speaker cards which he read.

CHARLES PARKER, 1656 E. HAWKEN PLACE, said to withdraw his card.

TERI PARKER, 1656 E. HAWKEN PLACE, said to withdraw her card.

HECTOR NAVA, 2122 E. WILDHORSE DR., is opposed but did not wish to speak.

ERIC GOODMAN, 1540 S. VELERA PL., is opposed but did not wish to speak.

BRADFORD MARTZ, 1960 E. WOODSMAN PLACE, said he and his wife have been there since 2004 and lived up against this undeveloped property. He personally would like to see it develop and with the current proposition for this they are very happy with the choice that is being made. They border Longhorn which was going to be a direct view of what is going to be built there. Ultimately, a park would be fantastic for them but if they are going to develop it, they approve of the current plan as they feel aesthetically it is going to be more pleasant to look at than the back of a strip mall or in this case a gas station if it is zoned commercial. A commercial property would also have 24 hour lighting that they would have coming down on their property with their development plans, so as a directly affected neighbor or resident of the area it seems to them to be the best choice. One of the meetings that they had prior to this was

their cul-de-sac and there are a number of them that he can safely say that represent about 5 houses that border up against Longhorn that would approve of this at this point.

VICE CHAIRMAN VEITCH asked if there were any questions for Mr. Martz. There were none. He asked if the applicant or Staff would like to add anything at this point. There were no additional questions or comments. He closed the floor and looked for discussion or motion from the Commission.

MOVED BY COMMISSIONER CUNNINGHAM, seconded by **COMMISSIONER PRIDEMORE** to recommend approval of APL12-0004 202 COOPER PLACE Area Plan Amendment of the Chandler Airpark Area Plan amending the plan from Community Commercial to High-Density Residential as recommended by Staff. The motion passed 4-0 with 1 abstention (Commissioner Ryan). (Chairman Rivers and Commissioner Donaldson were absent.)

MOVED BY COMMISSIONER CUNNINGHAM, seconded by **COMMISSIONER PRIDEMORE** to recommend approval of DVR12-0041 202 COOPER PLACE Rezoning from PAD for Commercial and AG-1 to PAD for Multi-Family Residential Development subject to the conditions recommended by Staff and the removal of conditions of 11 and 16. The motion passed 4-0 with 1 abstention (Commissioner Ryan). (Chairman Rivers and Commissioner Donaldson were absent.)

MOVED BY COMMISSIONER CUNNINGHAM, seconded by **COMMISSIONER PRIDEMORE** to recommend approval of DVR12-0042 202 COOPER PLACE Preliminary Development Plan approved for a multi-family residential development subject to the conditions recommended by Staff. The motion passed 4-0 with 1 abstention (Commissioner Ryan). (Chairman Rivers and Commissioner Donaldson were absent.)

COMMISSIONER RYAN stated he wanted the record to reflect that he did not participate in the vote as he was a consultant to that project.

B. DVR12-0043/PPT12-0021 JACARANDA PLACE

Approved.

Request rezoning from Agricultural (AG-1) to Planned Area Development (PAD) along with Preliminary Development Plan and Preliminary Plat approval for a single-family residential subdivision on approximately 25.55 acres located west of the northwest corner of Lindsay and Riggs roads.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "JACARANDA PLACE" and kept on file in the City of Chandler Planning Division, in File No. DVR12-0043, 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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
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. 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.
9. 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.
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 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 Jacaranda Place development shall use treated effluent to maintain open space, common areas, and landscape tracts.

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 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.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "JACARANDA PLACE", and kept on file in the City of Chandler Planning Division, in File No. DVR12-0043, except as modified by condition herein.
2. No more than two identical side-by-side roof slopes should be constructed along arterial or collector streets or public open space.
3. The same elevation shall not be built side-by-side or directly across the street from one another.
4. All homes built on corner lots within the residential subdivision shall be single-story.
- 5. No more than two, two-story homes shall built side-by-side for lot 43 through 49.**

Preliminary Plat

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

MR. ERIK SWANSON, CITY PLANNER, stated this request is rezoning from Agricultural to Planned Area Development along with Preliminary Development Plan and Preliminary Plat approval for a single-family residential subdivision. The site is located west of the northwest corner of Lindsay and Riggs and generally occupies about 25 acres. The request is for a 57 single-family lot subdivision with an average lot size of greater than 10,000 square feet. It should be noted that this is in our Southeast Chandler Area Plan of SECAP for short which designates this area for traditionally 2.5 dwellings per acre with the ability to go up to 3.5 with

density incentives based on amenities. What is being proposed tonight is the density at roughly 2.3 acres so it is within that range if not a little bit less than what could potentially occur.

He said he wanted to keep things short because he knows they have another item and he knows there are a number of neighbors here so he wanted to just touch on some of the smaller elements and turn it over to the Chairman. He thinks it is important to note that there was a neighborhood meeting. At that meeting there were a number of concerns expressed by a number of the residents that did attend. Some of it pertained to the subdivision to the east, which is Shadow Ridge, a single-family subdivision. A lot of the concerns regarded 142nd Street which is along the site's east side as well as drainage issues. Some of it was requesting a wider 142nd Street, some of them expressed fire hydrants, concerns about construction traffic as improvements were made to this site, and lastly there was concern about 2-story homes along the north side of the subdivision which is adjacent to Victoria Place where he believes the residents speaking tonight are from.

There was a neighborhood meeting. Staff did not attend but were made aware of the concerns by the applicant. Following that meeting the applicant went ahead and scheduled a 2nd neighborhood meeting which Staff did attend. Unfortunately, only 1 resident attended that meeting and that resident wasn't present at the 1st meeting so we didn't have that dialogue about those concerns. Following these meetings, Staff and the applicant worked together to come up with a modified design of 142nd Street. What was specifically requested was a 29-foot wide strip of pavement for 142nd Street. Typical would be 25 feet. The applicant went ahead and agreed to that. They worked together on that design. Additionally, the concern regarding the fire hydrants; again not a typical condition or a standard requirement. However, the developer has agreed to locate one at the northeast portion of their subdivision outside of their perimeter wall. There is one at the northwest portion of the site in their track so again those fire hydrants won't directly service this subdivision but rather assisting servicing the properties to the north. Regarding some of the issues of retention and runoff all of which will be addressed as they go through the Planning process. That will be accommodated. Additionally, with the 142nd Street access, the developers are aware of the concerns so what they are looking at is options of bring traffic from the north down through the site while they improve 142nd Street. Once that is improved then they will start the improvements on the subdivision and the residents can use 142nd St. The last concern was regarding the rear setbacks for the properties adjacent to Victoria Street. The applicant has agreed to restricting or making a restriction of no more than 2 two-story homes for those lots; those are lots 43 through 49. As they are aware of, the addendum for Item B is modifying condition no. 5 which does address that. He believes the applicant has worked on a number of the concerns. He believes they are resolved however there are still some concerns by the neighbors present. He said he would be happy to answer any questions.

VICE CHAIRMAN VEITCH asked if there were any questions for Staff. He asked the applicant to come up.

BRENNAN RAY, 702 E. OSBORN stated he was there on behalf of the applicant, Ashton Woods. As Staff indicated, the request before them tonight is for PAD/PDP for both subdivision

layout and architectural diversity as well as Preliminary Plat for high-quality single-family subdivision in southeast Chandler. They believe and as Staff indicated in their discussions, that they and Ashton Woods have worked hard to create a development that is consistent with the General Plan and is the exact type of development that is contemplated by the Southeast Chandler Area Plan (SECAP) plan. As Erik indicated in his overview and as discussed at Study Session, SECAP envisions this site as traditional suburban character. SECAP envisions densities on this type of land use designation 2.5. They are below that; they are at 2.3 dwelling per acre. This is exactly the type of development as contemplated by it. When you look at the plan, Ashton Woods has taken what was once a bust development that never came out of the ground, went out and assembled 4 additional parcels. This area here is where that busted development was and went out and acquired additional parcels to get them the plan that is before them today. Certainly, we and Ashton Woods have worked closely with Planning, Engineering and the traffic department and many others to make sure this plan works for the area and is viable. Certainly, it is a plan that from their perspective and as indicated by the Staff Report and as you can see from the booklets and exhibits it exceeds the City's requirements. It exceeds the SECAP requirements; it exceeds the residential diversity standards both subdivision layout and architectural diversities. This is a high quality subdivision that they believe will be a benefit to the area. They are certainly ok with the stipulations that Staff has offered forward including modification of stipulation no. 5 under the Preliminary Development Plan and they would request this Commission's approval in accordance with Staff's recommendation.

He is happy to go into a full presentation and tell them all the neat and cool things that Ashton Woods is doing on the project and he will certainly defer to you whether or not they want him to do that. He thought it best to address some of the neighbor issues that Erik talked about and reiterate that. Assuming that is o.k. he will proceed in that fashion.

As Erik indicated, there was a neighborhood meeting that was conducted. The first neighborhood meeting was where 13 neighbors showed up and there were a variety of items that were discussed. There was a second neighborhood meeting and had only 1 neighbor show up. Since that neighborhood meeting, Ashton Woods has worked with Staff to address some of those concerns. There have been discussions. He was not at the neighborhood meetings but personally has had conversations with 2 of the residents leading up to today's meeting as well as a brief discussion with some of the residents before this hearing. As you look at the plan that is before them, the concern really focuses on what's going here but before he gets to that he would like to point out a lot of things that Ashton Woods has done coming out of that neighborhood meeting.

There are 3 areas that he wants to touch on very briefly. The first is 142nd Street. He showed where on the overhead. There currently exists no public right-of-way there now. If he understands correctly, there is an easement that runs up and down that road to allow the County Island residents north of this subdivision access when initially the requirement from the City was to construct a 25-foot wide street there. Going to the neighborhood meeting and coming out of that the neighbors wanted some additional feet to try to get it to 29 feet. Ashton Woods is willing to do that. What they will have is back-up curb; 29 feet of asphalt which is more than enough width. It is the same size as their internal private streets for 2 cars to pass by. They have

done that. It is not something that is required, but additional improvements. The other thing they have talked about is that there will be temporary access. He thinks there was a considerable amount of concern over that. If he has to, he can show them the plan but the bottom line is that they are not going to deny them access and will provide them reasonable temporary access. The other thing he thought was important to point out is the issues of these fire hydrants because he is not aware of how current fire suppression works for the County Island. The neighbors were talking about it and although it wasn't required by the City, Ashton Woods is putting in 2 fire hydrants; one on the northeast corner of the site outside of their wall, in the right of way. The other fire hydrant that is going to be proposed is on the northwest corner of the site. They are working on the details of where that is going to be but whether it is actually outside of their wall or whether there is a notch in the wall of some sort. The bottom line is there are 2 fire hydrants that will be there that the residents can access. Again, not things that were required by the City but something that Ashton Woods is doing.

The last issue that he thought was important to discuss was about the 2-story restrictions. There were concerns about the number of 2 stories backing up to the residents in the area on the north. As Erik indicated and as the revised stipulation no. 5 says, Ashton Woods listened to them and said they were willing to restrict the number of 2 stories - so no more than two 2-stories side by side. Effectively what that does is approximately 66% of those homes have the potential to be 2 stories but that doesn't necessarily mean that they will be. They were concerned about it and they have a condition in place. He showed a drawing that is intended to depict what is going on. He showed a residence that is separated by approximately 127 feet to the closest single story building. As they know, the condition of the setback requirements that they are asking for are for 30 and 20 feet which is consistent with other single-family subdivisions throughout the city. In this particular instance, were the building to be located at its farthest point on the back, which again is a 20 foot setback, that single story building would be approximately 127 feet. If it is a 2-story building that is 30 feet and for that building the closest point would be approximately 137 feet. A great amount of separation is occurring between these buildings. As he has been coming to the City and doing these things, a lot of times the condition is when you are dealing with back to back; neighbors back walls to back walls because there are concerns about privacy. Here when you look at things there is 'Victoria Street. It is not a public right-of-way in the City or County; there is a private easement agreement among the property owners that provides for 90 feet of access through there. They have a considerable amount of distance and separation that he doesn't know were necessarily creating a harm to the residents coupled with the fact that they are going ahead and restricting it as was indicated.

Mr. Ray believes they have worked diligently to address all of the concerns that have been raised and certainly going above and beyond what the City requires to do this project. He said he would be happy to take any questions and they would request their approval in accordance with Staff's recommendation and would like the opportunity to respond to any comments.

VICE CHAIRMAN VEITCH asked if there were any questions for Mr. Ray. There were none. He said he had 2 speaker cards.

DAVID WILLIAMS, 24707 S. 141ST STREET, stated the reason he came tonight is he had one concern in particular that is related to the height of the structures that are contemplated along Victoria. He believes that having 2-story units there is out of character of the neighborhood. He is not sure who here had been in that general area but there is a rural character in that area which if they were to observe that it is pretty plain that having this denser development with these larger heights will create a disruption to the environment that is already there. He knows several of his neighbors have expressed similar concerns in that respect. That is the primary reason he came here tonight. The second reason is that he did observe in the paperwork when he came here this evening there wasn't an updated plan to underground the utilities and the irrigation canals. If that is the case, then he also had the concerns if the plan for drainage does contemplate a change to that irrigation canal.

VICE CHAIRMAN VEITCH asked Mr. Williams if he could clarify the location of the canal that he is talking about. Mr. Williams said it is immediately to the south of Victoria. It runs east and west.

Mr. Williams said he would like everyone to know that if they were to look at a map of the Shadow Ridge to the east of this area, they were able to obtain a 1-story restriction at the west end of that development adjoining the same general area. It seems like that time there was consideration of the impact that having any high houses looming over would have on the general area. He is not intimately familiar with how these situations are handled in general so he defers to the expertise of Planning and Zoning on that. He would reiterate that these houses are stacking up directly into front yards in that neighborhood.

VICE CHAIRMAN VEITCH asked if there were any questions for Mr. Williams. There were none.

JULIE CANEPA, 24811 S. 141ST STREET, said he has some of the same concerns that David Williams had. Her property actually runs adjacent to Jacaranda. When they saw the map earlier where he was showing the setbacks, his house is probably the closest to where the fence line is going to be. She has her fence line, a 50 foot easement and then essentially homes right there. She showed the beginning line of her home, the road and then block walls and 2-story homes potentially in front of them. She looked at the plan for Jacaranda Place and said they are not trying to stop progression because this happens but she has been there for 14 years and when Shadow Ridge and Mesquite Groves went up, they are only asking for 7 of these 53 parcels to be considered for single-story only. She doesn't think it was a mandate; it was just something they did to work with the residents that have been there for so long. That was one of their concerns.

David also discussed the power lines and utilities. They saw an e-mail yesterday about this company doing an abandoned parcel at the 10-foot part of their easement so she believes the setback would come even further back, closer to the ditch. It maybe would be a 60 foot separation from the front of her fence to the block wall that would be there. They are concerned about SRP getting in there, their utilities right now include above ground power lines as well as the irrigation ditch.

She said Shadow Ridge as well as T.W. Lewis and maybe this is something they could consider later is the multi-use trails that continue around through the developments for horses and for people for jogging or walking in there. Also, they are concerned about the issue of the road. It sounded good on the width of the road but they are also concerned about the safety of the neighbors in there. Right now it is has been quiet because not a lot of people know they are in there. People come in from the outside and because it has not been City or County jurisdiction, they are going about 60 miles an hour down that road. They would like to see something for the safety in the area.

When they do the construction, she would like them to contain the trash because a lot of them do have livestock and they would like to see the livestock protected and that they are not getting trash into their arenas that could potentially kill our animals.

VICE CHAIRMAN VEITCH asked if there were any questions for Ms. Canepa. There were none. He asked Mr. Ray if wanted to respond to those points.

MR. RAY stated that in terms of the concerns that he heard, one of the first ones dealt with the character of the area and this development would somehow be out of character with the area. He would be interested to know in what capacity it is out of the character of the area because this is exactly the type of development that is contemplated by SECAP. The gentleman mentioned 2 subdivisions; Shadow Ridge to the east and Mesquite Groves farther to the west. He thinks Mesquite Groves if he is not mistaken, is located closer to Gilbert Road north of Riggs. In terms of what is contemplated on the specific area plan, they are absolutely consistent; same way with their theming. The plan talks about rural agrarian theming. If you look at the landscaping palette that has been selected as well as some of the elements in the walls and some of those features, those again reflect a rural agrarian theming. They are consistent with the character of the area.

With respect to the height of the building, the 2-story buildings will be 30 feet in height which is typical. These lots along here are deeper lots. Their typical lot is an 80 x 135. These lots along here are 80 x 145. Homeowners want the homes to be pushed towards the front and the flexibility to maybe putting an accessory structure in the back per City policy and City code. They don't feel the height is an issue certainly not out of the area.

He heard a comment about utilities and the canal and if he heard Mr. Williams correctly, he was concerned about things on the north side. That is not their property. There are no plans to improve anything that is off of their property. Their property line ends south of where that canal is and where those power lines are so they are not touching them. They are as you would expect dealing with improvements along 142nd Street and that will properly engineered so that it drains properly and that it meets City standards.

The other concerns that he wasn't aware of dealt with horse trails and equestrian facilities around here. He knows that when he looked at SECAP it talks about equestrian trails in the area. If they

were to look in SECAP, it talks about an equestrian trail being located north on Cloud Road. There were certain other designated points where that equestrian trail would head south. He knows that from being out there and knowing the area, he knows there is an equestrian trail that runs up and down Lindsay Road. So certainly there are trails out there. He doesn't believe there was ever any contemplation or discussion of a trail here in this particular location again given that the area has already been Master Planned per the SECAP as to where that would go. As he indicated and touched on, Ashton Woods has gone above and beyond what is required by Staff in terms of its plan and code and in terms of what it is required for them to do; to do a lot of good things to benefit the neighborhood. He said with that he is happy to take any questions and certainly would request approval.

VICE CHAIRMAN VEITCH asked if there were any questions for Mr. Ray.

MR. ERIK SWANSON, CITY PLANNER, said regarding the equestrian path and as Brennan alluded to regarding the SECAP, there were some specific areas. The primary point of doing those equestrian paths was to run the paths north along Lindsay Road up to Brooks Farm where there is a natural RWCD that they would then run a multi-use path along. The idea was to always run it up there to connect. In this particular instance at the north side of this County Island is Cloud Road and at that point in time there is a potential for a connection but that would come in with future development of the larger County Island pieces. So there is no real physical way to get an equestrian path for this particular subdivision to connect to Lindsay and/or to connect to the north.

COMMISSIONER RYAN made a comment that he appreciated the residences in the adjacent neighborhood to come down and voice their opinions. They always listen to those and find some middle ground for that. The one person said the subdivision to the east when they came in put in single story along their west property line. He can understand that but that subdivision is quite a bit bigger so he is thinking because of this subdivision and all of the things they have had this homebuilder do, in his mind 1 out of 3 lots isn't such a bad scenario. He is going along with that stipulation along the north property – so 1 out of 3 being 2-story. He thinks that is the biggest complaint that they have and it is understandable because they have one story and they have been looking at the San Tan Mountains for a long time but progress is progress. He doesn't think they should be asking the developer anymore on this because he thinks they have a good mix. He doesn't want to allow 2-story through the whole development other than the north property line. He thinks having that kind of mix through the whole development makes for a better development.

COMMISSIONER BARON said he would be abstaining from voting on the project as he was the consultant.

COMMISSIONER CUNNINGHAM said to Commissioner Ryan there is an addendum that indicates that it is not more than 2 2-story homes side by side, so it is not 1 out of 3 it is 2 out of 3 along the north line.

VICE CHAIRMAN VEITCH said they have seen similar situations where they have deeper than normal lots and the potential for 2 story homes backing up to the edge of the subject subdivision beyond which is a private road and beyond which are rural properties, whether they are in the City or in the County with separations between structure to structure on the order of what they are looking at here. They have approved those situations in the past-at least 1 or 2 that he can remember. He looked to the Commission for a motion.

MOVED BY COMMISSIONER RYAN, seconded by **COMMISSIONER PRIDEMORE** to recommend approval of DVR12-0034 JACARANDA PLACE Rezoning from AG-1 to PAD subject to the conditions as recommended by Staff. The motion passed 4-0 with 1 abstention (Commissioner Baron). (Chairman Rivers and Commissioner Donaldson were absent.)

MOVED BY COMMISSIONER RYAN, seconded by **COMMISSIONER CUNNINGHAM** to recommend approval of DVR12-0034 JACARANDA PLACE Preliminary Development Plan for subdivision layout and housing product subject to the conditions as recommended by Staff and the modification of stipulation no. 5. The motion passed 4-0 with 1 abstention (Commissioner Baron). (Chairman Rivers and Commissioner Donaldson were absent.)

MOVED BY COMMISSIONER RYAN, seconded by **COMMISSIONER CUNNINGHAM** to recommend approval of the Preliminary Plat PPT12-0021 JACARANDA PLACE for a 57-lot single-family subdivision subject to the conditions recommended by Staff. The motion passed 4-0 with 1 abstention (Commissioner Baron). (Chairman Rivers and Commissioner Donaldson were absent.)

VICE CHAIRMAN VEITCH said this item will be going to the April 11 City Council meeting.

G. ZUP13-0002 NORTH PRICE STABLES

Approved.

Request Use Permit extension approval to allow horse boarding for up to 22 horses on property zoned Agricultural (AG-1). The property is located at 2885 N. Price Road, approximately 900 feet south of Elliot Road.

1. Substantial conformance with approved exhibits (Site Plan, Narrative) except as modified by condition herein. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to any other location.
3. The number of horses shall be limited to 22.
4. Riding activities shall be limited to a maximum of three days per week.
5. Riding activities shall cease by 9:00 p.m. each night.
6. The site shall be maintained in a clean and orderly manner.
7. The riding area shall be watered down prior to riding activities.
8. The Use Permit shall remain in effect for three (3) 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.

9. The property shall remain in compliance with any applicable Maricopa County Air Quality Department regulations.

MS. JESSICA SARKISSIAN, CITY PLANNER, stated this request is located on a 3.86 acre property at 2885 N. Price Road, west side of Price Road and south of Elliot. To the north is Marlboro Estates single family PAD, to the south is an AG-1 Agricultural with an existing house on it. To the east are the County Rural RU-43 single-family residential homes and to the west is the 101 Freeway.

According to historical aerials the residence and the stable office building have been in existence prior to 1970. In October of 1974 the site was annexed with light zoning in from the County to the AG-1 zone. In 2009 a Use Permit was granted to allow for one year a hoarse boarding facility, and in May 2010 the Use Permit Extension was granted with conditions for a 3-year period. In that time, subject to one of the conditions, the site came into compliance with the Maricopa County Air Quality Department Regulations.

There are a total of 3 family members who reside on the property and work the facility. They facilitate the daily operations of the site from cleaning the stalls to general horsemanship. There are horse professionals done by appointment only. They are currently 5 borders that have access to the site seven days a week. Parking and driveway areas are dust proofed according to the AG-1 Zoning District requirements and the site is accessed to and from Price Road. The site has no existing complaints or violations with the Maricopa County Air Quality Department regulations. All past complaints have been investigated and closed as of March 14 of this year. The AG-1 zone allows for storage on site related to the agricultural use such as hay, wood grindings, shaving for stalls, fence materials, trailers and etc. and there is no requirement as to a minimum separation distance for this type of storage in an AG zone.

The request is to allow horse boarding for up to 22 horses within this zoning district with the same conditions previously approved for in 2010 with the extension of a 5-year time limit. Staff has conducted 3 separate, unannounced site visits, taken photos and noticed no violations occurring on the site and found the site to be in compliance with the requirements of the district and the requirements of the previously approved Use Permit.

As for neighborhood involvement, there have been advertising and mailings conducted by the City. There was also the required neighborhood meeting which took place on March 7 at the property. The leaser's, neighbors and Mr. and Mrs. England attended and e-mails from the applicant and attendees is included in your packet for your review. Staff has received 3 calls in favor of the applicant and 2 in opposition. Staff has also received 2 letters in favor as well as a letter of opposition which are all included in your packet. Staff recommends approval subject to the following conditions:

1. Substantial conformance with approved exhibits (Site Plan, Narrative) except as modified by condition herein. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.

2. The Use Permit is non-transferable to any other location.
3. The number of horses shall be limited to 22.
4. Riding activities shall be limited to a maximum of three days per week.
5. Riding activities shall cease by 9:00 p.m. each night.
6. The site shall be maintained in a clean and orderly manner.
7. The riding area shall be watered down prior to riding activities.
8. 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.
9. The property shall remain in compliance with any applicable Maricopa County Air Quality Department regulations.

The owner and the Leaser of the property are here to answer any questions and she can answer questions they have for her.

VICE CHAIRMAN VEITCH asked if there were any questions for Staff.

COMMISSIONER PRIDEMORE asked Ms. Sarkissian if she could confirm that the stipulations that are on the case tonight are basically the same ones that they had before and they haven't had anything new. Obviously, the time duration has changed from 3 to 5 this time but basically 1 through 7 are the same as before. Correct? Ms. Sarkissian replied correct. Those are the exact same conditions that were in place for the last Use Permit.

VICE CHAIRMAN VEITCH asked the applicant, Ed Field, if he wished to speak.

MR. FIELD stated he would prefer to wait and listen to the comments and then answer them.

KATHRYN ENGLAND, 2845 N. PRICE ROAD (opposed), said she is their south neighbor. She did go out to her backyard and Brandon was putting up the horse stalls and he informed her they were going to be putting some more horse stalls up. That means she is going to have horse stalls practically at her south fence and she already has the stables at her south fence and she has a parking lot at her south fence, has a haystack at her south fence and it is not very far that she has these. She is closed in practically now. Her letter in their packet explains everything that has been going on and the only thing she hasn't mentioned is that Planning and Zoning zoned this for stables 3 years ago and this is spot zoning and she doesn't think spot zoning benefits anybody but Mr. and Mrs. Field and of course the renter. Of course they are getting the money from the renter but she doesn't think it really benefits anybody else in that neighborhood and her letter is here and it states exactly what is going on out there. She was kicked out of the community meeting that they had. Mr. Field and Irene told me to leave and told her she was nothing but a troublemaker. She is 79 years old and she has never been kicked out of anyplace but she had her first.

KENNETH ENGLAND, 2845 N. PRICE ROAD (opposed), said he is at a big disability today because on the way here his hearing aid went out so he can't hear anything they say. First thing he wanted to point out is 3 years ago when they had the Planning meeting for the neighborhood it

lasted about 2 minutes. They went in and voiced an opinion on it that was against Mr. Fields. He said the meeting is over, get out of here. This year was the same thing. When he opened the meeting, as soon as they objected to something, he said the meeting is over so get out of here. Then his wife jumped up and tried to attack his wife. Now if they call this a planned meeting he thinks it is nothing but a railroad. They came to us one day out in the back yard and said they were going to build 5 to 7 more stables right adjacent to our north fence which would have been about 40 feet from their house. That is when all this objection started. You do this for 5 years they are asking for big problems. The people that are renting it now are making an effort to make it livable. The two that were there before, one of them had probably 6 to 15 dogs and 39 horses but Mr. Field supported him all the way. He even sent him a letter. This guy wants to be your friend. The dog crap smelled so bad you could smell it clear down in the back pasture but that was all right. The next fellow came in and it was the same thing but the dogs were gone. He had a 8 x 10 x 8 foot stack of horse manure just outside his front door and their south fence. The people that enjoyed the horses on the north, they don't want anything parked against their fence; put it all over on me. He would like for those people who enjoy the horses enjoy the rest. He would like to deliver them a big stack of horse manure and dog crap and put it on their front yard and see how they enjoy it. He thinks they should not make this for 5 years. If they make it over one year and the people that are there now move out and you get an undesirable in there, it clutters it up and goes up to 22 horses, you are going to have the same thing as they had before. He thinks they should know just exactly how Mr. Fields handles this when he gets somebody in there as long as he gets his daughter that much for the rent, ignore what it is doing to the neighbors.

VICE CHAIRMAN VEITCH said he wanted to note for the record that our report does refer to a previous renter having conducted dog breeding illegally but that is not the case any longer and has not been since at least 2009.

MR. ENGLAND said he wanted to comment on one other thing. The notice that was put up in the front yard, two days after they put it up you couldn't read it. They finally came back and put up a good sign but this thing has not been notified like it should have been and all of the people within 600 feet did not receive notices.

VICE CHAIRMAN VEITCH said the request before them is for 22 horses and no dogs and has been operating for the last 3 years.

SHAWN RODRIGUES, 2885 N. PRICE ROAD (in favor), said she is a licensed professional counselor here in the State of Arizona but she is not a typical therapist. She doesn't sit in an office and do talk therapy. They utilize Equine Assisted Psychotherapy where they work in a team with horses of course; a licensed mental health professional and an equine specialist for safety. She is certified by the Equine Assisted Growth and Learning Association and International Training and Certification body. They are bound by a code of ethics for both EAGALA and she is bound by a code of ethics through her own licensing board. They offer brief experiential solution focus therapy and reach all diagnosis in populations just by virtue of working with the horses. They create a bridge. What she does there is not mounted; all of it is

on the ground. She thinks that is something important that they know. It is all on the ground; hands on with the horse and no riding involved in her work. Right now she is working on a program with the Air Force National Guard to work with the Veterans when they come back to work with PTSD and help them heal. The state sends her kids that nothing else has worked. They send them to her and say you are their last chance. She doesn't know why she is their last chance but she is. They take the horses down to Sacaton and do work on the reservation in the schools and doing methamphetamine and suicide prevention programs as well as domestic violence shelters to work with victims of domestic violence and help them heal. Children that fall on the autism spectrum on the high end and aspergers area come and find an ability to figure out how to operate in the world. They work with a lot of addictions. They work with the local intensive outpatient program that reaches all over the country. People come in from actually all over the world for that program. They offer group and individual programs for them. They offer merit badges which are mounted sometimes about once a year to the Boy Scouts and on Sunday and an Eagle Scout completed his badge by coming out and painting some of the fences. They do a lot of different types of work there. She is not running a boarding facility. As boarders have left, they have not replaced them. She has a boarder that is taking 2 horses in about a month as there property is completed and a barn is built. Right now they have 19 on the facility at this time and will be 17 hopefully about April 1st. They are a program facility with a few boarders. She is not going to kick people out. Many of their boarders do not ride. A lot of the horses are there to retire. They ride maybe once or twice a month. Some she sees once a month when they drop off their board checks and the horses are there to work in her program.

She said she wanted to address the dust issue. They no longer have 4 to 6 inches of soft dust and people riding on a regular basis. They don't need a soft cushy performance type arena any longer because they are not doing performance activities. They try to keep it between an inch and 2 inches and they do their best to try to water. Most recently a large storage tank, 2500 gallons was installed and a well pump that has allowed them to increase the pressure. It is an experiment right now but they are doing their very best to try to have everything in order as things get hot and dry and they have to have it watered every day. At this point, the rule is that if you come to ride, please let her know ½ hour ahead of time so she can get the arena ready. If they show up and it's too dry, they ask them to saddle up slowly. She is an endurance athlete and a swimmer. Of course she is going to want to control the dust. She is the one out there in it. She doesn't want to be breathing that either so they are making a very conscience effort to control that dust.

They never intended to build 5 stalls along the side. They wanted to put shade up for the horses in the summertime in the holding pens. She also will run 4 sessions in a row and she needs horses brought in from the pasture and she would like to have shade there for them. They are not erecting any structures or she would have to put in permits. She knows this. They are putting up this shade stuff that they can string up in the summertime and hook up to the poles and take it down later on.

The hay that is there has always been there. She is not sure how to address that other than it is there and as they use it, it will be gone. Back in December they started talking about an

alternative food source which would be hay cubes; it takes up less room and makes less mess, less dust and the whole nine yards. So they have already considered a lot of these things that are being brought up. As far as the 5 year permit goes, she signed a lease for 5 more years. There isn't going to be an undesirable person coming in that is an unknown. They are there and there program is thriving. They are very happy there and she doesn't want to go anywhere. Who wants to pack up and move? As far as that goes, they are 5 years committed to the facility and the program.

REBECCA MULBERRY, 2954 N. OREGON ST., #3 (in favor), stated she did not wish to speak.

HOWARD BLACK, 1769 E. COUNTRY LANE, GILBERT (opposed) stated that Mr. England asked him to come speak concerning the value of property and how the encroachment of this would affect the value of his property. After looking over the Staff's review, he finds it quite interesting that this has been going on for 3 years. As to value, Staff finds that this finding is consistent with AG-1 zoning. How do you get from 9 animals to 22 animals and call that consistent. He finds that rather difficult to understand. Having done several zoning cases in front of this Council in years past and in the Commission, if he had one of these in place and he needed this, this would be really nice to have if he had to approach them in the future and say I've got this piece of property and I want to double the amount of horses on it that your AG-1 allows. He finds this is not consistent with their zoning. He doesn't know how you do that. In the past the only zoning case he ever had that if they were a little bit over, they got denied. So he finds it interesting that they would allow this to happen because they have set a precedent that a guy like me can come back just because you allowed it to happen. It is inconsistent. It is something they need to think about before they pass this. As to value, it is pretty simple and that is what Mr. England asked me to talk about. If he had a piece of property next to me that had 9 horses on it that is one value. If he had a piece of property next to me on 4 acres that had 22 horses, you have diminished the value of his property next door. That is very consistent with why the zoning originally called for only 1 or 2 animals per 35,000 square feet. They need to look at it as a Council and as a Commission and need to consider this.

VICE CHAIRMAN VEITCH asked if Jessica could clarify the ordinance language with respect to the number of animals per unit lot area and the Use Permit provisions.

MS. SARKISSIAN replied that she is not on top of what the animal requirement is but as far as the Use Permit it says for this AG zoned district, Use Permits are allowed as determined by Council to be compatible with other uses in the area consistent with the General Plan which are consistent with the uses permitted. Under the uses permitted in an Agricultural District it does talk about riding stables and home occupations except storage sheds. A boarding facility in an agricultural zone is something you typically see and something they have seen before. It is up to the Commission and Council to determine compatibility of the Use Permit so it would be on a case-by-case basis which is why they have term limits.

MS. JODIE NOVAK, SENIOR CITY PLANNER, said in terms of his question regarding horses and how many you can have per acre, in the AG-1 zoning district it allows up to 2 horses to be kept by right per 35,000 square feet of net lot area. This property is almost 4 acres. As was mentioned to Jessica, historically they have boarding facilities that are about 2.5 acre properties; some are 2, 2 1/2 or 3 that have already previously been approved with similar amount of horses that are still operating in our city and some are therapeutic horse boarding facilities as well so it is not an unusual request in terms of the gentleman consistent with AG-1. He is correct. AG-1 does have limit but the zoning code does that this Use Permit process is allowable and considerable for Planning Commission and City Council to allow more horses when they find that it's appropriate. That precedent has been set on this property with time limits for us to re-examine each year if they have been in conformance with what they have represented they were doing and to make sure there is no impact to neighboring areas.

VICE CHAIRMAN VEITCH said the point he was trying to get to is that while the ordinance provides a formula for by-right keeping, the ordinance also provides the opportunity to pursue a Use Permit and to exceed that where conditions are appropriate.

STEVE CHEFF, 42 S. HAMILTON PLACE, GILBERT (opposed) representing the homeowners at 2727 N. Price Road, stated they were not notified of the meeting the last week and is within the 600 feet. He is not sure as to why they are not privy to that information. They have roughly 80% of the homeowners in the association there which is just south of AG-1. They are a small homeowner's association representing 90 homes, roughly 180 to 250 people. 80% of those polled are opposed to the increase or the semi-permanency of the increase from when Tre Allagio was built. When it was built, there were 9 horses there and homeowners were buying their homes with that assumption that would be continued and now it has been raised to 22. Homeowners have seen an increase in issues related with that. They would like the Commission to reconsider the zoning and keeping it at a lower number. They are not opposed to horses being there because the horses were there prior to Tre Allagio being built but they are opposed to the increase for having 22 horses there. This is an AG-1 but they are running a business out of there and he is not sure of the legalities of a business rather than just a stable being there.

COMMISSIONER PRIDEMORE asked Mr. Cheff if he is representing the homeowners to the south of the property and also is he representing the HOA that is the development immediately south of the England's property. Is that correct? Mr. Cheff replied that is correct.

MARTY MEYERS, 2727 N. PRICE ROAD (opposed), said he is a resident in the Tre Allagio community just south of the England's. He has been a resident there since 2007. He was not informed of the neighborhood meeting. Their property is less than 600 feet, probably between 400 and 450 feet south of that particular property. He did receive a card from the City. He said he does not have a problem with the horses, the 9 horses originally established there but since the surrounding area is not the same area as it originally was when this was first built and has changed over the years, he thinks they need to have them look at whether this is appropriate for that particular area. He does not think it is the same property that was originally the AG-1 was set to establish with the nine. Now they have to the north a commercial property. They also

have the Tre Allagio, which has 90 units which are Planned Area Development. Just south of there is a residential retirement facility which houses many, many elderly people and he thinks they would be impacted as well. Again, he doesn't think spot zoning for an individual or to benefit a particular tenant that is presently there is in the interest of that general surrounding community. He thinks they might avoid doing this variance for that particular reason.

He believes that it will negatively impact property values. It is hard to say what the trend will be because they have been down for the past 4 or 5 years but if they increase the number of horses which presently are not 22 to such a higher number, he thinks that intentionally could impact all of those values which have already fallen.

Also, he noticed when reading through the memorandum for tonight's meeting, Ms. Rodrigues is operating a Counseling Psychotherapy business which she commented about and that is a positive thing although he doesn't know if that is part of what this was originally intended for. He thinks if there is a business that also creates increased traffic in addition to the horses. Again, he has no problem with the original approval that AG-1 was recommended for but to change the variance now with the surrounding community he thinks that variance only benefits the resident and that particular owner not the surrounding community or their values.

COMMISSIONER PRIDEMORE said to Mr. Meyers since he is at the podium and is a resident of the area he wanted to ask him a question. He asked Mr. Meyers if he lived in the subdivision directly south of the England's property. Correct? Mr. Meyers replied that was correct. **COMMISSIONER PRIDEMORE** asked him how he would know how many horses are on that property that they are talking about, whether it is 9 or 22. Has there been an increase in noise and dust? How would that directly affect him since the England's property acts as a buffer to you but unless he had not received a notice how would he even know how many horses are on that property? Mr. Meyers said without counting them he couldn't say specifically. He rides a bicycle frequently passed that property and in any given year he may ride passed that property 150 to 200 times. He doesn't believe that there are presently 22 horses there. He would estimate based on his observations anywhere from six to 12 presently. He has seen in the past manure and other droppings from the horses although recently in the last several months he hasn't seen that. When he rides his bike and goes by the property or goes towards ASU Park which is across the 101 in Tempe, he has run into that in the past. Whether it is from that property or not he can't comment, he just knows that it has been there in the past over the last 3 years. **COMMISSIONER PRIDEMORE** said he was just trying to get a handle on this since he has now been there for let's say the last 3 years which was when the last approval was for. He was just curious that during those 3 years if there was something that was happening that had brought that property to his attention in anyway. Mr. Meyers said other than the things he mentioned that is primarily it. Back when this was originally applied for he did get a notice from the City. The only reason that he happened to find this out that they were having this meeting was there was a sign posted in the front yard. Had that not been there he wouldn't have known there was even going to be a hearing. He called the City after he saw that sign because it was very difficult to see from Price Road unless they had stopped and that is an on-going thoroughfare and that time he was told there would be postcards sent out which he did receive

the following day. If there are 10 or 12 now, his concern is not that because it is kept relatively clean from his property standpoint, but the potential future problems if they increase that to a 22 limit. It is surrounded by a Planned Area Development, agricultural to the east and to the north there is commercial property with dentists and orthodontists and other businesses. He can't speak for them however he does believe that a lot of those of which one is his doctor, has a fragrance free policy in the office. Unless the air stays above the farm he suspects they could get an increase in that from the manure.

LUCY LOPEZ, 2727 N. PRICE ROAD (opposed), said she is also a resident over there and she is very concerned about property values because today they are very low. Condominiums are the ones that take the longest to recuperate and she would like to move but until the prices go up a little, she won't be able to. If they raises the horses to 22 that is going to impact her property values and that is not good. Besides they have 90 people living there and they are all affected. They rented the property so that is going to benefit one family. If they don't ride the number of horses, that is going to benefit many families. It is going to keep their property values down. She has heard everything they had to say and this is nothing against the person that lives there and has a business in the house there and they are doing good for the public, but she always thought it was supposed to benefit the most people. The most people won't be all right with that many horses. She knows they don't have that many horses because she does ride her bike on that sidewalk and she has to go around manure sometimes. More horses, more manure on the sidewalk. She is one of those people that doesn't want to deal with manure on the sidewalk. She shouldn't have too. When people have dogs, they pick up after their dogs. Why do people with horses don't pick up after them. She didn't know she could complain. Had she known that she would have been complaining for the last 4 years. She just learned from the sign that was posted that there were people who could listen to her and that she could maybe improve the neighborhood and complained that things won't happen in a way that is going to impact her negatively. She also volunteers next door at the assisted living community and she has talked to some of those people and they are too old to come here and complain but they do not look forward in the hot summers to smell manures and have flies. She knows they say they are going to control it. She doesn't see how they can control that because they rely on the renter. They are here today but could be gone tomorrow. They say they have a contract for 5 years. She has been a landlord and they can break a contract if it is best for them.

BRENDAN RODRIGUES, 2885 N. PRICE ROAD, indicates he is in favor of the project but did not wish to speak.

MR. FIELD, the applicant, thanked them for allowing him to rebuttal some of the things that were said today. To start with he is going to discuss the condos. next door but before he does that he said he has held 3 meetings; 2009 was the 1st one (he got a year), had another one in 2010 and he held one for this meeting here. He mailed out 160 letters based upon our mailing labels and over 90 to 100 went into the condos. that are on the other side of the England's property. They held a meeting in 2009 and they had two people, Kathy and Kenny, show at the meeting. In 2010 they had one person come to the meeting. This meeting he just held had 2 people there, Kathy and Kenny. Where were all these people for the last 3 years? Not one complaint has

come to him or his Leasee. He is concerned but he just wanted to point that out because it is concerning to him if people can come and talk about his problems on his property and don't discuss with him prior to the last 3 years. He just wanted to mention that. He also wants to mention the fact that Kathryn said they asked her to leave their office. They did. She read a two page letter which they have in front of them and after she read it he said to her that he would like a copy to send in with the minutes from the meeting. She said she wouldn't give him a copy; it was only going to the City. He said then what was the sense of the meeting. He said as far as he was concerned the meeting was over with. At that time, they did ask them to leave and he wanted to clarify that.

They have tried to do everything they could on that property. He just spent \$4700 and put a 1500 gallon storage tank on her well with an added pressure pump so that she could water better than what they hooked on in the past. He just wanted to point that out because they are trying to control the dust there and they are doing the best they can. A lot of people said there is some property between his property and the condos. and Kenny has 4 acres there and he also has some horses. He thinks they probably know that already.

As far as the sign is concerned, they had a big rain storm not long after they placed that sign in their front yard and it did blow away. They called the City at that time. As far as building stables or anything like that they will not do it unless it is allowed by the City's code. As far as the manure pile that was brought up, they had a pile there 3 years ago. They took care of it and they don't have it next to the fence. They have tried to do everything they can to appease any problems that come up on their property. He had trouble x number of years ago but that is hindsight and he is not going to even discuss that. They have a very strict lease with their renter and they are required to follow the requirements and he can say Shawn and Brendan Rodrigues do a heck of a job in keeping that place very well.

VICE CHAIRMAN VEITCH asked if there were any questions for Mr. Field.

KATHRYN ENGLAND, 2845 N. PRICE ROAD said she wanted to add to Mr. Field's comments about them having horses. They have one horse and there were three of the Rodrigues' horses on their property. They built the little shed out there which is not theirs. They built that and they paid \$500 a year to have insurance to cover them because they had somebody else's horses on their property. So they are not all bad.

Somebody from the audience tried to speak about the notices.

GLENN BROCKMAN, ASSISTANT CITY ATTORNEY, said the meeting and the notice issues are kind of side issues to the matter that is before them. Obviously, notice must have been given somehow because there are several people who have come out and spoken against this application. The City's requirements are that notice be given in various different formats, at least 3 that he could think of. We do that in part because one format may not always be successful.

VICE CHAIRMAN VEITCH said it does seem clear that one of them was successful.

MS. JODIE NOVAK, SENIOR CITY PLANNER, said that is correct. They have verified that our notices, the mailing labels are correct. It appears their entire Tre Allagio subdivision is still listed and recorded with Maricopa County as the point of contact being D. R. Horton. There is no homeowners association listed with the County records. All municipalities pull property ownership from Maricopa County. They are the only maintainers of property ownership information; the cities are not. They will need to contact Maricopa County to find out why their homeowner association is not listed as the property owner for their landscape tracts and open space areas. It did go to who was listed as the property owner at that time. They did also receive correspondence in a letter attached to the report from a homeowner in Tre Allagio and as they have stated have spoken. They are aware that people there were notified.

VICE CHAIRMAN VEITCH thanked her and it was a helpful clarification for their record. He asked Staff if they wanted to add anything.

JESSICA SARKISSIAN, CITY PLANNER said just for clarification because a couple of times it came up regarding spot zoning. This is not spot zoning. This came in from the County with light zoning and as a Use Permit that comes through every few years and gets looked at. As far as a stall being constructed, they did hear that complaint from the England's and they did go out and investigate and they did not see anything under construction. They have gone out there 3 separate times every time they are told they are working on something. They have not seen anything like that. If they were to do anything, they would be required to follow our code in terms of what is required and things like that for permits based on square footage and height. The sign unfortunately did go down before the last storm and the owner did notify them that it went down and the next day they went out there and reposted it again. She said everything had been notified correctly.

COMMISSIONER CUNNINGHAM asked Staff that in this particular area are there other horse properties in this area? Ms. Sarkissian replied the closest one would be the England's to the south and then they do have the rural residential properties which are RU-43 which are allowed to have horses on them. Whether or not they choose to is up to their discretion. **COMMISSIONER CUNNINGHAM** said so it would be possible if there were horse manure's left on trails that they may not belong to Ms. Rodrigues's. Is that correct? Mr. Sarkissian replied that was correct. **COMMISSIONER CUNNINGHAM** said it seemed concerning to some of the residents in the condominiums that they are being asked to approve an increase in the number of horses from 2009. They are not; they are being asked to re-approve what was approved in 2009 for 22 horses. Additionally, as Ms. Rodrigues had indicated, she has not increased to 22 horses and does not in fact have 22 horses. Is she understanding this correctly? That she will be down to 17 horses?

MS. RODRIGUES replied there were 22 there when they first took over the property to go over the lease. As they left, they didn't replace them. Now they have 19 there with 2 leaving as soon

as their property is finished. **COMMISSIONER CUNNINGHAM** asked if she has plans to replace them or increase it to the 22. Ms. Rodrigues said no it is too many.

VICE CHAIRMAN VEITCH closed the public portion of the hearing and looked for further discussion from the Commission.

COMMISSIONER PRIDEMORE stated the most telling part for him and with some of the questions he asked and as Commissioner Cunningham just pointed out they are looking to reapprove conditions that have been in place for the last 3 years. He doesn't see that anything has changed. In fact it sounds like it has gotten quite a bit better. Again, he is not quite sure how they can tell as they are walking by the property and counting horses, to even know how many are there. It does sound like Mr. Field has a very conscientious tenant and they are trying to keep the dust down which to his knowledge, none of the people opposed even brought that up. That was brought up by the tenant. So with that he didn't see that anything has dramatically changed. He feels better that Staff has gone out unannounced to take a look at this property and has found nothing to be out of order and that there are outstanding claims with the Maricopa County Air Quality Control people. With that being said he has listened to the neighbors and in trying to keep an eye on this property, he would put forward that instead of the 5 years and 1 year is too much, they have done 3 and have done well with the 3. Again, to keep an eye on things, he would recommend modifying condition no. 8 from 5 to another 3 years so they can keep an eye on this so that it is not out sight for another 5 years.

COMMISSIONER RYAN stated he wasn't there 3 years ago. This horse boarding has spent its use but on the other hand they are cable of keeping horses with 8 or 9 horses. The difference is just a few horses and at least in listening to Commissioner Pridemore it gives them a chance to monitor this through a Use Permit. If they disallow it, they can keep up to 8 or 9 horses anyway. How are you going to monitor whether they are boarding them or whether they are their horses? It is a tough situation. It sounds like they are trying to be fairly decent neighbors. He would ask Staff that any comments that would come from neighbors be well documented so that this could be monitored a little closer 2 years from now. He said he will go along with Commissioner Pridemore to go ahead and let this go through for 3 years.

VICE CHAIRMAN VEITCH said consistent with what Commissioner Pridemore said they are being asked to extend the time on a Use Permit situation that has existed under a number of conditions without substantiated or documented problems or violations for 3 years and would be hard pressed to find a reason to not do that. He doesn't have difficulty with the suggested amendment of condition no. 8 from 5 to 3 years to allow sooner monitoring. He agrees with what Commissioner Ryan said about keeping a close watch on what is going on and responding to any substantiated complaints.

COMMISSIONER PRIDEMORE, seconded by **COMMISSIONER RYAN** to approve ZUP13-0002 NORTH PRICE STABLES subject to conditions recommended by Staff with an amendment to condition no. 8 from 5 to 3 years. The item passed 5-0 (Chairman Rivers and Commissioner Donaldson were absent).

VICE CHAIRMAN VEITCH said this will be going to Council on April 11.

6. DIRECTOR'S REPORT

Ms. Jodie Novak, Senior Planner, said there was nothing to report this evening.

7. CHAIRMAN'S ANNOUNCEMENTS

VICE CHAIRMAN VEITCH said the next regular meeting is April 3, 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 7:25 p.m.

Leigh Rivers, Chairman

Jeffrey A. Kurtz, Secretary