

Add info #5

MAY 09 2013

11

The Honorable Jay Tibshraeny

Mayor & Council members
175 S. Arizona Ave.
Chandler AZ 85225

Fry's service station DVR 13-0007

We are residents of Chandler. We close to the Fry's store at Alma School Road and Germann Rd. We are always shopping at the Fry's grocery store. Every time we are at the Fry's plaza it is very busy and extremely difficult to find a parking especially in the afternoon. It is in the middle of nice neighborhood and we don't want it to turn into freeway commercial.

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Thank you,

Best Regards,

Your voters.

Name

Address:

Phone :

Shyoma Sharma

2152 W. Enfield way
Chandler, AZ 85286

480-855-6644

George Li

1605 S TAMARISK DR.

480-422-0158

2/17

The Honorable Jay Tibshraeny

Mayor & Council members
175 S. Arizona Ave.
Chandler AZ 85225

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Thank you,

Best Regards,

Your voters.

Name

Address:

Phone :

Iyer

2310 W Maplewood
St

722-2603

CASWANT S SANDHU 2453 W ENFIELD WAY 480-445-9500
CHANDLER 85286

The Honorable Jay Tibshraeny

Mayor & Council members
175 S. Arizona Ave.
Chandler AZ 85225

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Thank you,

Best Regards,

Your voters.

Name	Address:	Phone :
Andrea Taylor	2452 Spruce Drive 85286	602 318-3335
Vandana Verma	1561 S. Carrington Ln	
Jay Rameesh	2413 W. Spruce Drive	480-782 602 - 7815
Ricardo Jimenez	2492 W Enfield Way	480 642-6324
Chandra S Madalka	2352 W Enfield way	480 2255177
MINEJIE XU	2111 W. Maplewood St.	217-621-5966

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Thank you,

Best Regards,

Your voters.

Name

Address:

Phone :

Robyn Kay

2112 W. Emerald Way, 602-884-1200

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Chandler AZ 85225

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Thank you,

Best Regards,

Your voters.

Name

Address:

Phone :

Melissa Anderson
Melinda Anderson
Alan Reed
Lauren Coon

7745 N 18th Ave
Phoenix, AZ 85021
(I work in Chandler)
125 S. Alma School Rd
482 W Myrtle Dr

(912) 441-7892
(480) 341-16230
480 544 3011
480 375 5279

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Thank you,

Best Regards,

Your all voters.

Name

Tanny Solis

Address:

1140 S Cholla St
Chandler AZ

Phone

480-221-7911

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Your voters.

Name	Address:	Phone :
Ayub M P AS	13111 Baseline	480 553-7051
ERIC MARZALLES	2911 W DRIOLE	480 650 5278
Cosme Leyva	27 E-CORONA AV	480-392-5755
John Howard	3540 N. Scottsdale rd Scottsdale, AZ	602-340-1290

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Best Regards,

Your all voters.

Name	Address:	Phone
1. Kamal Saran	2472 W Spruce Dr Chandler	(480) 332-4838
2. Jessi Dhett	1820 S Yucca Dr Chandler	480 - 717-7206
3. Catalina Tomas	1211 W. Canary way Chandler	(201) - 679-7837.
4. David Wayne	2492 W Spruce Dr	(480) 5107787
5. Tali Ido Rahet	2453 W Spruce Dr	480-297-2433
6. Lisa D Bennett	2433 N. Spruce Dr. Chandler, AZ 85286	(480) 893-6732
7. Sandra J. [unclear]	2451 W. Mulh.	480 699 6257

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Your voters.

Name

Address:

Phone :

Armen Martinez
Gustavo Costa

1100 S Cholla
Chandler
2911 S Canabec

4803413559

Matt Buechler

6749 S Newberry Rd.

Sheena Bhatnagar

1068 W. Swan Dr

Jeff Ryals

1065 S. Arizona Ave LOT 104

CRAIG CHILDRESS

1265 W. MACAW DR.

Joe Espinoza
Gilbert Emmerney

1402 W. KOBLER LN

1190 S Cholla St
Chandler AZ 85226

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Name	Address:	Phone :
Donny San	600 W. Grove Pluy Tempe, AZ 85283	(480) 326-1280
Selda Matts	8128 S. Stephanie Lane Tempe, Arizona 85284	480-277-5753
Mustafa Erdem	81405 South 48 th Street Phoenix, AZ 85004	480 / 543-2081
Scott RYALS	868 S. Arizona Ave	#2145 480-802/5296
Jerrold Beck	2625 W Obispo Cir	602.3397696
Josiah Weisman	1140 S Cholla St Chandler	480 341-3559

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Your voters.

Name	Address:	Phone :
Monica Cartymagli	1614 W. Enfield Way	(480) 628-9565
Brian Redgers	1916 S. Alma School RD #7 Chandler AZ 85226	480-782-5483
Denise Dotti	1300 W. Maraw Chandler	480 560 7458
S. Reef	1494 W. Sw Chandler 85226	480-423-5741

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Your voters.

Name

Address:

Phone :

Kelly Crawford

2103 W. Enfield Way.
Chandler, AZ

760-402-7715

NINA LINDER

701 W. Macaw Dr
Chandler, AZ 85286

480-459-5887

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Name	Address:	Phone :
Debbie Smith	2518 E Kaibab Pl Chandler 85249	704-962-9553
Wendy Schmidt	872 E Cocino Pl Chandler, AZ 85249	480-814-7465
Eric Pinchek	633 W. River Dr. Chandler AZ 85226	240-291-0918
Marisa Weisman	1170 S Doolittle St Chandler AZ 85226	480-341-3559
Ed Lankeit	2435 E Desert Bloom Pl Chandler, AZ	480.294.4744

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Thank you,

Best Regards,

Your all voters.

Name

Address:

Phone

Veronica Brown 1894 W. Musket Way
Chandler AZ 85286

480-857-7471

I am agreeing + this
Adam Belev 

The Honorable Jay Tibshraeny

Mayor & Council members
175 S. Arizona Ave.
Chandler AZ 85225

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Best Regards,

Your all voters.

Name	Address:	Phone
Brent Tibshraeny	3570 S. USTAR PL	480 323 9009
Dawn FROODER	1781 W. GARY DR	480-899-1956
Jaime Arias	12521 E Via De Arboles	480-245-0256

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Best Regards,

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Name

Address:

Phone

Doug Milkovich
930 W. Oriole way
Chandler Az.
85286

719-580-5092

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Chandler AZ 85225

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Name

Address:

Phone

JOHN ROBINSON	1130 W SARAGOSA ST	CHANDLER, AZ 85224
Michael S. McAffee	1953 W. Cardinal Ct.	Chandler, AZ 85256

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Mayor & Council members
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Name

Address:

Phone

WAYNE BERGEM

2260 S APACHE DR.
CHANDLER AZ. 85286

480-423-9413

Kamoni Cooper

265 N. Starboard Dr.
Gilbert AZ 85234

480 251 7654

Chris Heath

1083 E. BOSKON CT
CHANDLER AZ 85225

480-993-7997

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Name

Address:

Phone

DUSTEN Speltz

2150 S. ARIZONA AVE
CHANDLER, AZ 85286

320.249.1063

William Gregpey

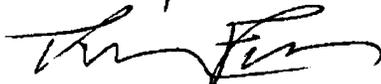
1805 W GOLDFINCH WAY

480-812-0907

LINDSEY WESCOTT

1480 S. CENTRAL DR.

602.320.2645



1352 S Cholla Pt

480-620.9637

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Name	Address:	Phone
Charles Hendricks	6901 S. McClintock Dr #124 Tempe	707-628-2512
Andre Chambers	1271 W. CANARY WAY	(602) 763-8625
Christine Berth	2103 W. Hawken Way	480.8554498
NICKOLE BAKER	2388 S SYCAMORE PL, CHANDLER	
William Rupe	1483 W. Raven Dr 85284 85286	480 326 9183

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Name

Lois Martinez

Bill Rivera

RACHELLE CAIN

Address:

1105 W. Macaw Dr
Chandler, AZ
85286

1717 S. Navajo
Chandler AZ
85286

Phone

480 823
9813

8245 EVERGREEN ST
CHANDLER, AZ 85225

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Name	Address:	Phone
Amie Winarski	1853 W. Thompson Way Chandler, AZ 85286	602-918-1207
Henry DeVall	2180 W Periwinkle Way Chandler AZ 85248	602-527-7739
Patty Ballerinos	1078 W. Swan Chandler, AZ 85286	480-699-9719

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Name

Address:

Phone

Luis Gonzalez

1320 S Terrace Rd

480 3582400

Daryl [Signature]

Tempe AZ.

480-284-7882

Larry Medson

813 W Aster

Chandler AZ

1510 W. KATHOS-CT.

602-702-1554

Benny Berns [Signature]

724 W. Curry

480.323.0093

✓ Brian R. Sinclair

1302 W. INDIGO DR

480-219-2367.

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Name

Address:

Phone

480 326 6227

Marcy Brinkley 2101 S central et 85286

Kyle Teller Rode 1382 W. Marlin dr. 85286

Ruben ZAVALA 1793 S Comanche St 85286

480-855-9145

Mel ARECHIGA

3761 S ANDLE AVE
Gilbert AZ 85298

480-570
2824

The Honorable Jay Tibshraeny

Mayor & Council members
175 S. Arizona Ave.
Chandler AZ 85225

Fry's service station DVR 13-0007

We are residents of Chandler. We close to the Fry's store at Alma School Road and Germann Rd. We are always shopping at the Fry's grocery store. Every time we are at the Fry's plaza it is very busy and extremely difficult to find a parking especially in the afternoon. It is in the middle of nice neighborhood and we don't want it to turn into freeway commercial.

We are also opposing a request by Fry's to continue its City Council hearing scheduled for May 9th. This case has been going on from long time, with Fry's just playing games with our neighborhood, I understand Fry's gave a written notice back in 2002 and then 2006 that they don't want a gas station on this site. The Planning and Zoning Commission already denied the request from Fry's. Please deny Fry's request to continue. Please save time and money now. Say NO.

Thank you,

Best Regards,

Your voters.

Name Patricia Labas

Address: 3121 Alma
School

Phone :

DUSTYN JAZZ

800 W Willis RD.
Chandler AZ 85282

Rebecca Evans-Chikreba

1476 E Mia Ln
Gilbert, AZ 85298

The Honorable Jay Tibshraeny

Mayor & Council members
175 S. Arizona Ave.
Chandler AZ 85225

Fry's service station DVR 13-0007

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Thank you,

Best Regards,

Your all voters.

Name

Travis Johnson

Address: 844 W Hemlock way Phone

Chandler AZ

85248

480

395

4461

The Honorable Jay Tibshraeny

Mayor & Council members
175 S. Arizona Ave.
Chandler AZ 85225

Fry's service station DVR 13-0007

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Thank you,

Best Regards,

Your all voters.

Name

Address:

Phone

Stephanie Braymiller 1925 W Raven Dr 480 299 6919
Chandler, AZ

GAMMAGE & BURNHAM

A PROFESSIONAL LIMITED LIABILITY COMPANY

ATTORNEYS AT LAW

TWO NORTH CENTRAL AVENUE

FIFTEENTH FLOOR

PHOENIX, ARIZONA 85004-4470

TELEPHONE (602) 256-0566

FACSIMILE (602) 256-4475

WRITER'S DIRECT LINE

May 2, 2013

Stephen W. Anderson
(602) 256-4422
sanderson@gblaw.com

The Honorable Jay Tibshraeny
Mayor, City of Chandler
175 South Arizona Avenue
Chandler, Arizona 85225

VIA HAND DELIVERY

Re: Fry's Gas Station / SWC Alma School and Germann / DVR 13-0007

Dear Mayor Tibshraeny:

We write to oppose a request by Fry's to continue its City Council hearing scheduled for May 9. This proposal has been pending for well over a year now; the original of the three Fry's applications was filed on January 23, 2012. The first of the multiple neighborhood meetings was held on June 21 of last year. The original hearings were scheduled for last November, over six months ago. We've been ready to proceed since then. It is time for the Council to hear this case, and let this community have finality.

Unfortunately, this continuance request from Fry's continues a regrettable pattern that has plagued this case from the start. We copied you and your colleagues on the City Council on a letter we sent to staff dated March 22, 2013. In that letter, we detailed how Fry's has repeatedly withdrawn applications and sought the cancellation of hearings without any notice to the residents and businesses who have continued to invest time in this matter for almost a year now. Fry's know us all well by this point, but the conduct continues. It was staff, not Fry's, who had to provide us with notice of this latest request for continuance. Fry's merely sent a three sentence e-mail to staff only, apparently in the belief that they are simply going to receive a continuance *without notice to the community* as a matter of right.

The stated purpose for this request is that Fry's has finally hired land use counsel, and the new counsel requires an opportunity to get up to speed. Cobblestone, a neighbor to this case, hired land use counsel last July, and has been paying land use counsel to follow the twists and turns of this case since that time. Why is *an applicant* hiring land use counsel at this late date? Presumably it is because on April 17, the Planning and Zoning Commission recommended that the Council deny this request.

Finally, we think that the applicant got the date of the Council hearing wrong in their request. They suggested the Council hearing date is May 23, not May 9, and requested a continuance to June 13.

The Honorable Jay Tibshraeny
May 2, 2013
Page 2

We are ready to proceed on May 9. We hope you and your colleagues will hear this case at that time. Thank you for your continuing attention to, and patience with, this ongoing matter.

Sincerely,

GAMMAGE & BURNHAM, P.L.C.

By



Stephen W. Anderson

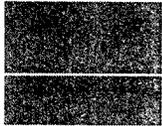
Enclosures

SWA/dmm

cc: Members, Chandler City Council (*via h/d*)
Jeff Kurtz (*via e-mail*)
Ricardo Torris (*via e-mail*)
Leslie Pitts (*via e-mail*)
Michelle Volk (*via e-mail*)
JD Saran (*via e-mail*)
Mike Cahill (*via e-mail*)
Tuck Bettin (*via e-mail*)

Add info # 5

MAY 09 2013



Fry's Fuel Station Application - Alma School and Germann
Susan Moore to: CityClerkAgenda
Cc: David Bigos, Melanie Sala

05/07/2013 09:34 AM

----- Forwarded by Susan Moore/COC on 05/07/2013 09:34 AM -----

From: mpsouthwest@aol.com
To: jay.tibshraeny@chandleraz.gov, jack.sellers@chandleraz.gov, trinity.donovan@chandleraz.gov, nora.ellen@chandleraz.gov, kevin.hartke@chandleraz.gov, rick.heumann@chandleraz.gov, jeff.weninger@chandleraz.gov
Date: 05/06/2013 08:12 PM
Subject: Fry's 69 Fuel Station Application - Alma School and Germann

To Mayor Tibshraeny, Vice-Mayor Jack Sellers, Councilmember Donovan, Councilmember Ellen, Councilmember Hartke, Councilmember Heumann, and Councilmember Weninger:
My name is Mike Pettebone, a current resident in Clemente Ranch - near the Fry's Grocery Store at Alma School and Germann Roads. I was just informed that Fry's has requested a continuance to the May 9th City Council hearing, and I strongly object to this.
Fry's has been dictating this approvals process from the very beginning - and suddenly got scared when they lost the Planning and Zoning hearing. They could have/should have hired an attorney from the beginning. They have treated the neighbors with disrespect (starting in 2001 when they promised not to build a fueling station) and dragged this approvals process far enough along where residents can no longer spare extra time fighting this "system" that Fry's seems to control.
It's time for Fry's to be told they are not the boss - and the city should be the one to do that.

I thank you in advance for your consideration.

Michael Pettebone

----- Forwarded by Susan Moore/COC on 05/07/2013 09:34 AM -----

From: mpsouthwest@aol.com
To: jay.tibshraeny@chandleraz.gov, jack.sellers@chandleraz.gov, trinity.donovan@chandleraz.gov, nora.ellen@chandleraz.gov, kevin.hartke@chandleraz.gov, rick.heumann@chandleraz.gov, jeff.weninger@chandleraz.gov
Date: 05/07/2013 09:11 AM
Subject: Fry's Gas Station/SWC Alma School and Germann/DVR 13-007

Dear Mayor Tibshraeny, Vice-Mayor Sellers and Councilmembers:

Having previously voiced my objection to Fry's request for a continuance of the public hearing, I am also opposed to the gas station plan in front of their store.

- Most of my opposition stems from Fry's commitment (on two separate occasions) not to install a fueling station on the property. Simultaneously, the City of Chandler gave assurances to local businesses that no Fry's fueling would be installed. As such, local groups invested in good faith and moved forward.
- Based on the history of various business plans and practices for the property (ie the Bank development particulars) it appears Fry's has had dishonest intentions, and without decent corporate standards.

- During a neighborhood meeting, the Fry's rep explained their business plan of making sure fueling stations reside at every shopping center. When asked if they would close our store if the application didn't pass, his response was "probably." So this seems not to be about the community but rather a contest. (Make no mistake; no one wants the store to close. We all benefit from shopping there.)

- Chevron is run by people who live in Chandler, with children attending the Chandler School District. Their business will suffer from an added (third) gas station, as many other East Valley stations have.

In order to get to Chevron from the west, cars first drive by stores and a restaurant on the corner hidden from the street; thus giving them free visibility/advertising. So we are reminded of their establishment every time we get gas ("Hey honey, let's go to *Pita Souvli* tonight.") Surely those businesses will be affected if Chevron has to close.

If Chevron and/or any of those businesses close, many jobs will be lost.

And if they close, we will have another blighted corner, as we already have at the very next intersection – at Alma School and Queen Creek.

- There is a big safety issue due to west-bound Germann traffic making U-turns (at our Comanche street intersection) to access the NW corner of the Fry's property. This will likely be the gas station entrance most used because the other access (on Alma School) requires the customer to circumvent the parking lot.

As a Chandler resident and property owner, I will become disenfranchised if my city officials do not honor the commitment given to the neighborhood and businesses who have invested in the community. My hope is the City of Chandler will not allow an out-of-state corporation to knowingly and willingly bulldoze and mislead all of us into getting what they've wanted all along.

Thank you for your time.

Michael Pettebone
(602) 363-9961

**Fw: Fry's at SWC Alma School and Germann re Gas Station Pad Request:
Case DVR 13-0007**

Rich Dlugas, Patrick McDermott, Marsha
Susan Moore to: Reed, Robert Zeder, Jeff Kurtz, David Bigos, 05/03/2013 12:48 PM
Melanie Sala, CityClerkAgenda

FYI

----- Forwarded by Susan Moore/COC on 05/03/2013 12:46 PM -----

From: Stephanie Rios <srrios@ecllaw.com>
To: Stephen Earl <searl@ecllaw.com>, "jay.tibshraeny@chandleraz.gov"
<jay.tibshraeny@chandleraz.gov>
Cc: "trinity.donovan@chandleraz.gov" <trinity.donovan@chandleraz.gov>,
"nora.ellen@chandleraz.gov" <nora.ellen@chandleraz.gov>, "kevin.hartke@chandleraz.gov"
<kevin.hartke@chandleraz.gov>, "rick.heumann@chandleraz.gov"
<rick.heumann@chandleraz.gov>, "jack.sellers@chandleraz.gov" <jack.sellers@chandleraz.gov>,
"jeff.weninger@chandleraz.gov" <jeff.weninger@chandleraz.gov>, "jeff.kurtz@chandleraz.gov"
<jeff.kurtz@chandleraz.gov>, "kevin.mayo@chandleraz.gov" <kevin.mayo@chandleraz.gov>,
"erik.swanson@chandleraz.gov" <erik.swanson@chandleraz.gov>, "sanderson@gblaw.com"
<sanderson@gblaw.com>
Date: 05/03/2013 11:28 AM
Subject: RE: Fry's at SWC Alma School and Germann re Gas Station Pad Request: Case DVR 13-0007

Good morning Mayor and Council:

We apologize but our previous letter made an error referring to the City Council date of June 11th - the correct date is June 13th. Please discard our previous letter and refer to the attached instead. Thank you.

Stephanie Rios
Legal Assistant to Michael J. Curley
EARL, CURLEY & LAGARDE, P.C.
3101 N. Central Avenue, Suite 1000
Phoenix, AZ 85012
Telephone: 602-265-0094 | Facsimile: 602-265-2195
E-mail: srrios@ecllaw.com | Website: www.ecllaw.com

-----Original Message-----

From: Stephen Earl
Sent: Friday, May 03, 2013 10:56 AM
To: jay.tibshraeny@chandleraz.gov
Cc: trinity.donovan@chandleraz.gov; nora.ellen@chandleraz.gov;
kevin.hartke@chandleraz.gov; rick.heumann@chandleraz.gov;
jack.sellers@chandleraz.gov; jeff.weninger@chandleraz.gov;
jeff.kurtz@chandleraz.gov; kevin.mayo@chandleraz.gov;
erik.swanson@chandleraz.gov; sanderson@gblaw.com
Subject: Fry's at SWC Alma School and Germann re Gas Station Pad Request: Case DVR 13-0007

Dear Mayor Tibshraeny and Council:

Our law firm was recently retained by Fry's to assist them in presenting their request for a gas station pad in front of their store at the above location. We requested through an email with staff a one month continuance to allow our firm to research and prepare to properly present this case to the City Council. My partner Mike Curley was retained to handle this matter and is

currently out of the country. Yesterday, we received a letter from Stephen Anderson in behalf of his client Cobblestone opposing this continuance. You will find out response letter in support of the continuance attached. We hope you and the Council will allow this brief delay so the matter can be fully and properly presented to you. Thank you, Steve

Stephen C. Earl
EARL, CURLEY & LAGARDE, P.C.
3101 North Central Avenue, Suite 1000
Phoenix, AZ 85012
Phone: 602-265-0094 Fax: 602-265-2195

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Letter to Mayor Tibshraeny re Fry's 5-3-13.pdf

EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

Telephone (602) 265-0094
Fax (602) 265-2195
www.ecllaw.com

3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

May 3, 2013

REVISED

VIA EMAIL AND U.S. MAIL

The Honorable Mayor Tibshraeny
Mayor, City of Chandler
175 S. Arizona Avenue
Chandler, AZ 85225

Re: Fry's Gas Station / SWC Alma School and Germann / DVR 13-0007

Dear Mayor Tibshraeny:

Our law firm, Earl, Curley and Lagarde, was recently retained by Fry's to assist them in presenting the merits of their case to the City Council for a gas station pad in front of their store. This matter has been under consideration for some time, but we were just retained and believe a one month continuance of the Council's public hearing will not truly adversely impact any interested party and will allow the Council to hear the case in full. We therefore contacted the City Staff to request this one month continuance from May 9th to June 13th.

The partner in our law firm handling this matter, Michael Curley, is out of the country at this time and is due back on May 13th. Hopefully, a one month continuance request is acceptable to allow us to research and prepare the case for Council consideration. If some reason a simple one month delay is not acceptable, then we would ask for at least a two week continuance to May 23rd to allow Mr. Curley to get back into town.

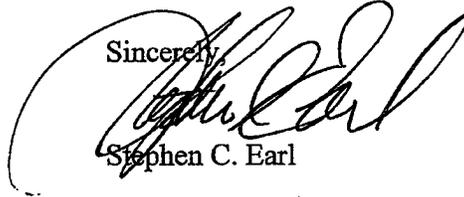
It should be noted that the only opposition to this request for a continuance is coming from the Cobblestone Gas Station (through their attorney Stephen Anderson). Mr. Anderson has now sent you all a letter opposing this one continuance and citing their long interest and involvement in the case. Even acknowledging their ardent opposition to a new gas station pad, surely a brief one month delay will not change the nature of their issues and will not truly inconvenience them. Instead of appearing on May 9th, they can appear and present their opposition arguments on June 11th. We believe it is in the City's best interest to allow both sides to present their positions and let the Council decide where the merits stand.

In our experience, the City has been gracious in allowing one continuance at its level to be sure that all sides are given the best chance to present their cases. We therefore renew our request in behalf of Fry's for a continuance from May 9th, 2013 to June 13th. If for any reason

May 3, 2013
Page 2

that is not acceptable, then we would request a two week continuance to May 23rd to allow us to present this request to the Council. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen C. Earl", written over the word "Sincerely,".

Stephen C. Earl

SCE:sr

cc: Members, Chandler City Council (via email)
Jeff Kurtz (via email)
Kevin Mayo (via email)
Erik Swanson (via email)
Stephen W. Anderson (via email)



Fry's Fueling Center Project - Alma School and Germann Roads

jay.tibshraeny, jack.sellers, trinity.donovan,

Leslie R. Pitts to: kevin.hartke, rick.heumann, nora.ellen,
jeff.weninger

05/06/2013 02:42 PM

Please respond to "Leslie R. Pitts"

History: This message has been forwarded.

Dear Mayor Tibshraeny and Councilmembers Sellers, Donovan, Hartke, Heumann, Ellen and Weninger,

I live within 600 feet of the proposed fueling station at Fry's Shopping Center, located at the SW corner of Alma School and Germann Roads. I strongly oppose the continuance and have the following to say ..

FIRST, though it may not appear so, there are *many* residents who object to this project. Please understand their position: Fry's has been dragging this process (unnecessarily) along for nearly one full year.

SECOND, at each and every neighborhood meeting, the Fry's representative has literally *threatened* the neighborhood with a McDonald's (if the fueling station doesn't pass) even though the amount of cars going in/out of one fast food window vs cars going in/out five fueling dispensers is like comparing apples to oranges .. not to mention the stipulation that prohibits fryers on the property.

Further intimidating and frustrating the residents, the Fry's representative consistently and often answered legitimate questions with "that's proprietary information. Next question?"

These residents work long hours, have families with small children, etc. and unfortunately don't have it within them to continue playing "the game" - particularly when they're being threatened and discarded. Some of them depend on me (including a respected Chandler firefighter who signed the petition) to "represent" their voice. Others feel like David, who has been defeated by Goliath.

We are your people and we trust you will make a decision that is in our best interest.

Thank you for your time

Leslie Pitts



RE: Fry's Gas Station at SWC Alma School and Germann

jay.tibshraeny@chandleraz.gov,

Tejinder Grewal to: jack.sellers@chandleraz.gov,

trinity.donovan@chandleraz.gov,

05/05/2013 12:57 PM

History:

This message has been forwarded.

Honorable Mayor and Council Members

Good afternoon,

I am a resident of Chandler and my home address is 2452 W Spruce Drive Chandler AZ 85286. I drive down Germann road every day to drop my kids to school and pick up from school. I also am always shopping at the Fry's grocery store. Every time I am at the fry's plaza it is very busy and extremely difficult to find a parking especially in the afternoon. It is in the middle of nice neighborhood and we don't want it to turn as a freeway commercial. I am opposing the idea of building another Gas station in that Fry's area due to the 2 gas stations already on the intersection and also 2 on next intersection at Arizona Ave. I read and understand Fry's gave a written notice back in 2002 and then 2006 that they don't want a gas station on this site. Now they want a gas station; they are very indecisive and it seems like they don't know what they need. It's not a good tactic to do business and it's a game played with the chandler residents and city officials. If this is approved then that just shows that the City Officials and also the Fry's are not trustworthy and don't stick to their word. I am also opposing the motion for a continuance public hearing. It's a no brainer that you, the mayor and council members have a lot more important things to do to keep Chandler growing, it's Fry's fault that they gave a written notice not to develop the Gas station on this corner. Another thing is that Fry's is building a cheap quality gas station compared to the Chevron and Cobblestone across the street. It is about time that council says no to Fry's and shutdown the idea for building a Gas station on this site permanently and move on to more important developments.

Regards

Tejinder S Grewal

2452 W Spruce Dr.

Chandler AZ 85286

Phone # 480-717-7100



RE: Fry's at SWC Alma School and Germann re Gas Station Pad Request:
Case DVR 13-0007

Stephanie Rios to: Stephen Earl, jay.tibshraeny@chandleraz.gov 05/03/2013 11:28 AM
"trinity.donovan@chandleraz.gov", "nora.ellen@chandleraz.gov",
Cc: "kevin.hartke@chandleraz.gov", "rick.heumann@chandleraz.gov",
"jack.sellers@chandleraz.gov", "jeff.weninger@chandleraz.gov",

History: This message has been forwarded.

Good morning Mayor and Council:

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Stephanie Rios
Legal Assistant to Michael J. Curley
EARL, CURLEY & LAGARDE, P.C.
3101 N. Central Avenue, Suite 1000
Phoenix, AZ 85012
Telephone: 602-265-0094 | Facsimile: 602-265-2195
E-mail: srios@ecllaw.com | Website: www.ecllaw.com

-----Original Message-----

From: Stephen Earl
Sent: Friday, May 03, 2013 10:56 AM
To: jay.tibshraeny@chandleraz.gov
Cc: trinity.donovan@chandleraz.gov; nora.ellen@chandleraz.gov;
kevin.hartke@chandleraz.gov; rick.heumann@chandleraz.gov;
jack.sellers@chandleraz.gov; jeff.weninger@chandleraz.gov;
jeff.kurtz@chandleraz.gov; kevin.mayo@chandleraz.gov;
erik.swanson@chandleraz.gov; sanderson@gbllaw.com
Subject: Fry's at SWC Alma School and Germann re Gas Station Pad Request: Case
DVR 13-0007

Dear Mayor Tibshraeny and Council:

Our law firm was recently retained by Fry's to assist them in presenting their request for a gas station pad in front of their store at the above location. We requested through an email with staff a one month continuance to allow our firm to research and prepare to properly present this case to the City Council. My partner Mike Curley was retained to handle this matter and is currently out of the country. Yesterday, we received a letter from Stephen Anderson in behalf of his client Cobblestone opposing this continuance. You will find out response letter in support of the continuance attached. We hope you and the Council will allow this brief delay so the matter can be fully and properly presented to you. Thank you, Steve

Stephen C. Earl
EARL, CURLEY & LAGARDE, P.C.
3101 North Central Avenue, Suite 1000
Phoenix, AZ 85012
Phone: 602-265-0094 Fax: 602-265-2195

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prohibited. If you have received this by error, please notify the sender immediately.



Letter to Mayor Tibshraeny re Fry's 5-3-13.pdf



MEMORANDUM **Transportation & Development - CC Memo No. 13-051**

DATE: MAY 9, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: DVR13-0007 FRY'S 69 FUEL CENTER

Request: Rezoning from Planned Area Development (PAD) Commercial to PAD Amended to allow for a fuel station, with Preliminary Development Plan approval for site layout and building architecture for the fuel station

Location: Southwest corner of Alma School and Germann roads

Applicant: Erin Smales; KDF Architectural Group, LLC

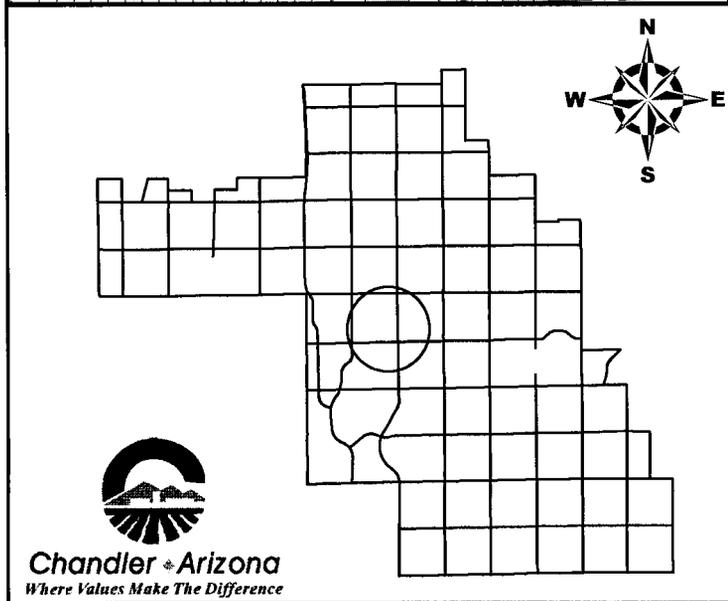
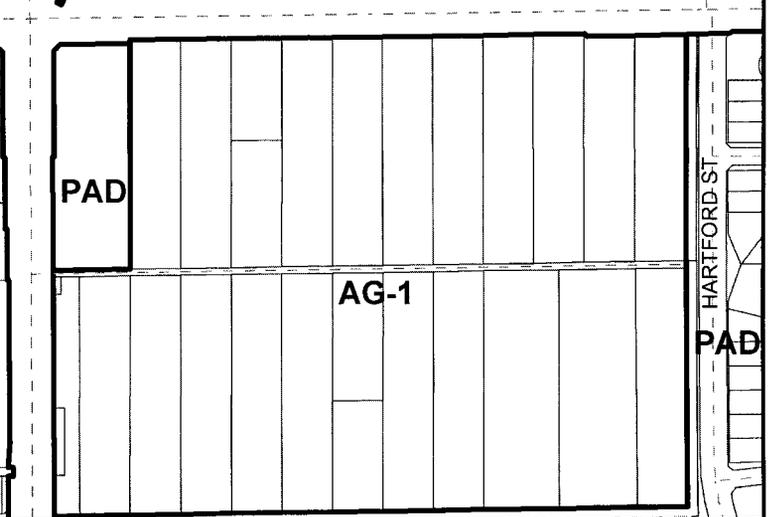
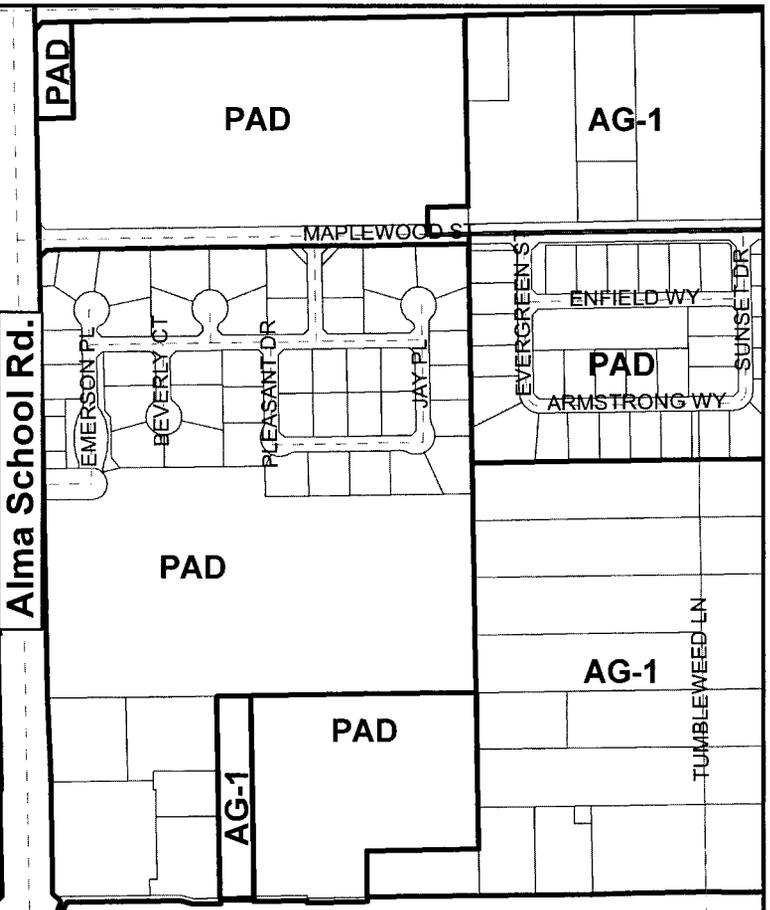
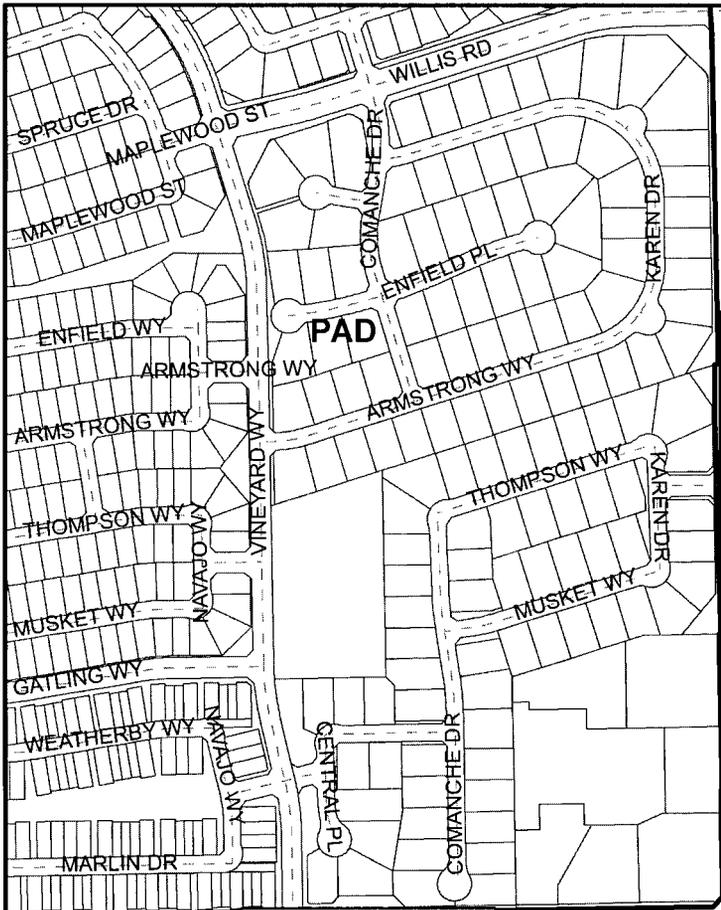
The applicant requests a continuance to the June 13, 2013, City Council meeting. Accordingly, staff recommends a continuance.

PROPOSED MOTION

Move to continue case DVR13-0007 FRY'S 69 FUEL CENTER to the June 13, 2013, City Council meeting, as recommended by staff.

Attachments

- 1. Vicinity Maps

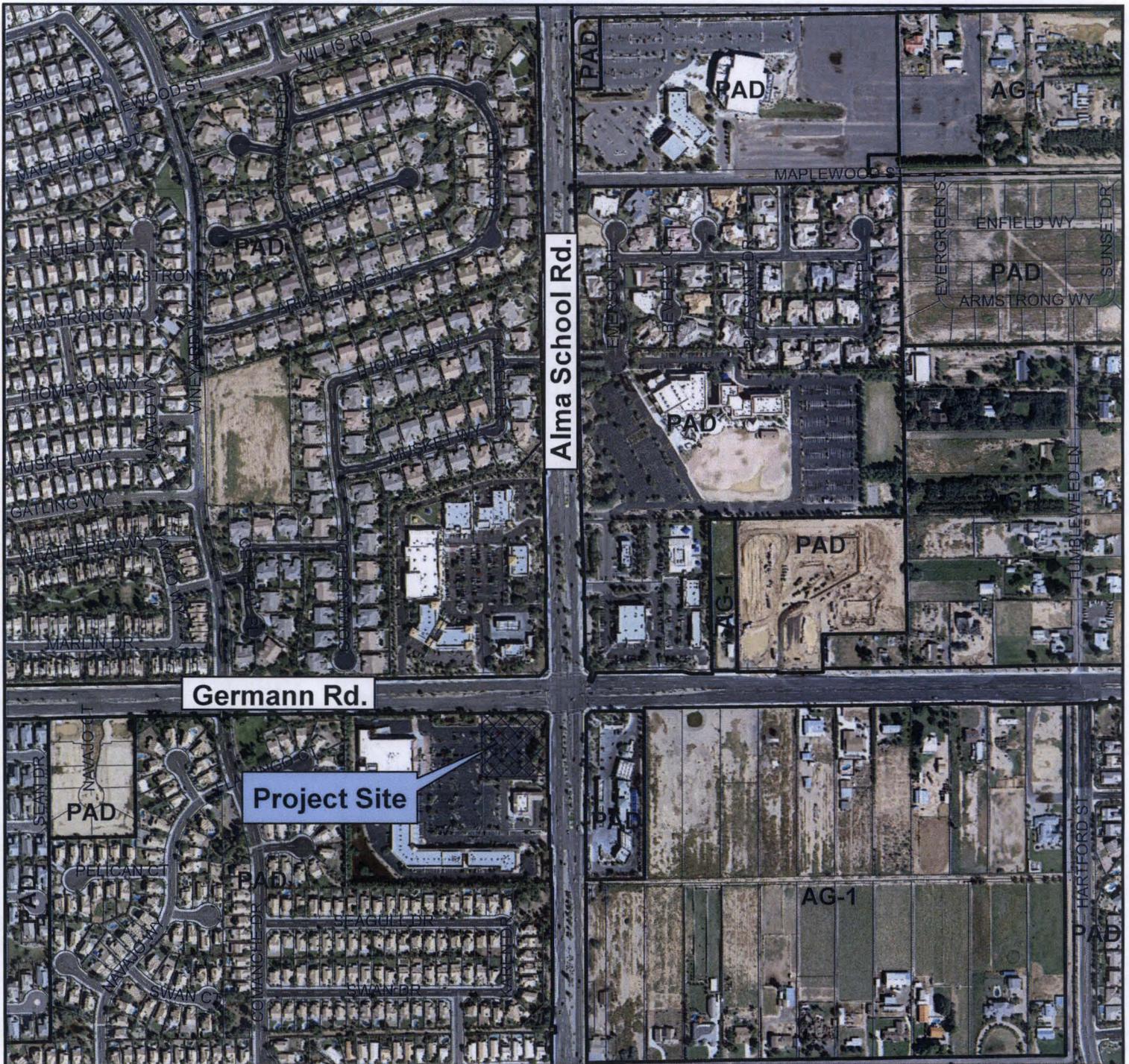


Vicinity Map

DVR13-0007

Fry's 69 Fuel Center

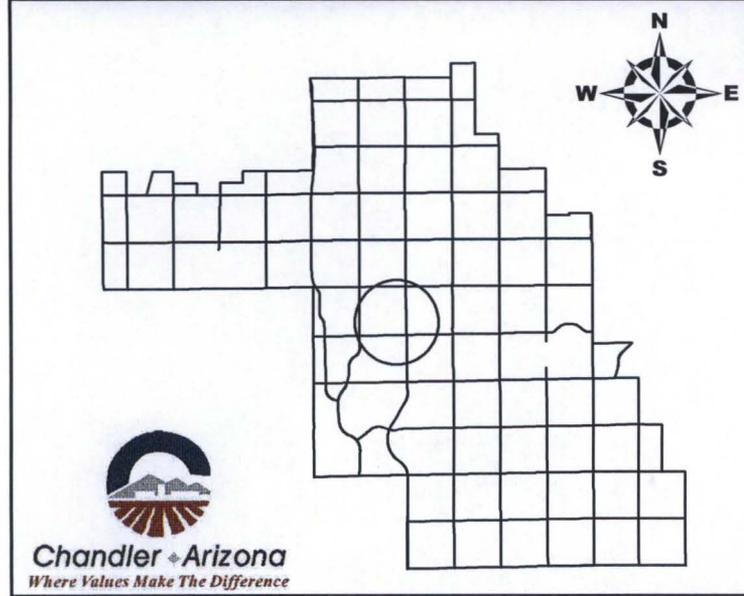
CITY OF CHANDLER 3/12/2013



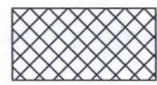
Germann Rd.

Alma School Rd.

Project Site



Vicinity Map



DVR13-0007

Fry's 69 Fuel Center

