

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 27, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:05 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Rick Heumann	Vice-Mayor
*Trinity Donovan	Councilmember
Nora Ellen	Councilmember
Kevin Hartke	Councilmember
Jack Sellers	Councilmember
Jeff Weninger	Councilmember

* Councilmember Donovan participated by phone.

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Rabbi Mendy Deitsch – Chabad of the East Valley

PLEDGE OF ALLEGIANCE: Boy Scout Troop # 118 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR HEUMANN, TO APPROVE THE CONSENT AGENDA NOTING ITEM NUMBER 2 – ORDINANCE 4527 WAS MOVED TO THE ACTION AGENDA.

MOTION CARRIED UNANIMOUSLY 7-0.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Budget Workshop of March 13, 2014.
- 1b. Regular Meeting of March 13, 2014.
- 1c. Special Meeting of March 14, 2014.

2. PROPERTY SALE: SWC Gilbert and Ocotillo Roads Ord. #4527

MOVED TO ACTION AGENDA

3. POWER EASEMENTS: Salt River Project Ord. #4529

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4529 authorizing the assignment to Salt River Project (SRP) of certain power easements acquired by the City of Chandler for the Dobson Road and Warner Road Intersection Project and the Dobson Road and Chandler Boulevard Intersection Project, and authorizing the City Manager or his designee to execute all relevant documents.

BACKGROUND/DISCUSSION

In connection with City road projects for the widening and improvement of the Dobson Road and Warner Road Intersection and the Dobson Road and Chandler Boulevard Intersection, the City acquired road right-of-way in fee and easements required by SRP that were needed for the projects. The easements needed by SRP that were conveyed to the City through Final Orders of Condemnation have been processed through the court system and are now ready to be assigned to SRP.

Upon recording the assignment, the City would have no further obligation, responsibility, liability or rights associated with the easements.

4. **REZONING:** Opus Chandler Airport Center Phase I Ord. #4531

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4531, DVR14-0008, Opus Chandler Airport Center Phase I, rezoning from Planned Area Development (PAD) for general office and an adult educational institution to PAD for general office, an adult educational institution and medical office located at 1850 E. Northrop Boulevard, west of Cooper Road and south of the Loop 202 Santan Freeway. (Applicant: Earl, Curley & Lagarde; Stephen Earl.)

BACKGROUND

This property is part of a 245-acre master planned employment center near the Chandler Municipal Airport. The master plan, Chandler Airport Center, is located at the intersection of Cooper and Germann Roads and includes industrial, retail and office land uses. Chandler Airport Center received conceptual Planned Area Development (PAD) zoning in April 2005, and several office and light industrial projects have developed including Panattoni, Hewson and Opus. In May 2008, the subject site's PAD zoning was amended to allow adult education, Ottawa University, in the eastern Opus building. The subject site is located west of the northwest corner of Cooper Road and Northrop Boulevard. The site backs up to the Loop 202 Santan Freeway.

This application proposes to amend the existing PAD zoning for one of the two office buildings constructed by Opus. The site is zoned PAD to allow general office use and adult education. The amendment would allow the addition of medical office use within the eastern Opus building up to 23,000 square feet. Ottawa University and CDW, a technology provider, occupy the most eastern building. Mayo Clinic intends to open a medical office in that same building. The application does not propose any changes to the building or site as previously approved through a PDP.

The Mayo Clinic medical office will occupy approximately 5,000 square feet with the potential for expansion. The doctor's office hours are approximately 8 a.m. to 5 p.m. Monday through Friday. Doctor's office hours occur prior to classroom hours for Ottawa University which typically are from 5 p.m. to 10 p.m. weekdays and 9 a.m. to 5 p.m. on Saturdays. CDW operates as a telephone-oriented sales and support business Monday through Friday 8 a.m. to 5 p.m.

The site provides appropriate parking for general office use, adult education and the addition of medical office up to 23,000 square feet. General office's parking ratio is one space for each 250

square feet of building area and adult education uses are parked at one space for each 200 square feet of building area. Medical office parking is one space for each 150 square feet of building area. With the addition of medical office, the site provides a parking surplus of 99 spaces.

Building signage and multi-tenant monument signs were approved through the original PAD zoning and Comprehensive Sign Plan for Chandler Airport Center. Any signage for medical office would need to comply with the sign plan.

AIRPORT COMMISSION

The Zoning Administrator waived the need for a new Airport Conflicts Evaluation finding the addition of medical office is similar to and not more intense than existing general office and adult education uses. In 2008, the Airport Commission reviewed a prior zoning amendment to allow education in accordance with the Airport Conflicts Evaluation. The Airport Manager issued a conflicts evaluation report indicating that the Airport Commission found that the development request to allow Ottawa University did not constitute a conflict with the existing or planned airport uses.

DISCUSSION

The Planning Commission and Planning Staff are of the opinion that amending the PAD zoning to allow medical office in addition to the already permitted general office and adult education uses within a single building at Chandler Airport Center is appropriate and compatible with the existing development. The medical office use occurs opposite of the adult education's evening and Saturday hours. The site provides the required parking to accommodate general office, adult education, and medical office. The medical office use compliments the mix of office, retail and light industrial within the Chandler Airport Center master plan. The request is specific to medical office occupying Opus' eastern building and occupying up to 23,000 square feet in accordance with meeting parking requirements.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed on February 27, 2014, in lieu of a meeting due to no residential property in the surrounding area. There has been no correspondence regarding the request and Planning Staff has received no opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Wastchak absent.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

5. INITIAL CITY ZONING: West of the Northwest Corner of Riggs and Lindsay Roads
Ord. #4532

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4532, DVR14-0002, West of the Northwest Corner of Riggs and Lindsay Roads, to establish the initial City zoning of Agriculture (AG-1) on approximately 19 acres located west of the NWC of Riggs and Lindsay roads. (Applicant: City of Chandler.)

BACKGROUND

On March 13, 2014, Council adopted Ordinance No. 4256 annexing two parcels totaling approximately 19 acres generally located west of the northwest corner of Riggs and Lindsay roads. The site is bordered by unincorporated rural residential properties to the north, Bela Flor custom home subdivision to the west, Jacaranda Place subdivision (currently under construction) to the east, and Riggs Road to the south. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character.

In accordance with State Statute A.R.S. §9-471, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the density of one home per acre that was previously allowed under the County's rural (RU-43) zoning.

Arizona Revised Statute §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

The property owner has submitted a rezoning application to allow the development of a low-density residential subdivision on the subject site. The rezoning request, which is currently under review, will be coming before Council in the near future.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Pridemore, Cunningham and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

6. PROJECT SUBMISSION: Arizona's 2015 Highway Safety Plan Res. #4736

ADOPTED Resolution No. 4736 pertaining to the submission of projects for consideration in Arizona's 2015 Highway Safety Plan for DUI Enforcement Overtime, Occupant Protection Overtime, Lab Grade Air Supply, Know Your Limit Education Program and Phlebotomy Supplies; and authorizing the Chief of Police to conduct all negotiations and to execute and submit all documents necessary in connection with such grant.

DISCUSSION

In the past, the Police Department has experienced success obtaining awards from GOHS, including five awards under the FY 2014 program for DUI Overtime, Occupant Protection (Seatbelt) Overtime, ProLite Lasers, Criminalist Training and DUI Detection Equipment. It is anticipated that applications for award consideration in their FY 2015 program will be submitted; however, a City Council approved resolution must become part of the application package.

This year, the Police Department is submitting the following five requests to GOHS for consideration in their 2015 budget. GOHS may award all five requests, break the requests up into smaller awards (i.e. – Seatbelt Enforcement could be broken into Occupant Protection, Click

It or Ticket, Child Safety Week, etc.) or award a program not formally requested such as DUI training conferences:

- | | |
|--------------------------------------|-------------|
| 1. DUI Enforcement Overtime | \$80,000.00 |
| 2. Occupant Protection Overtime | \$60,000.00 |
| 3. Lab Grade Air Supply | \$21,896.00 |
| 4. Know Your Limit Education Program | \$31,200.00 |
| 5. DUI Phlebotomy Supplies | \$ 2,000.00 |

7. IGA AGREEMENTS AMENDMENTS: School Resource Officers Res. #4737

ADOPTED Resolution No. 4737 authorizing amendment to Intergovernmental Agreements (IGA) with Chandler Unified District No. 80 and Kyrene School District No. 28 for the assignment of School Resource Officers to schools located within the Chandler City limits and authorizing the Chief of Police to administer, execute and submit all documents and other necessary instruments in connection with said program.

DISCUSSION

The City, through the Police Department, has been supporting the School Resource Officer needs for schools located within Chandler City limits for a number of years. The Department wishes to continue to support the School Resource Officer needs of these school districts as a service to them and a positive example to the youth of the community.

FINANCIAL IMPLICATIONS

The Safe Schools Program grant that the various school districts currently receive from the State sets funding allocations for each school district. The State cut funding for this program resulting in an overall reduction in the number of SROs allocated to each district. Of the nine SRO positions within Chandler city limits, 6.75 are funded by the Safe Schools Program and 2.25 are not. This reduction results in shortfalls between the allocation and total actual officer cost. The schools endeavor to split the shortfall 50% with the City, which is the result this year. The City's portion of all shortfalls total \$162,376.00.

Actual costs, amount of school funding and the City's portion of the shortfalls of SRO salary and benefits are listed below by school district:

<u>School District</u>	<u>Actual Cost</u>	<u>Total School Funding</u>	<u>City's Portion</u>
CUSD 4.75 SROs	\$539,058.00	\$ 526,004.00	\$ 13,054.00
2.25 SSOs*	\$243,843.00	\$ 121,922.00	\$121,921.00
KSD 2 SROs	<u>\$238,014.00</u>	<u>\$ 210,613.00</u>	<u>\$ 27,401.00</u>
	\$1,020,915.00	\$ 818,085.00	\$162,376.00

*Non Program Funded Positions

8. IGA EXTENSION: Chandler County Island Fire District Res. #4740

ADOPTED Resolution No. 4740 extending the Intergovernmental Agreement (IGA) with the Chandler County Island Fire District for the provision of emergency services to county islands within Chandler's corporate limits.

BACKGROUND/DISCUSSION

County island residents within the corporate limits of the City have formed a fire district allowed under State law. The Chandler County Island Fire District was officially formed by action of the County Board in December 2008. Shortly after the formation of the Fire District, the City and the Fire District began discussions to enter into an IGA for fire protection services. The IGA provides for the City of Chandler Fire Department to provide emergency services to the non-contiguous county island parcels that comprise the Chandler County Island Fire District. The initial agreement was for five years and contains a provision for renewal for an additional five years.

FINANCIAL IMPLICATIONS

The IGA provides for the Chandler County Island Fire District to pay for emergency services provided by the City of Chandler Fire Department. The payments are based on an agreed upon formula contained in the IGA. The annual revenue received for fire and emergency medical service in Fiscal Year 2013-14 is \$807,067.00.

9. MODIFICATION OF ASSESSMENT DIAGRAM: Downtown Chandler Enhanced
Municipal Services District Res. #4744

ADOPTED Resolution No. 4744 authorizing the modification of the assessment diagram; making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District; completing the assessment; setting the date for the hearing on the assessment; ordering the Giving of Notice of such hearing; and authorizing the City Manager or his designee to execute all relevant documents.

BACKGROUND

On May 25, 2006, City Council approved Resolution No. 3971 creating the Downtown Chandler Enhanced Municipal Services District, with the mission to provide marketing, promotion, security, enhanced beautification and district management. The City subsequently executed a master contract with the Downtown Chandler Community Partnership (DCCP) to perform such services for a period of 10 years. Fiscal Year 2014-15 represents the 9th operating year of the District.

As part of the annual assessment procedures, each year the Assessment Diagram and Assessment Roll need to be updated due to changes in ownership, plats and land uses. Additionally, a public hearing must be held along with the opportunity for District property owners to file objections.

DISCUSSION

As required by Resolution No. 3971, which created the District, the following documents are submitted with is report: 1) Resolution No. 4744; 2) Notice of Hearing on Assessments; 3) Boundary Map; 4) Statement and Estimate of Expenses for the District; 5) Assessment Roll; and 6) Assessment Diagram.

The purpose of Resolution No. 4744 is to set the Public Hearing to notify property owners of the intent to modify the Assessments for property in the District, a required formal step. This Resolution also authorizes the City Council to make an estimate of the expenses for the District for 2014-2015, to set the date for the hearing on the Assessment and to give the Public Notice of the hearing date.

As a result of Resolution No. 4744, the hearing for the setting of the Assessments will be held April 24, 2014, at 7:00 p.m. in the City Council Chambers. DCCP Staff will appropriately notify all

property owners within the District boundary and the City will publish the notice of the hearing in a daily newspaper for five days as required by State Statute.

Assessments in the District will be based on three weighted factors including assessed value, building square footage and land square footage. All properties will be assessed at the same rate with the exception of buildings along the Historic Square, which will be assessed double the building square footage rate.

In May, Staff will return with a Resolution to approve the Annual Assessment Roll, which will memorialize the amount assessed to each parcel and property owner. After City Council approval, the roll is sent to the County Assessor for inclusion on the fall property tax bills. In June, Staff will present the Chandler Enhanced Municipal Services Agreement with the DCCP for Fiscal Year 2014-2015, which includes an Operating Plan and District Budget.

FINANCIAL IMPLICATIONS

The total assessments for Fiscal Year 2014-2015, including the City's voluntary contribution, total \$243,794.00. This is a small decrease (\$5,970.00) from the prior year driven by changes in assessed valuations. Given the success of the DCCP in building profitable events, the FY 2014-2015 operating budget for the District may exceed this amount to stay in compliance with the contract reserve policy. The final amount will be presented to the City Council in May as part of the DCCP contract with the City for District management services.

As a public entity, the City is not required to pay into the District assessment, but has done so since the District's inception on a voluntary basis. As the largest single property owner in the Downtown, the City has taken a leadership role in supporting the District both financially and operationally. As in prior years, the City has elected to cap its voluntary contribution at the level contributed in the prior year. This means the City's maximum contribution is \$118,804.00, which represents 48.7% of the total assessment budget. Funds to provide the City's voluntary contribution are provided for in the Downtown Redevelopment budget request for Fiscal Year 2014-2015.

10. INTERGOVERNMENTAL AGREEMENT: City of Phoenix Res. #4745

ADOPTED Resolution No 4745 authorizing the execution of an Intergovernmental Agreement (IGA) with the City of Phoenix; authorizing a cooperative effort to assist Isola USA Corporation in designating their property at 165 S. Price Road as a Foreign Trade Zone (FTZ).

BACKGROUND/DISCUSSION

Isola Group located in Chandler in 2003 bringing their global corporate headquarters to the market. The company is located in two locations currently with their corporate offices at the NWC of Loop 101 and Ray Road, and their manufacturing facilities at 2165 S. Price Road. Isola is a global material sciences company focused on designing, developing, manufacturing and marketing copper-clad laminates used to fabricate advanced multilayer printed circuit boards. Their products are used in a diverse range of electronic end-markets including applications in computers, networking and communications equipment, high-end consumer electronics, as well as products designed for use in the advanced automotive, aerospace, military and medical markets.

In an effort to maintain global competitiveness, Isola contacted the Economic Development Staff requesting support for a Foreign Trade Zone (FTZ) at their 165 S. Price Road campus. The FTZ status would allow Isola to take advantage of the import/export duty reduction for those

manufacturing companies located in an active FTZ. Currently, Isola would save more than 7% in tariff reduction if their building were in a declared FTZ.

As part of the additional benefits allowed in only a few states by State legislation, Arizona FTZ sites also allow for a reduction in property tax to Class 6, which drops the assessed valuation from 19.5% to 5%. However, not only does State law not allow for the automatic removal of existing facilities out of full Ad Valorem property tax rolls, Isola has agreed not to pursue the reduction of property tax for their existing buildings, and this is identified in the Resolution.

Chandler City Council approved support for Isola's application at its December 12, 2013 meeting. The application was then approved by the Phoenix City Council for a permanent Foreign Trade Zone. This is due to the fact that the City of Phoenix holds the formal FTZ designation for our area. The application was then moved on to the Federal Foreign Trade Zone Board in Washington DC for their review and vote. During this process, the City Attorneys in Phoenix requested that a formal IGA be completed between the City of Phoenix and the City of Chandler authorizing cooperative support for the application.

11. PRELIMINARY DEVELOPMENT PLAN: Avian Meadows

APPROVED Preliminary Development Plan PDP13-0019 Avian Meadows, for housing product for 81 lots within the 200-lot Avian Meadows single-family residential subdivision located north of the NWC of Chandler Heights and Lindsay roads. (Applicant: Scott Ilizaliturri; Toll Brothers.)

BACKGROUND

The subject site is located north of the northwest corner of Chandler Heights and Lindsay roads. Directly north and west of the site is the Old Stone Ranch single-family residential subdivision. East, across Lindsay Road, is the Veteran's Oasis Park. South, adjacent to the site, is an undeveloped property zoned PAD for commercial development at the intersection corner and two properties with agricultural rights within the county. Homes are currently under construction for the 119 lots that are not a part of this request.

The subdivision is being developed in two phases with 119 60'x120' lots in Phase 1 and 81 70'x120' lots as Phase 2. Ashton Woods Homes is currently developing all of Phase 1; Toll Brothers will be developing Phase 2. All site improvements (perimeter wall, landscaping streets and utilities) were completed with Phase 1, with the exception of some of the internal streets that serve Phase 1.

The 70'x120' lots are located along the northwestern portion of the subdivision. Setbacks for the housing product were incorporated in the Rezoning and PDP request for subdivision layout and are consistent with the surrounding area.

HOUSING PRODUCT

Similar to the requirement of meeting subdivision diversity, housing product also needs to meet a number of elements required in the Residential Development Standards (RDS). Required architectural elements as outlined in the RDS include providing at least three different architectural style differences prohibiting the same elevation adjacent to and across the street from each other, and providing four-sided architectural elements. Three one-story and two two-story homes are proposed, with the housing product line-up being 55' wide.

With the existing housing product, a total of six one-story homes and five two-story homes are provided for the subdivision. A mix of recessed, forward and side-entry, and two-car with tandem space garages are provided; square footage ranges from 2,600 to 4,400. Existing home square footages range from 1,992 to 3,883.

Architectural styles include Spanish Colonial, Ranch and Contemporary. Various architectural elements highlighting the prescribed style include window pop-outs, garage and front door detailing, window mullions, shutters, stone detailing, wing walls and siding elements. The RDS require that at least one elevation provide stone elements; the home builder is providing stone on the Ranch and Contemporary elevations.

DISCUSSION

The Planning Commission and Planning Staff support the request citing that the housing product represents another quality addition to Chandler's housing stock. Furthermore, the Planning Commission and Planning Staff are pleased with the strong design characteristics of the housing product and the variety of elevations and housing product that will be provided throughout the subdivision.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 30, 2014. There were eight neighbors in attendance and were generally in support of the request; however, there were concerns expressed regarding school traffic in the neighborhood and how the additional homes may further exacerbate the traffic problem. The concerns primarily focused on circulation and the pick-up and drop-off movements around Ryan Elementary School. Transportation Staff has met with school representatives and has designed a solution; however, the school as requested that implementation be delayed until summer when school is not in session.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4-0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Attachment No. 5, Development Booklet, entitled "AVIAN MEADOWS", kept on file in the City of Chandler Transportation & Development Department, Planning Division, in File No. PDP13-0019 AVIAN MEADOWS, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 4202 in case DVR09-0002 AVIAN MEADOWS, except as modified by condition

12. AGREEMENT: OEM Parts and Service

APPROVED Agreement No. FD4-060-3317 with Courtesy Chevrolet, Earnhardt Chandler Cadillac, Earnhardt Ford Sales Company, Berge Ford, Earnhardt Chrysler Dodge Jeep Ram and Earnhardt Toyota Scion for original equipment manufacturer (OEM) parts and service (GM, Ford, Toyota and Chrysler) in an amount not to exceed \$550,000.00.

13. AGREEMENT: Devau Human Resources

APPROVED Agreement No. CS4-964-3332 with Devau Human Resources for temporary staffing services for one year in an amount not to exceed \$1,500,000.00, with the option of four additional one-year extensions.

Contract employees are utilized by various departments that require specialty positions not available through temporary agencies under State contract. The contract was originally established when the IRS determined, in December 1992, that a number of contract employees used by City departments should be appointed temporary employees. It was determined that it would be in the best interest of the City to contract with a temporary employment agency for the provision of those employee services.

The City is charged a cost per hour per employee plus a markup for each employee used under the contract. The percentage is added to the cost per hour for the total number of hours the employee works. The markup percentage will vary depending on skill classification, with the client referral markup being 21.9% and the other skill classifications markup being 26.9%. The markup rate covers liabilities, check distribution, application process and federal tax reporting for the temporary employees. The City determines if the hourly wage is reasonable prior to any employee being used under the contract.

14. PROJECT AGREEMENT: Sunrise Engineering, Inc.

APPROVED Project Agreement No. WW1415-201 with Sunrise Engineering, Inc., pursuant to Annual Contract No. EN1310-101, for Frye Road Water Production Facility Wall Design Services in an amount not to exceed \$36,949.00.

15. CONSTRUCTION CONTRACT: ELS Construction

APPROVED Construction Contract No. PR1401-401 with ELS Construction for Valencia Park construction in an amount not to exceed \$1,154,039.02.

Valencia Park is a 9.34-acre neighborhood park site that will serve the residents of the area bordered by Chandler Heights, Lindsay, Gilbert and Riggs roads. The City purchased this property as a park site in 2007. Two public meetings were held to gather input from Chandler citizens regarding the design of the park. The conceptual master plan was reviewed by the Parks and Recreation Board on November 5, 2013.

16. PURCHASE: Repair and Operations Supplies

APPROVED the purchase of industrial and maintenance, repair and operations supplies including electrical, air filters and lighting from DL Sales Corp, Snap-On Industrial, Lighting Unlimited, Border States Industries, Fastenal Company, MSC Industrial Supply, KBAK dba Air Filter Products, American Air Filter Company, WW Grainger, Inc., Electric Supply, Inc., Naughton Plumbing Sales Co., Voss Lighting, West Lite Supply Co., Triggledigger, WESCO Distribution/Brown Wholesale Electric, and Facilities Solutions Group, utilizing the State of Arizona contract, in an total amount not to exceed \$175,000.00.

17. SOLE SOURCE PURCHASE: 3M

APPROVED the sole source purchase of self-check equipment from 3M, utilizing Maricopa County Contract No. 09051-SS, in an amount not to exceed \$97,000.00. It is necessary to purchase 3M equipment in order to maintain compatibility with existing library equipment.

The Chandler Library system has been using Radio Frequency Identification (RFID) technology for inventory control and item checkout for over 10 years. While the Library has upgraded some components of the infrastructure, the Basha and Hamilton libraries are using outdated self-check and security gates. This purchase will upgrade the security gates at Basha and Hamilton libraries, upgrade the self-check machines at those libraries and provide the latest software interface at those libraries and at the Downtown library.

The upgraded self-checks simplify the checkout process for customers because it is faster and more intuitive. Customers are able to stack books and other items up to four or five at a time when the items are checked out. This upgrade also improves communication among the self-check stations, the RFID tags and the security gates resulting in greater reliability and enhanced tracking of items through the circulation process. The new equipment works together to greatly reduce false alarms at the gate and helps ensure that materials are accurately tracked and shelf locations are properly updated.

18. SOLE SOURCE PURCHASE: Sirsi Corporation

APPROVED the sole source purchase of library catalog software support, including circulation, cataloging, web interface and other modules, from Sirsi Corporation, in an amount not to exceed \$51,500.00.

Sirsi Corporation has been the provider of the Library's circulation and inventory control software for nearly 30 years. This is the final year of service from Sirsi as the library will be changing over to the Polaris system provided through the Maricopa County Library District. This contract will cover the period of service provided by the Sirsi Corporation back to September 1, 2013. The amount of the contract is for the services rendered from that date through August 31, 2014.

Sirsi Corporation is the manufacturer of the proprietary library catalog software and does not allow other vendors to resell the support services.

19. USE PERMIT: Axiom Brewing Company LLC

APPROVED Use Permit LUP14-0002 Axiom Brewing Company LLC, Series 13, In-State Domestic Farm Winery License, to sell and serve liquor as permitted within a manufacturing and distribution business with a tasting room. The property is zoned I-2 General Industrial District and located at 6503 W. Frye Road, Suite 12, which is east of 56th Street and north of the Loop 202 Santan Freeway. (Applicant: Cody Brown, business owner.)

BACKGROUND

The application requests Liquor Use Permit approval to sell liquor as permitted by a Series 13 In-State Domestic Farm Winery License which allows a winery to produce at least 200 gallons but not more than 40,000 gallons of wine annually. A Series 13 liquor license allows wine produced on-site to be sold to consumers who order by telephone, fax, mail, catalogue or internet only.

These orders must be sent to an Arizona licensed wholesaler, then to an Arizona licensed retailer who will arrange delivery to the consumer in accordance with State statute. This license allows serving of wine produced on the premises for on and off-site consumption and for the purpose of sampling.

The sale and serving of liquor would occur within a manufacturing and distribution tenant space in an existing General Industrial District (I-2) industrial park. The tenant space is approximately 1,510 square feet in size with a warehouse and ancillary office area. There is one roll-up door on the building's east side. This is a corner tenant space adjacent to and across from other small industrial businesses. Axiom Brewing Company will manufacture, store and serve meads and cider (which is wine made from honey and apple juice). Mead is made by mixing honey and water then transferring it to fermentation tanks for up to one month. After fermentation, the mead is transferred to storage tanks for aging/flavoring. Equipment includes one 165-gallon tank, two 165-gallon fermenters, eight 50-gallon aging tanks, a bottling machine and a corking machine. All processes and storage will occur inside the warehouse. There will be delivery of honey to the site in large quantities requiring a fork lift to move product into the warehouse.

The tasting room and production hours are typically 3 p.m. to 7 p.m. Thursday and Friday, 11 a.m. to 7 p.m. Saturdays. The rest of the week, the tasting room is closed during production. The tasting room allows customers to sample the product and see the business. There is no outdoor patio or outdoor storage.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed in lieu of a neighborhood meeting due to no residential in the surrounding area. The Police Department has been informed of the application and responded with no concerns. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 13 In-State Domestic Farm Winery License only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.

20. USE PERMIT: Morgan's Home Child Care

APPROVED Use Permit ZUP13-0026 Morgan's Home Child Care, a time extension to allow a residential child care for up to ten children within an existing single-family residential home located at 923 N. Dakota Street, south of Ray Road and west of Arizona Avenue. (Applicant: Morgan Rayl, owner/operator.)

BACKGROUND

The subject site is located south of Ray Road and west of Arizona Avenue within the Thunderbird Manor single-family residential subdivision. The residence has operated as a residential child care home from 2006 to 2012 without a Use Permit. A Use Permit was filed in 2012 and

approved by Council for a maximum of ten children for compensation at any time. The Use Permit was approved with a one-year time limit.

The application requests a time extension of the Use Permit to continue operating a residential child care for up to ten children for an additional 3 years. The business currently has eight children ranging in age from 9 months to 4 ½ years old. The business is open Monday through Friday at 5:30 a.m. with the first child arriving typically at 6 to 6:30 a.m. and closes around 5:30 p.m. The business is solely operated by the homeowner; currently there are no employees. The prior Use Permit included approval for one employee.

The residential home is single-story and approximately 1,610 square feet. The lot is approximately 7,614 square feet. Parking for the drop-off and pick-up of children will be provided on the driveway or the adjacent street.

The Planning Commission and Planning Staff support the request for an additional 3 years finding the request meets current Zoning Code requirements and no known neighborhood opposition.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 20, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The residential childcare home shall have no more than ten (10) children for compensation at any time.
2. Should the applicant sell the property, this Use Permit to operate a childcare home shall be null and void.
3. This 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 reapplication to and approval by the City of Chandler.

21. USE PERMIT: Verizon Pho Bologna

APPROVED Use Permit ZUP13-0027 Verizon Pho Bologna, to install a 59-foot monopalm wireless communication facility at 1225 East Frye Road, SEC of McQueen and Frye roads (Willis Jr. High School.) (Applicant: Coal Creek Consulting, Steve Ciolek; Owner: Chandler Unified School District.)

BACKGROUND

The request is for Use Permit approval to install a monopalm wireless communications facility within the Chandler Unified School District maintenance yard located at 1225 E. Frye Road. The Willis Junior High School campus abuts the west property line of the maintenance yard and the recreational fields are north. The nearest residential development is Willis Ranch single-family

subdivision approximately 550 feet east and 560 feet south. The nearest school buildings are the cafeteria and gym, approximately 70 feet west of the proposed monopalm. The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

The proposed monopalm height is 59 feet as measured to the top of antennas. The equipment shelter and monopalm will be located in the northwest corner of the maintenance yard. Two storage sheds will be removed to accommodate the wireless facility. An existing six-foot high concrete masonry unit wall surrounds the site's perimeter. Several storage and maintenance buildings and fleet vehicle parking are within the maintenance yard.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design. The number of palm fronds should be no less than 65 fronds. Planning Staff recommends this be a condition of approval to ensure the fronds provide adequate screening of the antennas. The antennas would be painted to match the fronds. The presence of palm trees north and west of the maintenance yard precludes the need for additional live trees adjacent to the monopalm. The site is a hard surface pavement with no existing vegetation. No additional landscape is required due to the location in the maintenance yard and the presence of the perimeter wall.

The height is found to be acceptable given the distances to the residential subdivision. In similar school campus installations, wireless facilities are placed adjacent to school buildings and in proximity to other campus amenities. The height of the wireless facility on school campuses is dependent on the type of wireless facility; in the case of ball field light poles, heights range from 60 to 80 feet and monopalms may be up to 65 feet.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations.

Ten locations were analyzed to determine their feasibility for collocation on utility poles, tennis court lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs.

DISCUSSION

Planning Staff finds the proposed location to be appropriate for a wireless facility in the form of a 59-foot monopalm. The distances from the residential properties to the east and south are a positive. The location on the Chandler Unified School District-owned maintenance yard property and the design is appropriate at this location given the presence of palm trees in the surrounding area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 9, 2013. There were no neighbors in attendance. Planning Staff received several inquiries into this request. One property owner requested information on the location and design. The plans illustrating the location and design were provided to the property owner who subsequently indicated their concerns were allayed. The other property owner stated their opposition to the request including the location by residential and the school, and radiation/health hazards.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The monopalm shall have a minimum of 65 palm fronds.

22. USE PERMIT: All J's Detail

APPROVED Use Permit ZUP13-0028 All J's Detail, for a time extension to allow an automotive detailing business within Planned Industrial District (I-1) zoning located at 7045 W. Galveston Street, Suite 11, north of Chandler Boulevard and east of 54th Street. (Applicant: Javier Olivas, business owner.)

BACKGROUND

This application requests a time extension of the Use Permit to allow an automotive detailing business within a Planned Industrial District (I-1) zoning district for an additional three (3) years. The first Use Permit on this property was approved in December 2011 for 2 years. The business had moved from another Chandler location where it operated for a couple of years. The subject site is within an existing light industrial business park. The site is developed with one light industrial warehouse building which is approximately 32,800 square feet in size. Larsen Supply Company, a plumbing and heating equipment and supplies business, occupies approximately 20,800 square feet. All J's Detail occupies the remaining 12,000 square feet.

Surrounding buildings to the west, east and south are zoned I-1 light industrial. Property to the north is undeveloped land zoned I-1, which is adjacent to existing developed commercial property. There are automotive repair businesses under a Use Permit in the area off of 54th Street and an auto body paint and repair shop west of the subject site.

All J's Detail specializes in complete auto detailing including exterior vehicle buffing, waxing, detailing wheels and tires and interior shampooing. The businesses main customers are rental and leasing companies as well as independent vehicle wholesalers who bring vehicles to the site for detailing; it is not open to the general public for personal auto detailing. All washing or detailing of vehicles occurs within the warehouse or in the rear yard of the property behind the security gates. When vehicles are complete, they are parked in front of the building awaiting pickup. If there is a need for overnight parking of vehicles, this will occur behind the building in the gated area only. There are approximately 10 to 20 vehicles per day.

The request does not represent any use of this property for vehicle maintenance and repair, auto body or mechanical engine work, tire and/or wheel shop, vehicle customization and accessories, sales, leasing, vehicle related retail sales, or the like.

The business operates Monday through Friday from 8 a.m. to 5 p.m. There are approximately 6 to 8 employees. There are approximately 60 parking spaces on the property for use by both tenants.

DISCUSSION

The I-1 zoning district does not permit automotive related uses such as sales, leasing, repair, customization, detailing and the like without approval of a Use Permit since these are considered commercial not industrial uses. It is not unusual to have automotive uses granted a Use Permit in the I-1 zoning. There are several auto businesses west of the subject site off of 54th Street, in the building next to this site, and some south of Chandler Boulevard that have been successful and compatible at their location within an industrial business park.

The Planning Commission and Planning Staff are of the opinion that the proposed automotive detailing business is compatible with the other businesses in the immediate area and the mix of uses in the industrial park area. The location provides adequate parking for the business too. The applicant understands and agrees to conditions limiting the business to what is represented as an automotive detailing use only. The Planning Commission and Planning Staff recommend several conditions including a three (3) year time limit since it has been operating 2 years already at this location.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed in lieu of a neighborhood meeting due to no residential in the area or any prior opposition with this business. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. 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 reapplication to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Floor Plan, Site Plan, Narrative) shall require reapplication and approval of a Use Permit.
3. The Use Permit is non-transferable to other store locations.
4. There shall be no vehicle maintenance and repair, auto body or mechanical engine work, tire and/or wheel shop, vehicle customization and accessories, sales, leasing, vehicle related retail sales, or the like.
5. The site shall be maintained in a clean and orderly manner.
6. There shall be no vehicle parking, storing, detailing, or the like on City streets. All vehicles shall be maintained on-site.
7. There shall be no working on vehicles in front of the building; all detailing shall occur in the building or at the rear of the property.
8. As represented by the applicant, clients are restricted to corporate accounts only; no individual, general public clients are permitted.

23. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Chandler Craft Spirits Festival, April 26, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona

Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

24. SPECIAL EVENT LIQUOR LICENSE: Chandler Center for the Arts

APPROVED a Special Event Liquor License for the Chandler Center for the Arts for the Jesse Cook Concert, May 9, 2014, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

25. LIQUOR LICENSE: Crowne Plaza San Marcos Golf Resort

APPROVED a Series 6 Bar Liquor License (Chandler #151678 L6) for Andrea Dahlman Lewlowitz, Agent, HRI Lodging LLC, dba Crowne Plaza San Marcos Golf Resort, 1 San Marcos Place. A recommendation for approval of State Liquor License #06070352 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Craze Associates LLC, dba Crowne Plaza San Marcos Golf Resort.

26. PRELIMINARY PLAT: The Met at Fashion Center

APPROVED Preliminary Plat PPT14-0003, The Met at Fashion Center, for a multi-family residential development and a future mixed-use parcel located at the SEC of Chandler Boulevard and Hearthstone Way. (Applicant: Hubbard Engineering.)

BACKGROUND

This Preliminary Plat is for a multi-family residential development and a future mixed-use parcel that was approved by Council in November 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4- 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

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

27. FINAL PLAT: Layton Lakes Parcel 22

APPROVED Final Plat FPT13-0012, Layton Lakes Parcel 22, for a 96-lot residential subdivision as part of the Layton Lakes Master Plan, located west of the NWC of Layton Lakes Boulevard and Lindsay Road. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND

This Final Plat is for the 96-lot Parcel 22 of the Layton Lakes Master Plan approved by Council in early 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

28. FINAL PLAT: Layton Lakes Parcel 24

APPROVED Final Plat FPT13-0014 Layton Lakes Parcel 24, for a 145-lot residential subdivision as part of the Layton Lakes Master Plan, located east of the SEC of Gilbert and Queen Creek roads. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND

This Final Plat is for the 145-lot Parcel 24 of the Layton Lakes Master Plan approved by Council in late 2012. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

29. FINAL PLAT: Layton Lakes Parcel 26

APPROVED Final Plat FPT13-0015 Layton Lakes Parcel 26, for an 86-lot residential subdivision as part of the Layton Lakes Master Plan, located at the NEC of Appleby and Gilbert roads. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND

This Final Plat is for the 86-lot Parcel 26 of the Layton Lakes Master Plan approved by Council in late 2012. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

30. FINAL PLAT: Layton Lakes Parcel 28

APPROVED Final Plat FPT13-0013 Layton Lakes Parcel 28, for a 17-lot residential subdivision as part of the Layton Lakes Master Plan, located east of the NEC of Gilbert and Ocotillo roads. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND

This Final Plat is for the 17-lot Parcel 28 of the Layton Lakes Master Plan approved by Council in late 2008. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

31. FINAL PLAT: Staybridge Suites Hotel

APPROVED Final Plat FPT14-0001 Staybridge Suites Hotel, for a hotel located at the NEC of Chandler Boulevard and McClintock Drive. (Applicant: Dan Mann; Rick Engineering Company.)

BACKGROUND

This Final Plat is for a hotel located at the northeast corner of Chandler Boulevard and McClintock Drive that was approved by Council in early 2013 and is currently under construction. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

32. FINAL PLAT: La Esquina

APPROVED Final Plat FPT13-0025 La Esquina, for a 79-lot single-family residential subdivision located at the NWC of Gilbert and Ocotillo roads. (Applicant: Rick Engineering.)

BACKGROUND

This Final Plat is for a 79-lot single-family residential subdivision located at the northwest corner of Gilbert and Ocotillo roads that was approved by Council in October 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

ACTION:

2. PROPERTY SALE: SWC Gilbert and Ocotillo Roads

Ord. #4527

Ordinance No. 4527 authorizing the sale of approximately 31.22 acres of City-owned property at the SWC of Gilbert and Ocotillo roads to DeRito Partners Development, Inc., for \$8,647,334.00; authorizing the Recapture Agreement; and authorizing the City Manager or his designee to execute all relevant documents.

MAYOR TIBSHRAENY stated several comment cards were submitted in opposition to this item. He stated he would take comments first and then have a brief Staff presentation on the item.

MIA KROEGER, 2736 E. Glacier Dr., expressed her concern with the proposed development of the property. When they purchased their home, it was with the understanding the area would be developed as a park. The commercial plan calls for a gas station and the size of the homes proposed for the adjacent area devalues their property.

JO SALSMAN, 2500 E. Coconino Dr., expressed her concern with proposed development of the property. When they purchased their home, it was with the understanding the area would be developed as a park. It is a significant change from a park to a commercial development. She was concerned about a gas station and the hazards it can bring. She stated there is a well on the parcel and was concerned about contamination of the sub-surface water and other contamination on the parcel.

MICHAEL SALSMAN, 2500 E Coconino Dr., He is in agreement with the concerns expressed by the homeowners, but is also concerned with the increase of traffic the development will bring. If this moves forward, there needs to be consideration for widening the intersection. He was concerned about the proposed residential area. The proposed development indicates much smaller homes to be built which will impact their property value significantly.

PATRICK PENDER, 2716 E. Glacier Pl., expressed his opposition to the change in rezoning and redevelopment. It contradicts what Chandler had planned for the area as detailed in the June 2008 future land use plan. He addressed what the plan originally called for .

MICAH KROEGER, 2736 E. Glacier Pl., expressed his opposition to the development of low density homes in the area that will impact their property value. He believes the area does not need this type of development in the area at this time.

PETER SALTENSTALL, 2711 E. Yellowstone Pl., provided a definition of rural. To him this does not include homes backed up to a grocery store. He also expressed concerns with the residential plan for the adjacent site. When they bought their lot in 2007-2008, they reviewed the map for the area which indicated a commercial node and a park on the SWC. He asked Council to follow through with the original plan. The homeowners in that area did their due diligence to see what was planned for the vacant lot.

ERNESTO SIDI, 2692 E. Zion Way, thanked the Council for their service to the community. He moved into his home in 2005. They now have two small children which ride their bikes and play with neighbors in the front of their home. He expressed concern with the gas station and increased traffic so close to their home. He would like to see a green belt planned as a buffer and safety barrier between their homes and the commercial development. He does not want to see a gas station built at all.

SCOTT GREGORY, 2722 E. Zion Way, bought their home two years ago for the agriculture/open space in the area. He expressed concern for the congestion, air pollution and devalued home

prices this development would cause. He understands the growth factor the valley is having, but respectfully asks Council to reconsider the proposed development of this site.

LATONA PATTEN, 2671 E. Coconino Dr., she address issues of a different nature and mentioned Chandler has at least 12 corners with vacant retail locations.

She pointed out the "plan" which is the Southeast Regional Plan for Chandler.

The area outlines open regional space with recreational opportunities, which she pulled off the Chandler website today. She stated the small homes proposed for the adjacent area will depreciate their home values. She said there are already people begging for money at the Bashas grocery store. If the plan does move forward she asked they reconsider the front of the building be located on Gilbert Rd. not Ocotillo Rd.

KARYN FOUGHT, 2429 E. Kaibab Pl., she felt the common thread they seem to share is they were under the impression the land would be used for a park. They moved away from small residential lots and dense neighborhoods to their current location. She felt that once there is an interested party for the land, it is hard to fight any rezoning or land use changes. She is concerned on an environmental basis of leaking tanks and increased air pollution. She stated there are studies that show a four-fold increase of childhood leukemia when living near high traffic areas or near gas stations.

SCOTT GOLBA, 4203 S. Nash Way, stated he is a real estate broker in three states and he is concerned with the proposed development of the smaller homes on the adjacent corner. If the homes are built he would appreciate the City working with the community to at least protect their neighborhood from the additional traffic and people.

TINA LOBE, 2705 E. Grand Canyon Dr., she stated there are two Frys already in the area and a Bashas located on Chandler Heights and Gilbert Roads. The community lost a Bashas located at Lindsay and Queen Creek Roads. She would hate to see Bashas close because of another grocery store in the area that would take away business.

RANDY STILL, 4344 S. Roger Way, stated his family was one of the first families to move in the area. He is concerned with sustainability in the area. While he can see that a grocery store might be the highest and best use of the property there are several grocery stores already in the area. He is afraid it will fail, causing the smaller businesses to fail. He inquired whether a commercial appraisal has been done to consider the overall impact on the surrounding businesses. He is also concerned about the residential piece of the development.

MAYOR TIBSHRAENY asked the City Manager to have Staff reiterate what the action is before the Council, and address the concerns mentioned tonight regarding the public process, how to incorporate neighborhood requests, when might be the proper time to address those requests and have those meetings, and address the environmental issues mentioned. He also asked Staff for clarification regarding the plans for the site, and what was originally planned for the site.

CITY MANAGER DLUGAS had Christine Mackay, Director of Economic Development address the comments. She stated she would start with the process the City went through for the RFP then the steps of the public process.

CHRISTINE MACKAY stated that in 1995 the site was acquired with the intended use for a municipal utilities treatment plant. In 2005 a joint plant with the Town of Gilbert was identified and

pursued. That project moved forward in 2009, leaving the site in question available for another type of use. Working with the municipal utilities department, they requested assistance from the Economic Development Dept. to sell the parcel on Ocotillo and Gilbert so they could offset the cost of purchasing a site in the Price Rd. corridor area.

On August 30th the City of Chandler released the Request for Proposal (RFP) and then posted the site with a web address to the RFP. The RFP requested a neighborhood commercial and residential combination plan. October 29th was the deadline for submittal of the RFPs. Only two of the seven submittals met the appraised value of the property and only the DeRito Partners submission addressed the neighborhood commercial and residential combination as requested in the RFP.

The agenda item before Council is the final adoption of the Ordinance which allows the opening of Escrow and initiates the beginning of the Public Process. During this time the developer works with Planning Staff, usually for a few months, reviewing site design, ingress & egress, viability, buildings, facades, and character of the area. After this, the City will start the neighborhood notification. Any neighborhood or resident within a ¼ mile will be notified by mail and the City's large orange signs are posted on the property. Neighborhood meetings will then be held and this is when the concerns from residents are heard. The developer, City Staff, and the residents work together on the various issues mentioned tonight to come up with viable solutions.

After the neighborhood meetings, the item is taken to a Planning and Zoning Commission Public Hearing and then two City Council meeting for hearings.

CHRISTINE then addressed some of the concerns expressed by the residents earlier.

- The site design is conceptual at this time.
- Gilbert Rd. is currently under construction – it will become a 4 lane (south) and 6 lane (north) of Ocotillo arterial street
- Ocotillo Rd. is currently under construction – it will have additional lanes in the near future, and future lanes are scheduled in a Capital Improvement Project.
- The gas station may be on the conceptual plan, but it is not a committed structure.
- Since 1995 the land was intended for a utility treatment plant. It was never listed to be a park.
- From a commercial viability standpoint – Gilbert Rd. has always been planned as the major movement throughout southeast Chandler. It is the busiest north/south road and had been planned to carry the burden of traffic.
- The site shows a grocery anchor, but at this time there is no signed deal with a grocer.
- The northeast corner was conceived to be the neighborhood commercial, but that has changed as the residential development has moved forward on the northeast corner.
- The 31 acre site is approximately 40% commercial and 60% residential.

VICE MAYOR HEUMANN inquired about the City's General Plan.

JEFF KURTZ, Planning Administrator stated that the Planning Department is working on the long term use plan for the southeast area of the City. Plans are broad-brush policy oriented statements. So there is always room for something to change. Tonight's dialog is usually heard during a zoning process, but is essential for any type of development in a city.

VICE MAYOR HEUMANN stated if the land was held by a private individual and was being sold, there would be no public participation. Mr. Kurtz stated that was correct.

COUNCILMEMBER HARTKE stated the action before Council was the sale of the property, not the use of the property. Mr. Kurtz stated he was correct.

MAYOR TIBSHRAENY stated the sale is contingent upon the developer being able to acquire the zoning needed in order to develop the land the way they would like to.

VICE MAYOR HEUMANN stated that regardless of the vote tonight, the use of the land is not decided at this time.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COIUNCILMEMBER SELLERS, TO APPROVE AGENDA ITEM 2 PROPERTY SALE: SWC Gilbert and Ocotillo Roads.

MOTION CARRIED BY MAJORITY 6-1 Tibshraeny

UNSCHEDULED PUBLIC APPEARANCES:

CORTLAND SILVER, 6112 W. Victoria Pl. – Stated approximately two-year's ago the Goodman family, applied for a Use Permit for their home "Chateau de Vie" which was denied by the City after hearing from the surrounding residents and review by the City to meet certain conditions that might allow for this Use Permit. Since that time, the Goodman's have held special events which were not family related. Recent events include a fundraiser for Congressman Matt Salomon and a wedding reception. The Goodman's are working around the Use Permit denial and have now listed the property as a vacation rental. He would appreciate Council to keep an eye on the property and make sure it is not used for business purposes.

DENNIS RICHARDS, 6033 W. Victoria Pl. – stated his home is directly south of this home. While the Use Permit was denied by the City of Chandler, they are still conducting special events and there will be a wedding held on the property Saturday, March 29th. These events are being held without a use permit and cause traffic problems. The property has a small entrance, so when they miss the entrance the traffic is then using their community to turn around. He would like Council to take action to make sure the property is not used as a business facility.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced the following events:

- Chandler's Jazz Festival April 4th and 5th
- The annual "Let's Pull Together" - the City's community weed pulling event
- The Drowning Prevention Walk – Chandler's firefighters door-to-door campaign to prevent water related tragedies

B. Councilmembers' Announcements

Councilmember Weninger announced:

- Chandler Center for the Arts - Rising Star Talent Fest and event for abused children on March 29th

Vice Mayor Heumann announced the following:

- Valencia Park is being built under bid

