

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, August 14, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:04 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

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: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Ellen led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER HARTKE, to APPROVE THE CONSENT AGENDA AS PRESENTED.

FOLLOWING THE DISCUSSION ON ITEM 44 (BOURBON JACKS), COUNCILMEMBERS SELLERS AND HARTKE AMENDED THE MOTION TO INCLUDE THE CONTINUANCE OF ITEM NUMBER 44 TO THE SEPTEMBER 11, 2014 COUNCIL MEETING.

Mayor noted request to speak cards for items 14, 43 and 44.

MS. MOLLIE FLANAGAN, stated she is concerned with the expansion of Intel's facility. She stated Intel continues to conduct business with Israel and by Chandler supporting Intel's request for expansion, the city supports the human rights abuses that are currently taking place in Gaza and the West Bank. She provided statistics to compare the population density and housing structures of Phoenix and Chandler to Gaza to demonstrate the destruction of homes and displacement of persons in Gaza.

MR. JIM TOWELL, stated he is concerned with the correlation of Intel's relationship with Israel and Chandler's relationship with Intel. He stated Intel has received hundreds of millions of dollars in tax breaks from the government of Israel. Intel Israel is the largest private sector employer in that country. While Intel profits significantly with its relationship with Israel, the Israeli state has

kept Palestinians under siege. He stated Intel has the economic power to pressure Israel to stop these crimes, yet has done nothing. Intel needs to be held accountable for its business relationships. He requested the Council vote NO on the request for expansion and send a message Intel.

MAYOR TIBSHRAENY stated two comment cards were received related to item number 43: Use Permit LUP14-0003 El Herradero, Series 12 Restaurant. The request for live music at the establishment is the issue of contention.

MAYOR TIBSHRAENY stated two speaker cards were received for item number 44: Use Permit LUP14-0007 Bourbon Jacks Bar & Grill, Series 6 Bar License. Those discussions are listed with the item.

VICE MAYOR HEUMANN STATED HE WOULD VOTE NO ON ITEM 24, 28, AND 29.

THE MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTIONS NOTED.

1. REZONING: Chandler Viridian Ord. No. 4551

ADOPTED Ordinance No. 4551, DVR14-0012 Chandler Viridian, rezoning from Planned Area Development (PAD) Commercial and Multi-Family to PAD Commercial and Multi-Family located at the SWC of the Loop 101 Freeway and Frye Road.

2. PUBLIC UTILITY EASEMENT: City of Chandler Ord. No. 4550

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4550 granting an eight-foot wide public utility easement to the City of Chandler, in trust for the public, located on the east side of Dobson Road between Chandler Boulevard and Boston Street.

BACKGROUND/DISCUSSION

As part of the Chandler Boulevard and Dobson Road Improvement Project, the City of Chandler acquired a parcel of land on the east side of Dobson Road between Chandler Boulevard and Boston Street for water retention purposes. Premier Cardiovascular Center, the owner of the remaining portion of the parcel, received approval from the City for a Minor Land Division (MLD) on May 22, 2014. In order to accommodate development for the Premier Cardiovascular Center property, it is necessary for the City to grant an eight-foot (8') wide public utility easement along the western boundary of its property. This easement will benefit the public and development of additional parcels to the south and east.

Staff has reviewed and approved the legal descriptions for the requested easement.

3. EASEMENT: Salt River Project Ord. No. 4555

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4555 granting a no-cost power distribution easement to Salt River Project (SRP) on a portion of Shawnee Park.

BACKGROUND/DISCUSSION

An existing underground cable owned by Salt River Project that provides power to City facilities at Shawnee Park, as well as to the adjacent neighborhood, is failing. Salt River Project will be replacing the cable and needs an easement from the City in order to complete this work. The easement will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions for the requested easement.

4. EASEMENT: Salt River Project Ord. No. 4556

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4556 granting a no-cost power distribution easement to Salt River Project (SRP) on a portion of Centennial Park.

BACKGROUND/DISCUSSION

It is necessary to provide electrical power for the future improvements to Centennial Park. In order to provide electrical service to the park, SRP requires a power distribution easement. The easement will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions for the requested easement.

5. RIGHT-OF-WAY ANNEXATION: Ocotillo Road Ord. No. 4558

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4558, Right-of-Way Annexation of certain County Rights-of-Way of approximately 1.39 acres on Ocotillo Road between McQueen Road and Arizona Avenue.

BACKGROUND/DISCUSSION

Remnant County islands exist within the City of Chandler Municipal Planning Area (MPA) boundary. Some of these islands are within improved roadway right-of-way (R.O.W.) or roadways slated for improvement. In certain cases, annexation benefits the City by alleviating the County Plan review and permitting process. This particular annexation fulfills the annexation requirements stated in the Intergovernmental Agreement (IGA) between Maricopa County and the City of Chandler for the improvements to Ocotillo Road from Arizona Avenue to McQueen Road. The IGA requires that the City annex acquired roadway rights-of-way and the IGA remains in effect until all annexations have been completed.

Currently, along Ocotillo Road between McQueen Road and Arizona Avenue, there are two strips of R.O.W. under the jurisdiction of Maricopa County. The Annexation Map attached to the ordinance depicts the entire area to be annexed.

A.R.S. §9-471(N) allows for an alternate annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is adjacent to the receiving city and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN: Continuum at Dobson Road
Ord. No. 4560

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4560, DVR13-0010 Continuum at Dobson Road, rezoning from agricultural District (AG-1) to Planned Area Development (PAD) for uses allowed within the Innovation Zone designation of the General Plan and to allow for the development of parcels less than 15 acres located at the NWC of Dobson and Queen Creek roads. (Applicant: Mike Withey, Withey Morris, PLC)

APPROVED a Preliminary Development Plan (PDP) for site layout and building design for property located at the NWC of Dobson and Queen Creek roads.

BACKGROUND

The subject site is located at the northwest corner of Dobson and Queen Creek roads. The existing Continuum campus with Cyrus One, OnTrac and Nationstar Mortgage is north of the subject site. To the east are Dobson Road and the Clemente Ranch residential subdivision. The Downtown Ocotillo commercial center, a daycare center and apartments are south and southeast of the site. West is undeveloped land zoned AG-1.

The property was previously zoned as part of the Motorola campus in the 1980s; however, the zoning reverted to AG-1. The proposed business park is an expansion of Continuum's campus adding approximately 306,000 to 435,000 square feet of office and a 64,000-square foot hotel.

The application requests Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan approval for uses allowed within the Innovation Zone designation of the General Plan and to allow for the development of parcels less than 15 acres within a 34-acre campus including office buildings and a hotel. The proposed development extends the technology-based employment and office campus further south and along Dobson Road. The property is zoned Agricultural District (AG-1) and undeveloped.

The General Plan designates the subject site as Employment allowing major employers, knowledge-intensive employers, industrial/business parks and industrial support uses. Additionally, the General Plan identifies the subject site as falling within the South Price Road Employment Corridor (SPREC). This corridor, recognized as the City of Chandler's premier employment corridor, generally encompasses the property located on the west and east sides of Price Road, starting at Willis Road at the north and ending at the Chandler Heights Road alignment just north of Sun Lakes.

The Development Booklet represents the site design and building architecture guidelines for two- and three-story office buildings and a four-story hotel. The development is not requesting a Mid-Rise Overlay. A conceptual master plan represents three primary office buildings clustered around a curvilinear vehicular spine and pedestrian corridor. There is an expanded master plan representing two additional office buildings along with above ground parking structures. The architectural exhibits, imagery and representations contained within the Development Booklet establish the 'bar' or level of quality expected for the future campus. While the final ultimate design and location of buildings may alter, the exhibits depict a close representation of how the campus will develop. As with the existing Continuum, a variety of architectural styles may occur. Planning Staff will review the final building and site design administratively.

The request seeks to establish a cohesive business park, high-quality campus atmosphere with a strong landscaping theme. The development's site design emulates the existing Continuum providing landscape themes, strong pedestrian amenities, and site features. The landscape theme includes a 'radial' design at major intersection points that is carried throughout the campus. Building placement includes a relationship to the radial theme at the boulevard entrances furthering the campus concept.

The building architecture incorporates a mix of stone, precast concrete, brick, colored and textured concrete masonry units, EIFS, and stucco. Vertical and horizontal elements are prescribed along each building façade. Colors are represented to be a mix of cool tones similar to existing Continuum buildings as well as desert hue earth tones. Exhibits are provided for the proposed four-story hotel building at the site's southwest corner and the three two-story office

buildings centralized in the parcel. Additional exhibits provide more detailed architectural imagery that further defines the level of quality expected within the Continuum at Dobson Road.

The request includes a comprehensive sign package that includes building mounted signage, campus identification signs and freestanding single-tenant and multi-tenant monument signage. Building mounted signage can include pan channel, reverse pan channel or flat cut out pin mounted lettering at the discretion of the end user. The signage represents a very high level of quality that provides a strong statement for the Price Corridor as well as creates a unified image for the campus.

DESIGN REVIEW COMMITTEE

A Design Review Committee (DRC) meeting was held on June 23, 2014, to present the development's building and site design. The applicant presented the building elevations for Buildings A, B and C, example office building images, the hotel and the proposed site, landscape and signage plans conveying this is an extension of Continuum's campus. DRC discussion focused on concerns with the architecture for Buildings A, B and C and the hotel. The DRC requested the three office buildings incorporate a similar level of architectural detail that exists with current Continuum buildings. Architectural details included enhanced front entry elements and wall plane features. DRC requested additional score lines and other depth so there is visual interest and adding more details to tie the buildings to what exists. One example, enhancing the multiple rectangular pop-out sections repeating along each building façade.

DRC requested the hotel tie in with the existing Continuum buildings in the same manner as the office buildings. The hotel is being designed for a specific user thus DRC requested the building be modified from a corporate appearance and to provide other examples of hotel buildings the user has developed that fit within the Continuum theme.

Following DRC, the applicant modified the office and hotel building elevations. Changes to the office buildings include further articulation such as additional glazing and enhanced perspectives reflecting visual interest at front entries. The hotel building includes additional vertical projecting elements with decorative porcelain tiles and additional glazing. Building colors are more reflective of the cool-toned paint colors on existing Continuum buildings. Planning Staff is of the opinion that additional score lines and other depth elements including vertical elements are needed to tie in the buildings further to the existing buildings per DRC's direction. With the proposed development allowing for the administrative review by Planning Staff for building and site design, the applicant is agreeable to a condition to further work with Planning Staff on additional design elements for the office buildings.

DISCUSSION

Due to the scope of the project and the long-term development projections, a phasing plan is not included with the Development Booklet. A project of this size may take several years for full development to be realized in conjunction with the larger Continuum campus. Necessary site work and infrastructure will occur throughout the property as market conditions warrant as each parcel develops.

Planning Staff is of the opinion that Continuum at Dobson Road represents the continuation of Continuum and the development of knowledge-intensive industries. With the quality development standards as represented in the Development Booklet, Continuum at Dobson Road will be used as a guide for future development. Planning Staff finds the development to provide an opportunity to further the South Price Road Employment Corridor's employment preeminence.

The development provides distinctive opportunities allowing for emerging knowledge-intensive industries to partner with similar users within a close proximity.

The Development Booklet pages 11, 14 and 55 (related to site development and parking standards, commercial design standards, and sign standards respectively) includes different statements that the PDP Development Booklet prevails if there is a discrepancy or conflict between what is stated in the Development Booklet and what is required by Zoning Code/Ordinance. These statements shall be stricken from the Development Booklet. Concerns have risen lately as to whether or not the caveat is appropriate and necessary when dealing with discrepancies between required development standards and elements proposed in the development book.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. There were two citizens in attendance who were former employees of Motorola and were in support of the request. Planning Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

Planning Staff inadvertently included a standard 3-year time limit zoning condition. Staff intended to apply the same timing condition included in the prior Continuum zoning case. The condition has been added to the rezoning action as Condition No. 2.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, South Price Road Employment Corridor and the Innovation Zone, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

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

1. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls, and the Planning Administrator for arterial street median landscaping.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. The site shall be maintained in a clean and orderly manner.
6. Building mounted signage shall be consistent with the design expectations as provided in the Development Booklet and as such, building mounted signage shall be reviewed and approved administratively by Planning Staff.
7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

8. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
 9. Raceway and animated signs shall be prohibited within the development.
 10. The applicant shall work with Planning Staff to further enhance the office buildings with elements such as, but not limited to, vertical articulation, score lines and other depth elements to tie the buildings to existing Continuum buildings.
7. REZONING/PRELIMINARY DEVELOPMENT PLAN: Chandler Corporate Center
Ord. #4561

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4561, DVR14-0015 Chandler Corporate Center, rezoning from Planned Area Development (PAD) for commercial retail to PAD for industrial/office/warehouse and commercial retail. (Applicant: Mike Withey, Withey Morris PLC.)

APPROVED a Preliminary Development Plan (PDP) for site and building design on approximately 25 acres generally located at the NWC of Chandler Boulevard and McClintock Drive.

BACKGROUND

The subject site is located at the northwest corner of Chandler Boulevard and McClintock Drive, encompassing roughly 25 acres. The request excludes the 1.1-acre site at the immediate intersection corner. Along the site's north and west is property that has been either developed or approved consistent with the Chandler Corporate Center. South and east are the major arterials of Chandler Boulevard and McClintock Drive.

The subject site and surrounding approximately 75 acres has a long zoning history with uses being established in 1988. In 2000, a PDP was approved for the entire 100-acre Chandler Corporate Center. Late 2005 brought a new PDP for the 75 acres surrounding the subject site. In 2009, a Rezoning and PDP were approved for the subject site allowing for commercial retail uses including a hotel and daycare facility. The current request is to rezone the subject site to allow uses that were originally approved with the Chandler Corporate Center in 1988 allowing for industrial/office/warehouse and commercial retail, as well as PDP approval for site layout and building architecture consistent with the 2005 approved PDP for the larger Chandler Corporate Center.

While no user is specified at this time, the Development Booklet provides exhibits setting the level of expectation for building architecture and provides a conceptual site plan. Further design guidelines are provided in the Booklet establishing heights, lot coverage, uses and allocated square footages per use. As has been presented in the Development Booklet, the current request is consistent with past approvals for the Chandler Corporate Center. The applicant is requesting that approval for individual buildings be subject to administrative approval so long as future proposals are consistent with the Development Booklet. Planning Staff supports the request for administrative review and approval.

DISCUSSION

As outlined in the Development Booklet, land uses are provided for both the existing corporate center (as a historical reference) and the proposed site. The subject site is designated as Employment/Commercial; however, is proposing uses consistent with the surrounding corporate center with the exception that commercial uses are requested. The intent of the commercial uses is primarily to provide support services to the surrounding corporate center and is not intended to allow for a commercial shopping center as was previously contemplated for the site.

The Planning Commission and Planning Staff support the rezoning and PDP request citing that the uses and design representations are consistent with the General Plan and surrounding area. Furthermore, Planning Staff is supportive of the request for administrative approval as development occurs on the site, as the administrative approval process has been effective for the larger campus.

Due to the site's size and the request for administrative approval as development occurs, it is likely that it will occur in a phased fashion. Often phasing effects improvements associated with landscaping, access drives and parking areas. Planning Staff is recommending a condition requiring a phasing plan for the entire subject site with the submittal of the first building.

Lastly, the last sentence in the Development Standards section on page 7 of the Development Booklet states: "If there is a conflict, the development standards in this PDP shall apply", shall be stricken from the Development Booklet. Concerns have risen lately as to whether or not the caveat is appropriate and necessary when dealing with discrepancies between required development standards and elements proposed in the Development Booklet.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. There was one neighbor in attendance in support of the request. The applicant has met the Stellar Airpark users group and no opposition or concern was expressed. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

Prior to the meeting, Planning Staff received a call from the Stellar Airpark Board of Directors with a concern about conceptual building locations within the Clear Zone. Planning Staff assured the Board of Directors that no buildings would be constructed within the Clear Zone. The applicant has added an exhibit in the Development Booklet depicting that all buildings are outside of the Clear Zone.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Landscaping shall be in compliance with current Commercial Design Standards.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
5. A phasing plan shall be submitted in conjunction with the first building(s) outlining off-site improvements, landscaping, access points and drive aisle locations, and parking areas.

8. EXTINGUISHMENT: Temporary Construction Easement Res. #4784

ADOPTED Resolution No. 4784 authorizing the extinguishment of a Temporary Construction Easement at 2222 N. Arizona Avenue.

BACKGROUND/DISCUSSION

The City obtained a Temporary Construction Easement (TCE) for construction of a bus bay at 2222 N. Arizona Avenue in 2010. The construction work for this facility has been completed and the property owner is requesting that the City extinguish the TCE obtained on their property. Staff has reviewed the request and agrees that the easement is no longer needed.

9. ISSUANCE/SALE: General Obligation Refunding Bonds Res. #4789

ADOPTED Resolution No. 4789 authorizing the issuance and sale of not to exceed \$250,000,000.00 in General Obligation Refunding Bonds, Series 2014.

BACKGROUND

Current low interest rates offer an opportunity to refinance a portion of the City's General Obligation debt by refunding bonds previously issued and outstanding; specifically General Obligation Bonds, Series 2007 and 2009, allowing the City to realize debt service savings. If completed, the refunding will reduce the amount of debt service expenses paid from the secondary property tax supported Debt Service Fund. This savings will lower the tax rate required to pay such debt or allow for additional tax rate capacity for new projects.

The final interest rates, which will be determined at the time of the bond sale, will also determine the final principal amount that can/should be refunded. Therefore, to provide flexibility under varying market conditions, the resolution authorizes a maximum principal amount that may be sold.

FINANCIAL IMPLICATIONS

The resolution authorizes the refunding of a portion of the City's outstanding General Obligation Bonds if the savings are at least 3% of the principal amount of the bonds being refunded and results in present value savings of at least \$1,000,000.00. Depending upon the final issue size, this refunding is expected to generate debt service savings to the City of approximately \$3,000,000.00 - \$5,000,000.00 in present value dollars. The savings are net of all costs of issuance.

10. INTERDEPARTMENTAL TRANSFER: Real Property Res. #4790

ADOPTED Resolution No. 4790 authorizing the interdepartmental transfer of certain real property within the City of Chandler's Municipal Utilities Department and the Housing Division and authorizing the subsequent improvement and leasing of property to qualified families at an affordable rent and authorizing the Housing and Redevelopment Manager to transfer funds within the Housing Division's fund 240 contingency budget to fund 236 to facilitate the construction project and leasing program.

BACKGROUND

The Housing and Redevelopment Division desires to diversify, maintain and expand affordable housing programs within the community. In conjunction with the approved Strategic Plan,

Housing Staff is proposing the development of a City-owned infill parcel that would add two (2) additional affordable rental housing units to the existing inventory.

MUD recently decommissioned a wellsite on a 7000-square foot residential lot that is located in the 1950's Pamela Park subdivision (Kingston Wellsite).

MUD has no immediate or future use for the former wellsite property and would like to facilitate a reuse of the property. The wellsite property is located across the street from the Housing Division's rental property known as Kingston Arms Apartments, 127 N. Kingston Street. The wellsite property is currently zoned for a duplex to be constructed on the property.

Neighborhood Resources/Housing Staff is looking at an opportunity to gain possession of the property contingent upon the development of the property as an affordable rental duplex. This proposed project would eliminate MUD's obligation to manage and maintain a vacant lot and would allow the Housing Division to add much needed affordable housing stock to the Housing Division's inventory. The project would also improve and enhance the existing neighborhood by eliminating a vacant lot and enhancing the area with a new dwelling structure.

DISCUSSION

The Kingston wellsite lot is currently zoned MF1 which will support the construction of a duplex on the lot with the existing zoning. Housing Staff, with the assistance of an architect, has developed a conceptual design of how the duplex might be placed on the lot and a conceptual elevation. The duplex is designed to complement the existing neighborhood which currently is a mix of multi-family to the south and east, commercial to the north and single-family residential to the west. The conceptual plan is for each unit of the duplex to consist of two (2) bedrooms, one (1) bath, approximately 1000 square feet in size with an attached garage. The duplex will be energy efficient (energy star minimum) with desert landscaping.

The resolution would authorize:

- Transfer ownership of the property to the City's Housing Division
- Authorize a transfer of funds within the Housing Division's accounts to allow for the planning, development and construction of the duplex as a turnkey package. (Estimate \$300,000.00)
- Authorize the future leasing of the duplex to income qualified families. Income qualified is defined as an income less than 80% of area median income. (Currently, a three-person household would qualify if their income was less than \$45,550.00)
- Establishment of affordable rents that would be structured for families with incomes less than the 80% of area median income and rents would be less than fair market rent.
- Renting to qualifying families that must supply information to prove eligibility for the program and show an acceptable background and rental history. Selected applicants must demonstrate they can maintain the housing units.
- The Housing and Redevelopment Manager to develop architectural/construction plans and specifications, bid documents for construction. (Note: The bid award associated with any construction contract would return to City Council for approval before any construction would begin.)
- The development of program guidelines and the leasing of units based on the criteria outlined in this resolution. All pertinent documents would be reviewed by the City Attorney's Office.

- The rent revenue derived from this project would pay for the operating, maintenance and capital costs of the project. Any additional revenue will be used to support other affordable housing needs and projects. (Costs to undertake this proposed project will come from sales proceeds from previous Public Housing sales and development proceeds.)

FINANCIAL IMPLICATIONS

The costs to implement this project are derived from Public Housing proceeds and other available resources. The estimated cost for the architectural fees, development fees, permits, construction costs, appliances and landscaping, is \$282,000.00. There is funding available (\$28,000.00) for a 10% contingency

11. SITE 6 REQUEST FOR PROPOSAL: Ryan Companies

Res. #4795

ADOPTED Resolution No. 4795 authorizing the award of the Site 6 Request for Proposal (RFP) to Ryan Companies US, Inc., and authorizing Staff to begin Development Agreement deal terms with Ryan Companies; and directing Staff to present the negotiated Development Agreement to the City Council for consideration and possible action on or before the last regularly scheduled City Council meeting in May 2015 or the award of the RFP will automatically terminate.

BACKGROUND/DISCUSSION

Site 6 is a 4.25-acre site directly across from Chandler City Hall located at the northwest corner of Frye Road and Arizona Avenue. The site is vacant and entirely owned by the City. It is currently utilized for overflow and event parking, but is otherwise unencumbered.

The City issued a Request for Interest (RFI) for Site 6 on September 11, 2013, looking for interest from development firms with a solid track record of true mixed-use development. It was anticipated that a short list would be created from the initial RFI process to respond in a second phase which would include a more detailed RFP with an ultimate goal of designing a plan for the building of a signature project

The RFI requested information including an overall design concept for an urban, mixed-use project that included office, entertainment, retail, restaurant and parking. The development was to include high-quality architectural and urban design features and anticipated that a structured parking facility may need to be included in order to maximize the amount of usable land for development.

The preferred specifications included:

- 100,000 sf office
- 40,000 sf entertainment and recreation uses (high ceilings, extended clear spans)
- 25,000 sf retail/restaurant space
- Parking structure to meet the demand for this development. Option to add 150-200 public parking spaces should be presented for consideration, but many not be pursued.

Two development companies responded to the RFI in December 2013: Ryan Companies US, Inc., and Chicano's Por La Causa, Inc. The Evaluation Committee recommended moving forward with Ryan Companies to submit a formal RFP by May 31, 2014.

Ryan Companies is a 75-year nationally recognized company specializing in office development, construction and management experience in the Phoenix area. Over the last 17 years, Ryan Companies has developed more than 18 million square feet of office, industrial and mixed use product throughout metropolitan Phoenix.

Ryan Companies Chandler Site 6 team proposed to develop and lease a mixed-use project consisting of two office buildings and related retail and restaurants focused on significant jobs into downtown Chandler. The project is proposed to be built in two phases, based on market conditions and meeting pre-leasing requirements. The proposed plan creates pedestrian routes to City Hall and the Historic Square as well as open space for downtown patrons, events and employees.

The proposed site plans were designed with the intent of being flexible to respond to a broader range of opportunities in the market. The proposed phasing includes:

Phase 1:

- 44,600 sf office (1 floor = 22,300 sf)
- 5,400 sf retail/restaurant (indoor and outdoor dining)
- Public open space
- Surface parking or ½ parking garage (192 spaces) depending on final development plans

Phase 2:

- 3-6 stories office (1 floor = 25,000 sf)
- 8,750 sf retail
- Completion of parking garage (5 stories = 750 stalls)

The site plan includes approximately 13,360 sf of public open space to include outdoor dining, gathering spaces and pedestrian walkways. Upon award of the RFP, Ryan Companies will continue to work with Planning Staff to start the rezoning process that will include final land use and site design. As part of the zoning process, neighborhood meetings will be conducted to gain citizen input.

Economic Development Staff will begin negotiations with Ryan Companies on deal terms of a Development Agreement and will bring proposed Development Agreement back to City Council for review and approval. Council had earlier directed Staff to have an end date to the award of the RFP wherein there is either a mutually agreed upon Development Agreement between the successful proposer and Chandler or the RFP automatically terminates because of the lack of ability to reach a written agreement. Staff believes that Ryan Companies US, Inc., and Staff can negotiate a Development Agreement to be presented to City Council on or before the last regularly scheduled City Council meeting in February 2015.

12. PRELIMINARY DEVELOPMENT PLAN: Ocotillo Plaza Shopping Center

APPROVED a Preliminary Development Plan, PDP13-0016 Ocotillo Plaza Shopping Center, for additional commercial buildings and a comprehensive sign package for the Ocotillo Plaza shopping center at the NWC of Alma School and Queen Creek roads. (Applicant: Mike Withey, Withey Morris, PLC,)

BACKGROUND

The request was withdrawn from the July 10, 2014, City Council meeting for the purpose of readvertising.

The subject site is located at the northwest corner of Alma School and Queen Creek roads and encompasses the entire Ocotillo Plaza shopping center. North and west, adjacent to the site, is property zoned for multi-family residential development; however, is currently operating as a farm. Arterials establish the eastern and southern boundary of the center.

The shopping center was zoned in late 1993 for 22 acres and expanded in 1995 to 29 acres. At the time of approval in 1995, the building architecture, site layout and landscape plans were presented and approved for Phase 1 (northeast two-thirds of the site) of the commercial center.

Early 1999 brought the approval of Phase 2 (southwest one-third of the site) of the Ocotillo Plaza shopping center. The closing of the Basha's grocery store in late 2009, and the relocation of the Target in mid-2011 has led the center in a downward spin.

The commercial center is largely controlled by two commercial entities with the exception of the bank (Wells Fargo) located at the site's southwest corner, and the two drive-thru establishments (Arby's and Taco Bell). The current request is to allow for the addition of two pads and expand a cluster of buildings to include an additional user for a total of three new commercial users.

DISCUSSION

Recently, the majority owner of the shopping center contacted Planning Staff to discuss the process for a refresh of the shopping center. While not part of this application, the property owner has submitted and received the necessary approvals for the refresh of the building façade. During the discussion on the façade, the owner indicated a desire to bring some additional small users to the site in an effort to bring new life to the center, which has brought forth this request.

Three commercial buildings are proposed that include two drive-thrus and a tire shop. One drive-thru is located close to the northern portion of the parking lot within visibility of Alma School Road. The second drive-thru is located along Queen Creek Road and will be adjacent to the landscape buffer along Queen Creek Road. Lastly, the third building will be central to the shopping center located off of the southern entry drive into the center.

As part of the improvement of the site, additional landscaping will be installed along the arterials and entrances, throughout the parking lot to ensure compliance with code requirements, as well as a resurface and restriping of the parking lot.

While the updated architectural design of the center has been reviewed and approved administratively, the additional buildings have been designed to incorporate elements from the approved architectural style theming. The architectural theming is influenced by Santa Barbara-style architecture and incorporates various metal detailing and the traditional light color palette.

Lastly, as part of the refresh of the center, an updated monument sign package is proposed. Currently, there are two monument signs along Alma School Road and two signs along Queen Creek Road. The request proposes to refresh the two along Alma School Road by slightly raising the height of one of the monument signs from eight feet to eleven feet at the top of the lettering of the sign and to increase the number of panels up to four. The second monument sign along Alma School Road will be reduced in height so that both signs are consistent in size and design. Along Queen Creek Road, an additional six-foot monument sign will be added for a total of three with a height of roughly seven-feet to the top of the sign lettering; four panels will be provided on

the smaller signs. The updated monument signs meet the requirements of the recently updated sign code with the exception that code allows for only one sign to be at 14-feet, all others at eight feet. The Planning Commission and Planning Staff are supportive of the sign package finding that although one of the monument signs along Alma School Road exceeds the allowed height, all other signs are less than the maximum height.

The request was reviewed by the Design Review Committee (DRC) to discuss site layout, landscape improvements and architectural design. The DRC provided support for the request and is pleased with the anticipated refresh of the site.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. There was one neighbor in attendance in support. The applicant has met with the Ocotillo Design Board who is also in support. Planning Staff has received a number of telephone calls with general inquiries; all callers have been in support.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioner Ryan absent and Commissioner Baron abstaining.

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 the Development Booklet entitled "Ocotillo Plaza Shopping Center" and kept on file in the City of Chandler Planning Division in File No. PDP13-0016, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City council.
2. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
3. The applicant shall work with Planning Staff to ensure that decorative metal elements are incorporated into the design of the monument sign.
4. All tenant panel and center identification lettering on the monument signs shall be 1" routed aluminum push-thru lettering.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. The freestanding pads shall carry an architectural level of detail similar to front facades of main building.
9. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
10. The applicant shall work with Planning Staff at time of building permit submittal to ensure that there is cohesiveness between the commercial buildings in the use of colors, materials, accent features and architectural design.

11. The applicant shall work with Planning Staff to ensure that the drive-thru of Building A meets the queuing requirements as provided in the Zoning Code.
12. Prior to issuance of building permits for Buildings A or B, construction must have commenced on the new colors and building elevations previously approved on Majors A, and the existing buildings located on Parcel 1. Prior to issuance of building permits for Kneaders or its replacement, construction must have commenced on the new colors and building elevations on Major 1 (currently Shopper's Supply) located on Parcel 2.
13. PRELIMINARY DEVELOPMENT PLAN: Dominion Chandler Self Storage

APPROVED Preliminary Development Plan PDP14-0001 Dominion Chandler Self Storage, for the site and building design of a new self-storage facility located east of the SEC of Arizona Avenue and Ocotillo Road. (Applicant: Christopher Lenz P.E./United Engineering Group.)

BACKGROUND

The subject 1.7-acre parcel is part of a larger 11-acre development, Southshore Town Center Phase II, which includes three parcels. In 2004, the site was zoned Planned Area Development (PAD) along with a 26-acre commercial retail center allowing uses permitted by right in the Community Commercial District (C-2) zoning, nursery/kindergarten/daycare uses, research and educational facilities, self-storage rental warehouse facilities including motor vehicle, RV and boat storage as an accessory use and trade and vocational schools. In 2006, the zoning was amended to allow the for-sale condominium storage facility use.

South of the site are two existing storage facilities. One is developed as a self-storage rental facility and the other is a for-sale condominium storage facility. North of the site is Ocotillo Road and the Paseo Lindo commercial retail center. Adjacent, to the west, is the Home Depot anchored commercial center. The Union Pacific railroad tracks abut the site's east side. East of the railroad tracks is property planned for business park use.

The application requests Preliminary Development Plan (PDP) approval for a three-level internal self-storage facility with approximately 500 units on 1.7 acres. The internal storage facility building provides air-conditioned storage units ranging from 25 to 300 square feet within an approximately 76,816-square foot building. Site design meets the Commercial Design Standards with a streetscape comparable with the developed Dollar Self Storage facility.

The building's architecture incorporates materials, colors and forms corresponding to the existing two storage facilities. The building's design meets the Commercial Design Standards minimizing flat walls and providing vertical relief elements, providing varied materials, four-sided architecture, varied rooflines and internalized roof access ladders and roof drains.

Building signage is represented as illuminated pan channel lettering to match what exists on the adjacent storage facility. The existing freestanding monument sign has an available tenant sign panel for this parcel.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code. A neighborhood notice letter was mailed in lieu of a meeting due to no residential within the notification area.

Planning Staff has received emails and phone calls from a consultant who represents the existing Dollar Self Storage facility concerned about this development going in next to two other storage

facilities. A letter of opposition was received from the adjacent Dollar Self Storage facility owner. Following receipt of the letter, Staff spoke with the property owner who conveyed concerns about the success of multi-story type storage facilities compared to the single-level, drive-up facilities his company builds. The owner requested a copy of the development's plans which were emailed to him.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

The representative of the adjacent Dollar Self Storage initially requested to speak on this item; however, subsequently submitted an updated opposition letter to Planning Staff and rescinded his request to speak. The representative said the property owner no longer has a concern about competition and instead feels there are site plan compliance issues. Staff confirmed the proposed development meets development codes which were vetted during the case review process prior to scheduling of hearings.

RECOMMENDED ACTION

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

1. Compliance with original conditions adopted by the City Council as Ordinance No. 3588 in case DVR04-0003, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Dominion Chandler Self Storage", kept on file in the City of Chandler Planning Division, in File No. PDP14-0001, except as modified by condition herein.
3. The applicant shall work with Planning Staff to further enhance the design of the building's north elevation wall planes.

14. **PRELIMINARY DEVELOPMENT PLAN AMENDMENT:** Intel Ocotillo Campus

APPROVED Preliminary Development Plan, PDP14-0007 Intel Ocotillo Campus Amendment No. 4, for a Master Plan amendment on approximately 630 acres located at 4500 S. Dobson Road, the NWC of Dobson Road and the Chandler Heights Road Alignment. (Applicant: Doug Lenz, Intel Corporation.)

BACKGROUND

Intel Ocotillo Campus is bounded by Sun Lakes on the south, which is also the extended alignment of Chandler Heights Road. The west side is the extension of the Price Road alignment and common border of the Gila River Indian Community. The east side is bordered by Dobson Road, which is also adjacent to the Ocotillo master planned neighborhood.

The site was zoned as Planned Area Development (PAD) with a Preliminary Development Plan (PDP) in 1993. The Intel Ocotillo Campus PDP has been amended three times prior to the subject request. Each amendment contained a revised site plan to illustrate newly constructed buildings and future facilities. Amendment No. 4 incorporates an update to the master plan on facilities built since Amendment No. 3 and provides a projection of remaining future site development with associated facilities. The long-term phased build-out framework is described in detail in the Development Booklet. Future phases could include expansion of the Fab 42 Manufacturing facility, offices, warehouses, a water treatment and recover facility (WATR), and site yard facilities. Future development will be based on market demands, the economy and user

needs. Planning Staff will review each phase administratively for substantial conformance with the PDP.

SITE AND ARCHITECTURE DESIGN

Future development proposes to continue locating buildings and facilities as a series of concentric rings to create a succession of intensity of land use and building massing. Less intense uses, such as parking lots and office, exist around the perimeter of the site and could be built in future phases. Building setbacks are 50 feet from arterials and 30 feet from collectors. Intel self-imposed a 1,000-foot wide manufacturing building setback along the east and south property lines to further distance these intensive uses from residential development.

The PAD zoning established the ability for building heights to exceed 45 feet. Building heights within the Ocotillo Campus depend on the structure's use. Office and general purpose buildings would not exceed 65-feet in height. The WATR facility, proposed in the northwest corner off the campus, would reach a maximum of 55 feet in height except for the bine concentrator equipment and access tower (if required) could reach 80 feet in height. Manufacturing buildings could reach a height of 145 feet. Additional information is contained in the Development Booklet.

Architectural design character is classified under two categories, public/residential buildings and manufacturing/manufacturing support buildings. Public/residential buildings would be constructed of decorative concrete masonry with curtain wall glass and additional materials on office buildings. Manufacturing/manufacturing support buildings typically have approximately the first 20 feet of the elevation constructed of decorative concrete masonry with the remaining upper portion of deep-ribbed colored metal panels. Steel canopies and a color palette carry on the existing theme which is common to all campus buildings.

TRAFFIC

A Traffic Assessment was completed to determine potential traffic impacts of the long-term build-out of the Intel Ocotillo Campus. Conclusions indicated level of service for each driveway intersection with Dobson Road. Current operation is acceptable with the permanent and temporary traffic signals at the four driveways. Driveway upgrades would be made to allow for additional turning movements, signal timing and enhanced landscaping. At the time of future building construction, improvements will be evaluated to address future traffic impacts.

DISCUSSION

Planning Staff supports Amendment No. 4 to the Intel Ocotillo Campus master plan. The proposed future phased development and facilities continue the creation of a cohesively designed campus accompanied by design standards with consideration given to established residential developments. The site will continue to develop in a manner consistent with the General Plan and as a premier employer along the South Price Road Employment corridor.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with neighborhood meetings being held on June 10 & 12, 2014. Fourteen people signed in at the first meeting for the Ocotillo Community and 137 people signed in at the Sun Lakes meeting. The Sun Lakes community meeting room capacity of 350 seats was full despite the number of attendees indicated by the sign-in sheets. Comments and questions conveyed at both meetings related to timing of proposed construction, building heights, driveways, landscape and issues outside the project scope relating to SRP power lines.

Planning Staff and the applicant received several phone calls concerning immediate construction plans, what the amendment entails and landscaping. Planning Staff has received no formal opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

A Sun Lakes resident expressed concerns to the Planning Commission that the proposed parking lot adjacent to their homes is not a compatible use due to health concerns. The resident indicated a group of homeowners is preparing a packet/document as to why the parking lot is not a good use and would provide alternatives and suggestions. At the time of this writing, Planning Staff has not received the packet/document.

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 Exhibit A, Development Booklet, entitled "OCOTILLO CAMPUS PRELIMINARY DEVELOPMENT PLAN", kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0007, except as modified by condition herein.
2. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation, and the like as established in the attached Development Booklet.

15. ANNUAL MEMBERSHIP PAYMENT: Valley Metro Rail, Inc.

APPROVED payment of Fiscal Year 2014/15 annual membership fee for Valley Metro Rail, Inc., (METRO), in the amount of \$50,000.00.

BACKGROUND/DISCUSSION

In 2007, the City of Chandler joined METRO. This enables the City to participate in the planning and design of the regional light rail system and future light rail extensions that could service Chandler.

Regional, high capacity transportation systems, such as light rail, require years of advanced planning and coordination with participating communities as well as regional, state and federal agencies. In 2003, the City of Chandler completed a High Capacity Transit Investment Study which designated Rural Road, Chandler Boulevard and Arizona Avenue/Union Pacific Railroad Chandler Branch Line as corridors for future development of high capacity transit systems, including light rail.

In December 2012, the City completed the Arizona Avenue High Capacity Transit Long Range Study. This study was completed by METRO's consultants in conjunction with City and METRO staff and was entirely funded with the City's annual membership fees. This study provided a planning assessment of potential light rail ridership on a future light rail line on Arizona Avenue. The study also presented recommendations for future bus service and for land use planning policies that will create a successful future light rail corridor.

Additionally, the City of Chandler is currently working with staff from METRO and the City of Mesa to develop the project scope and fee to study the potential for High Capacity Transit along

Arizona Avenue into Mesa and is being referred to as the Fiesta-Downtown Chandler Corridor Study.

16. ANNUAL MEMBERSHIP DUES: Arizona Municipal Water Users Association

APPROVED payment of Fiscal Year 2014/15 membership dues to the Arizona Municipal Water Users Association (AMWUA), in the amount of \$82,701.00.

BACKGROUND/DISCUSSION

The Arizona Municipal Water Users Association (AMWUA) is a voluntary non-profit corporation established in 1969 to develop and advocate regional water resource management policies in the interest of its members, their citizens and ratepayers. AMWUA's current members include the cities of Avondale, Chandler, Glendale, Goodyear, Mesa, Peoria, Phoenix, Tempe, Scottsdale and the Town of Gilbert.

AMWUA provides a forum for its member cities to meet and discuss water resource planning, legislation, conservation and management issues. This allows member cities to work together on regional projects such as drought response, groundwater management, groundwater recharge, augmentation, conservation, legislation and environmental issues affecting the members' water supply.

Each city's membership dues are a prorated share (based on population) of AMWUA's water operating budget. AMWUA's fiscal year 2014/15 water operating budget increased 4.38% from fiscal year 2013/14. Chandler's membership dues for fiscal year 2013/14 were \$79,233.00. and have increased for fiscal year 2014/15 to \$82,701.00.

17. CLAIMS REPORT

APPROVED the Claims Report for the quarter ended June 30, 2014.

18. SERVICE AGREEMENT PAYMENT: Motorola Solutions, Inc.

AUTHORIZED the annual service agreement payment for Fiscal Year 2014/15 to Motorola Solutions, Inc., in the amount of \$89,400.96 to support the City of Chandler radio system infrastructure.

On October 22, 2009, Council approved the agreement for participation in the Regional Wireless Cooperative Governance (RWC) with the City of Phoenix and Motorola Solutions, Inc. Part of this governance outlines that participating agencies are responsible for maintenance of their own system infrastructure, to include dispatch console support, network security monitoring, audio recording equipment support and 24/7 technical and on-site service support. This service agreement is designed to help mitigate the risk of radio system downtime and allow for an immediate technical response to any issues that occur.

19. AGREEMENT AMENDMENT: Sunrise Engineering, Inc.

APPROVED Agreement No. GG1301.201, Amendment No. 1, with Sunrise Engineering, Inc., for the Boston Street Block Design, to determine the feasibility of water and sewer being added in the future and for design coordination with dry utilities, in an amount not to exceed \$11,650.00, for a revised contract amount of \$37,650.00.

On May 28, 2013, Staff approved a contract with Sunrise Engineering, Inc., for Boston Street Block Design which will design the replacement of a degrading sidewalk, upgrade the ramps to current ADA standards and redesign the on-street parking in the area.

The scope of services for this amendment includes a feasibility study of water and sewer lines being installed in the future on the north half of Boston Street where improvements are not currently proposed as part of this project. Future downtown development may cause the need to install new water and sewer lines in Boston Street. Staff would like to determine the feasibility of the future water and sewer installation in the northern half of Boston Street from California Street to Oregon Street with minimal impact to the Boston Street Block project. The Boston Street Block project primarily improves only the southern half of Boston Street from California Street to Oregon Street. The new water and sewer lines are not necessary to serve the existing customers along Boston Street.

Another service included in the amendment scope is design coordination with APS in preparation for future relocation of overhead electrical power lines to underground ductbanks. The design coordination is important to minimize the impact on newly constructed improvements resulting from the Boston Street Block project.

20. PROJECT AGREEMENT: Ritoch-Powell & Associates

APPROVED Project Agreement No. ST1406.201 with Ritoch-Powell & Associates for design services for street and utility improvements associated with the Alta Chandler development located along Frye Road and east of Washington Street, pursuant to Annual Engineering Services Contract No. EN1002.101, in an amount not to exceed \$191,855.89.

21. AGREEMENT AMENDMENT: Skaggs East Valley Uniforms, Inc.

APPROVED Agreement No. PD1-200-2954, Amendment No. 3, with Skaggs East Valley Uniforms, Inc., for the purchase of police uniforms for a 90-day period to allow for a new solicitation process, for a new total contract amount not to exceed \$160,000.00.

22. AGREEMENT AMENDMENT: Plumbing Services

APPROVED Agreement No. MU3-914-3022, Amendment No. 1, with Hoffman Southwest Corp. dba Roto-Rooter Service & Plumbing Company, Cartright's Drain Service, Inc., Reddi Services and Talis Construction Company for plumbing services for a two-year term in a total amount not to exceed \$400,000.00 per year.

23. AGREEMENT AMENDMENT: Brown Wholesale Electric

APPROVED Agreement No. WH1-914-3005, Amendment No. 3, with Wesco Distribution, dba Brown Wholesale Electric for the purchase of electrical supplies in an amount not to exceed \$175,000.00. This is the third of four optional one-year extensions.

24. PROJECT AGREEMENT: Dibble Engineering

APPROVED Project Agreement No. AI1305-451 with Dibble Engineering for the Construction Management of Airport Runway/Taxiway Erosion Control Improvement Project, pursuant to Annual Engineering Services Contract No. EN1005-101, in an amount not to exceed \$94,780.00.

On September 27, 2012, City Council approved Resolution No. 4642, which authorized acceptance of Arizona Department of Transportation (ADOT) Grant No. E3S1Z in the amount of \$928,800.00 for Airport Runway/Taxiway Erosion Control. In this particular portion of the project, Dibble Engineering will provide daily construction inspection, construction monitoring and documentation and conduct weekly progress meetings with the contractor.

These improvements are necessary to maintain Federal Aviation Administration standards for Runway and Taxiway Safety Area (RSA) grading and smoothness. The intent of the project is to provide stability and protection of the soils adjacent to the runway and taxiway pavements and to improve grading and drainage in the northeastern-most infield areas. Because these improvements occur within the airport movement area and involve significant phasing and temporary runway closures, resident construction management and inspection services are required.

25. PROJECT AGREEMENT: J2 Engineering & Environmental Design, LLC

APPROVED Project Agreement No. PR1410.202 with J2 Engineering & Environmental Design, LLC, for Citrus Vista Park Project, pursuant to Annual Engineering Services Contract No. EN1302.101, in an amount not to exceed \$135,751.00.

Each year the Community Services Department receives requests made by citizens for additional neighborhood parks. In 2006, the City of Chandler purchased 10.02 acres of land (Citrus Vista Park site) located in the square mile bordered by Ocotillo, Lindsay, Chandler Heights and Gilbert roads. This park site will serve the neighborhood park needs for the residents in this square mile.

As with all park development projects, citizen input on the design and development of this park was very important. On May 28, 2014, Staff facilitated a public meeting to gather input from Chandler citizens regarding the design of the park. Over fifty (50) residents attended the meeting and their feedback was supportive, with several residents expressing their appreciation for the City Council's commitment to accelerate this project. The conceptual master plan was endorsed by the Parks and Recreation Board at their July 1, 2014 meeting.

26. CONTRACT EXTENSION: Southwest Ground-water Consultants

APPROVED Annual Contract No. EN1203.101, Extension No. 2, with Southwest Ground-water Consultants for hydrogeological services in an amount not to exceed \$500,000.00. This is the second of four optional one-year extensions.

27. CONSTRUCTION CONTRACT: Tri-Com Corporation

APPROVED Construction Contract No. WW1402.401 with Tri-Com Corporation for sewer pipeline rehabilitation in an amount not to exceed \$470,209.00.

28. CONSTRUCTION CONTRACT: SDB, Inc.

APPROVED Construction Contract No. AI1305-401 with SDB, Inc., for Improvements of the Airport Runway/Taxiway Erosion Control Project in an amount not to exceed \$635,150.00.

On September 27, 2012, City Council approved Resolution No. 4642, which authorized acceptance of Arizona Department of Transportation (ADOT) Grant No. E3S1Z in the amount of

\$928,800.00 for Airport Runway/Taxiway Erosion Control. This contract is for the construction component of the project.

These improvements are necessary to maintain Federal Aviation Administration standards for Runway and Taxiway Safety Area (RSA) grading and smoothness. The intent of the project is to provide stability and protection of the soils adjacent to the runway and taxiway pavements and to improve grading and drainage in the northeastern-most infield areas.

29. CONTRACT EXTENSION: Dibble Engineering

APPROVED Contract No. EN1005-101 one-year extension with Dibble Engineering for airport planning services, design services and construction management in an amount not to exceed \$325,000.00 with the option of an additional one-year extension.

The Airport requested that a consultant be retained under an annual agreement to provide design services for municipal airport facilities and infrastructure. With a consultant approved by the Federal Aviation Administration (FAA) under contract for these services, the City can take greater advantage of grant money made available by the FAA and the Arizona Department of Transportation (ADOT) for airport improvements.

30. CONTRACT AMENDMENT: J2 Engineering & Environmental Design, LLC

APPROVED Contract No. EN1302.101, Amendment No. 1, to J2 Engineering & Environmental Design, LLC, for park design services, increasing the annual limit by \$125,000.00 for a revised annual limit not to exceed \$325,000.00.

31. CONTRACT/CONTINGENCY TRANSFER: Kimley-Horn and Associates, Inc.

APPROVED Contract No. ST1306.201 with Kimley-Horn and Associates, Inc., for Design Consultant Services for Queen Creek Road Improvements (McQueen Road to Gilbert Road), in an amount not to exceed \$1,870,133.73.

APPROVED a General Fund Contingency Appropriation Transfer in the amount of \$475,100.00 from General Fund Non-Departmental Appropriation Contingency to the Capital Grant Fund to allow for spending of the federal grant for this project.

32. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Airport Commission: Corinna Joy

Board of Adjustment: Chad Wakefield

Chandler Cultural Foundation Management Board: Patti Serrano

Domestic Violence Commission: Torey Gannon, Dan Hull

Housing and Human Services Commission: Dylan Raymond

33. CONTRACT: Nesbitt Contracting co.,

APPROVED Contract No. ST0809.404 with Nesbitt Contracting Co., for the federally funded construction of Gilbert Road Improvements Phase III – Chandler Heights Road to Hunt Highway in an amount not to exceed \$5,003,084.48.

34. CONTRACT: MakPro Services, LLC

APPROVED Contract No. ST0809.103 with MakPro Services, LLC, for professional services for the federally funded Gilbert Road Improvements (Chandler Heights Road to Hunt Highway) – Public Outreach in an amount not to exceed \$37,800.00.

This contract is for public outreach services consisting of providing and maintaining a project website, a 24/7 answering service and construction hotline for residents and businesses, weekly email updates to the public and coordination with contractor and City to mitigate public concerns and issues. Services also include implementation of the project Partnering Evaluation Program (PEP) and other related tasks, as necessary, to ensure compliance with local, state and federal requirements.

35. CONTRACT: Ritoch-Powell & Associates

APPROVED Contract No. ST0809.451 with Ritoch-Powell & Associates for the federally funded Gilbert Road Improvements (Chandler Heights Road to Hunt Highway) – construction management services in an amount not to exceed \$770,142.23.

36. PURCHASE: Waxie Sanitary Supply

APPROVED the purchase of janitorial and sanitation supplies from Waxie Sanitary Supply, utilizing the City of Tucson contract, in an amount not to exceed \$220,000.00.

37. PURCHASE: Tata Consultancy Services, Ltd.

APPROVED the purchase of annual maintenance for the Tax Mantra system from Tata Consultancy Services, Ltd, sole source, in an amount not to exceed \$152,680.00.

The Tax Mantra system is the City's privilege (sales tax) collection and licensing software system providing the administration and processing functionality necessary for collection of nearly 50% of the City's General Fund revenues. The original five-year maintenance agreement ended July 31, 2010. Because the City's client-based version is approaching obsolescence, the vendor will not enter into a long-term maintenance agreement. Therefore, ongoing maintenance agreements will only be renewed on an annual basis. Because the system is proprietary, the ongoing maintenance service is available only from Tata Consultancy Services. No other vendors are authorized to provide these maintenance services.

38. PURCHASE: SHI International Corporation

APPROVED the purchase of LANDesk Advanced Deployment Accelerator from SHI International Corporation, pursuant to Western States Contracting Alliance (WSCA) Contract No. ADSPO11-007500, in an amount not to exceed \$68,705.00.

The City utilizes LANDesk software for managing user desktops and technology work requests for support. This software was initially installed 6 years ago primarily as a replacement for the Help Desk software HEAT that was used at the time. Since that time, Information Technology (IT) has been working on ways to streamline support and provide even better customer service. The way LANDesk is currently configured does not meet the requirements for this tighter integration between the infrastructure, application and service support teams.

The LANDesk software the City already owns is capable of more robust reporting including creating and tracking a knowledge base of resolutions. To capitalize on these additional features and improve IT's ability to track resources and work, LANDesk's professional services are being requested to assist with implementation of the knowledge base and enhancement of workflows to streamline service delivery. This will include enhanced training on the updated LANDesk system enabling IT to be more self-sufficient with the support of this produce.

The package of services LANDesk is providing includes 15 days of professional services and 2 weeks of advanced training for City staff. The funding for this request was a FY 2013/14 decision package through the budget process.

39. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of Cisco network equipment from Nexus IS, Inc., utilizing State of Arizona Contract No. ADSPO12-024622, in an amount not to exceed \$73,124.69

Currently, neither the City of Chandler Police Department nor the Town of Gilbert Police Department has a 24-hour holding facility. Both agencies must process arrestees and then transport them to downtown Phoenix for booking at the Maricopa County Sheriff's Office (MCSO) detention facility where fees are charged for every inmate. In June 2014, Council adopted Resolution No. 4756 authorizing a partnership between the Chandler Police Department and the Town of Gilbert Police Department for a joint holding facility for prisoners to be held through their initial appearance hearing.

The site for the holding facility is in Gilbert and officers will need access to Chandler Police computer system resources including: the Records Management System, Livescan, MorphoTrak and other applications and data to properly process inmates at the facility. This will require the purchase and installation of network equipment compliant to security standards as identified in the U.S. Department of Justice's Criminal Justice Information Systems Security Policy.

40. PURCHASE: Norcon Industries, Inc.

APPROVED the purchase of Modernfold Partition Doors from Norcon Industries, Inc., sole source, in an amount not to exceed \$112,643.00

The Chandler Community Center multi-purpose rooms are used extensively for City recreational activities as well as rentals for weddings, parties and meetings. The current configuration allows for use as one large room or partitioning into three smaller rooms. The facility currently has two large (64 ft x 16 ft) manual Modernfold partition doors that are used to divide the room. The original doors were replaced in 2002 with the existing doors. The current doors are in need of extensive repair and are often not able to close correctly. The manual process of closing the doors requires several staff members. The Building and Facilities Division has determined that the doors need to be replaced with new Modernfold doors. The new doors would be electric. These electric doors have proven to extend the longevity of the system by eliminating improper

manual opening and closing by staff that has occurred in the past. Modernfold door is being specified because the original structural design of the building was engineered according to their specifications. The new doors will not add any additional weight or stress on the existing infrastructure which would occur if a new door system is used. Norcon Industries is the sole source provider and installer of these doors for Arizona and New Mexico.

41. PURCHASE AND INSTALLATION: Shade 'N Net

APPROVED the purchase and installation of twelve (12) shade structures from Shade 'N Net, utilizing Mohave Contract No. 10M-SHADE-0104, in an amount not to exceed \$74,535.75.

Over the past several years, City Council and Parks Staff have completed their goal of shading all of the playgrounds in the City park system. In an ongoing effort to provide shaded amenities in parks and recreation facilities, City Council and Parks Staff are now focusing on providing shade for spectators at all City baseball fields. As part of the FY 2014/15 budget, City Council allocated \$75,000.00 for the installation of shade structures on fields 1-6 at Snedigar Sportsplex. This project will accomplish the goal set by that funding with each field having two shade structures, one on the first base line and one on the third base line. Upon approval, it will take approximately 16 weeks for design, construction and installation.

42. PURCHASE: 3M Library Systems

APPROVED the purchase of electronic library materials from 3M Library Systems, sole source, in a total amount not to exceed \$150,000.00.

The Chandler Public Library currently provides access to electronic books and audio books through a consortium with Overdrive, Inc., which is called the Greater Phoenix Digital Library. As consortium members, we do not have a voice in how our contributed funds are spent. And while our cardholders have access to the collections, we do not own the materials. Our annual contribution for FY 2013/14 was \$102,000.00. In addition, we supplemented by purchasing popular electronic books from Axis 360 for \$24,000.00. The cost of those two services was \$126,000.00 for FY 2013/14.

Chandler Public Library recently migrated to the Polaris Integrated Library System effective July 23, 2014. Purchasing electronic library materials from 3M Cloud will allow us to select and own materials to meet the specific needs of Chandler cardholders, provide access to a greater number of titles from a larger number of publishers, integrate seamlessly with the Polaris catalog for both downloading and customer records (cardholders will see their electronic materials in their library record), and give more budgetary and content control over the development of digital collections. As such, there is no longer need to participate in the consortium or purchase additional items from Axis 360.

43. USE PERMIT: El Herradero

The Mayor read two comment cards received in opposition to this item.

Mr. Gary Mohn submitted concerns not with the liquor license, but with the live music and the proximity to the neighborhood.

Another comment card (without a name) stated opposition to the live music.

APPROVED Use Permit LUP14-0003 El Herradero, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption in an existing restaurant and to allow live entertainment indoors at 474 W. Ray Road, east of the NEC of Ray Road and Iowa Street. (Applicant: Amanda Adams.)

COUNCILMEMBER HARTKE noted this permit includes a one year time limit and encouraged neighbors to call if there are concerns.

BACKGROUND

The subject restaurant is located within Thunderbird Plaza. Thunderbird Estates single-family subdivision is north. The previous restaurant, El Zacatecano, received Liquor Use Permit approval in January 2013, with a one-year time condition to evaluate their live entertainment. The new restaurant proposes to continue having live entertainment in an indoor area at the front of the building, furthest from the residential subdivision.

The suite is approximately 2,400 square feet with 60 customer seats. Four staff members are employed by the restaurant. Hours of operation are from 9 a.m. until 8 p.m., Monday through Thursday and 9 a.m. until midnight Friday through Sunday. Live entertainment, including live music and dances, is proposed to continue. The hours of live music would occur from 1 p.m. until 4 p.m. on the weekend and dances with live music would occur Friday from 9 p.m. until midnight.

Planning Staff has added conditions to address any potential noise concerns due to the proximity of the single-family subdivision. Planning Staff recommends a one-year time limit to allow evaluation of the compatibility of the live entertainment with the surrounding residential and business developments.

Planning Staff supports the request, with conditions, finding that the restaurant with occasional live entertainment can be compatible if it is controlled so as to not unreasonably disturb the surrounding businesses and residents. The one-year time condition allows evaluation of the compatibility of the live entertainment.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. One property owner was in attendance with questions regarding the type of Liquor License.

Planning Staff received several phone calls in opposition to the request. Issues stated relate to the following: proximity to residences, noise generated from live music and dancing, nature of clientele, does not want business becoming a nightclub, serving of alcohol, residential property values decrease and criminal activity increases.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed (4-1) with Commissioners Baron and Cunningham absent.

The item was moved from the consent agenda for a presentation and discussion at Planning Commission. Several residents of Thunderbird Estates stated their opposition to the request. The residents' concerns are summarized as follows: having a bar go into their neighborhood is incompatible, the bar before had live music, loud noise and inadequate parking, does not want a cabaret or similar use in their neighborhood, serving liquor is okay, but not live music or entertainment including dancing. The quality of life was a concern for those who work on the weekends and do not want to hear music in their home on Friday nights.

The Planning Commission asked the residents if they have heard noise and loud music from the current owner. The response was there is none from the current owner. The restaurant owner indicated this is a family business, not a bar, and she wants to be a good neighbor. The dissenting Commissioner indicated the business is too close to residential to have live music and asked Planning Staff about parking. Parking is shared among the tenants of the shopping plaza. The subject restaurant requires approximately 25 parking spaces and about 40 are available. The Planning Commission recommended an additional stipulation, Condition No. 8, regarding a contact name and phone number to resolve noise complaints.

RECOMMENDED ACTION

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

1. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor 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 (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is granted for a Series 12 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
4. The Liquor Use Permit is non-transferable to any other location.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. No noise shall be emitted from the live entertainment occurring indoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
7. The site shall be maintained in a clean and orderly manner.
8. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

44. USE PERMIT: Bourbon Jacks Bar & Grill

CONTINUED TO THE SEPTEMBER 11, 2014 COUNCIL MEETING.

Use Permit LUP14-0007 Bourbon Jacks Bar & Grill, Series 6 Bar License, to sell and serve liquor as permitted for on and off premises sales, indoors and within an outdoor patio, and live entertainment indoors located at 11 W. Boston Street, Suite 1. (Applicant: Lori Rutten, Howdy Partners LLC.)

MR. RICH THURMAN, 62 W. Cedar, Chandler, stated he is the owner of Shoe Thrill, which is next to Bourbon Jacks, and has been in the location for 2 years. His main concern is the establishment's propensity to over serve the customers. He commented on an incident two weeks and questioned the decisions of management. In the afternoon hours he will find patrons sick in the shared restroom facilities. He is very concerned with the management of the establishment and the safety of the patrons.

The Mayor asked staff to address the difference between the series 12 license they currently have and the series 6 which is being requested.

SR. PLANNER JODIE NOVAK stated that a series 12 Restaurant license requires the establishment to have 40% of its sales be food. The series 6 is being sought because the state did an audit and Bourbon Jacks was not meeting the food sales of 40%. The series 6 (Bar license) still allows the sale of alcohol along with the sale of food, but not held to the 40% requirement. She added however, the Series 6 does allow sales of liquor to leave the premises.

MS. MARY KRAUSMAN, 5102 S. Fern Court, Chandler stated she is from Shoe Thrill. Her daughter owns the store and she and her son-in-law work there. The businesses in the mall share a common back area and impaired customers from Bourbon Jacks will wander in to these businesses from the back entry. This back entry is supposed to be for business personnel only. She said there are stipulations as to the hours and volume they could play their music, which is not being followed. They cannot conduct business when this occurs. She too has observed the significantly impaired clients from Bourbon Jacks and would like Council to not change their license from a 12 to a 6. At the very least, she would appreciate Council investigate the establishment.

VICE MAYOR HEUMANN inquired if the City has received any police reports. MS. NOVAK stated she did not request any police reports for tonight's meeting. She stated they have been in business since 2012, but she had never been made aware of any issues with the establishment. The Vice Mayor also inquired whether parameters had been stipulated for the time and volume of music to be played. Ms. Novak was unaware if any specific stipulations had been set; the agreement was general in stating the music is to be controlled so it does not unreasonably disturb the area.

Vice Mayor Heumann thought there had been stipulations on other establishments that went from a series 12 to a series 6 liquor license, which listed a one year review stipulation, to see how the change would affect the area. He noticed this request did not list that stipulation. Ms. Novak stated a stipulation would have been added if they had received concerns or comments from the public through the neighborhood meetings or comments at the Planning Commission meetings they conduct for this change but they had not received any comments concerning this application.

COUNCILMEMBER HARTKE asked Ms. Novak if the City could put a time stipulation on the request, she replied in the affirmative. Ms. Novak said when problems arise, complainants should contact the police if the situation warrants, or planning staff. She also encourages business owners to communicate with each other to attempt to address concern. Ms. Novak suggested the item could be continued to gather more information.

COUNCILMEMBER DONOVAN inquired the meaning of "resident" as it applies to Stipulation No. 5. She asked if this extends to business neighbors. Ms. Novak said that stipulation would apply. Typically surrounding businesses are similar businesses or closed in the evening when these types of uses are occurring.

BACKGROUND

The subject site is located west of Arizona Avenue on the south side of Boston Street in Downtown Chandler. In April 2012, the restaurant was approved a Series 12 Restaurant License for liquor inside and on an outdoor patio as well as live entertainment indoors. The Series 12 Liquor License requires at least 40% of gross revenue from the sale of food. The State Department of Liquor Licenses and Control determined this requirement was not met; therefore, the restaurant is requesting a Series 6 Bar License.

The application requests Liquor Use Permit approval to sell liquor as permitted under a Series 6 Bar License within an existing restaurant. A series 6 Bar License allows the sale and service of all spirituous liquors and off-sale "To Go" privileges.

The restaurant is approximately 2,600 square feet with approximately 67 seats inside and 15 seats outside on a small patio. The interior includes a stage for live music.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham 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 reapplication and approval.
2. The Liquor Use Permit is granted for a Series 6 Bar License only and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents.

45. USE PERMIT: Fast & Furious Motorsports LLC

APPROVED Use Permit ZUP14-0010 Fast & Furious Motorsports LLC, to allow a used motor vehicle dealer in Planned Industrial District (I-1) zoning located at 4043 W. Kitty Hawk Way, Suite 5. (Applicant: Tim Zarbock.)

BACKGROUND

The subject site is located within the Stellar Air Park industrial park west of McClintock Drive and south of Chandler Boulevard. The site's zoning of Planned Industrial District (I-1) allows a variety of storage, wholesale, warehousing, manufacturing assembly type uses and accessory/incidental office and retail sales. Use Permits have been approved in this same industrial park for automotive sales, vehicle repair and customization businesses. In the same building, Suite 7 is occupied by a golf cart dealer and repair business which received Use Permit approval in 2010. There is a machine shop in Suite 1.

The application requests Use Permit approval to allow a used motor vehicle dealer in Planned Industrial District (I-1) zoning. The dealer sells pre-owned vehicles of which approximately 20 are stored and displayed in the warehouse. The State Motor Vehicle Division requires used motor vehicle dealers to maintain at least two vehicles on-site. The tenant space is approximately 6,000 square feet and is within a multi-tenant one-story light industrial warehouse building.

The business will be open Monday through Saturday from 9 a.m. to 5 p.m. by appointment only. There is no on-site washing, detailing or repair of vehicles.

DISCUSSION

The proposed automotive use is compatible with existing tenants and businesses in the industrial park. The applicant represents a business with limited hours of operation and stores vehicles within a warehouse not affecting on-site parking.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 19, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham 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 or modification beyond the approved exhibits (Narrative, Site Plan/Floor Plan) shall void the Use Permit and require new Use Permit application and approval.
2. The property shall be maintained in a clean and orderly manner.
3. There shall be no auto mechanical work, auto body, auto detailing or washing of vehicles.
4. On-site advertising of vehicles for sale is prohibited.

46. USE PERMIT: Oakland Business Park

APPROVED Use Permit ZUP14-0014 Oakland Business Park, to allow a used motor vehicle dealer in Planned Industrial District (I-1) zoning located at 500 N. 56th Street, Suite 8. (Applicant: James Hollins, Appearance Motorsports.)

BACKGROUND

The subject site is located north of Chandler Boulevard on the west side of 56th Street just south of Galveston Street. The industrial development, Oakland Business Park, consists of two multi-tenant, one-story light industrial warehouse buildings which include an ancillary office space and warehouse area for each tenant space. The Planned Industrial District (I-1) zoning allows a variety of storage, wholesale, warehousing, manufacturing, assembly type uses and accessory/incidental office and retail sales. Since the late 1980s, there have been several Use Permits granted for commercial uses within this industrial development including a wholesale auto dealership, an auto detail shop, an equipment rental store, a lawnmower sales and repair store, a swim school and an auto sales broker. The tenant space is approximately 1,500 square feet including a warehouse to store vehicles.

In 2012, a Use Permit was approved for this tenant space to operate a window tinting business with on-site automotive tinting, paint protection film application, automotive glass repair and replacement and automotive detailing for vehicles. This business has closed.

The business will not have washing or servicing of vehicles. The business opens at 10 a.m. and closes Monday Through Thursday at 6 p.m., Friday at 4 p.m. and Saturday at 2 p.m. The tenant space is allocated eight parking spaces by the landlord. Two spaces are for employee parking and two spaces are for customer parking. There are approximately 92 parking spaces throughout the development.

The proposed automotive use is compatible with existing businesses in the development. The applicant represents a business with limited hours of operation and a need for a few parking spaces.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham 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 or modification beyond the approved exhibits (Narrative, Site Plan, Floor Plan) shall void the Use Permit and require new Use Permit application and approval.
2. The property shall be maintained in a clean and orderly manner.
3. There shall be no auto mechanical work, auto body, auto detailing, or washing of vehicles,
4. On-site advertising of vehicles for sale is prohibited.

47. USE PERMIT: Tony Sacco's

APPROVED Use Permit LUP14-0009 Tony Sacco's, Series 12 Restaurant License, to sell liquor as permitted under for on-premise consumption both indoors and within an outdoor patio located at 4960 S. Gilbert Road, Suite B-10, west of the NWC of Gilbert and Chandler Heights roads, within the Chandler Heights Marketplace shopping center. (Applicant: Jared Repinski.)

BACKGROUND

The subject site is located at the northwest corner of Chandler Heights and Gilbert roads, within the Chandler Heights Marketplace shopping center. The subject suite is located at the western end of the development along the Chandler Heights Road frontage, and is part of an inline shops space. The restaurant is located between an optometrist and a beauty salon.

The restaurant specializes in pizzas, sandwiches and wraps. The subject suite is less than 4,000 square feet providing seating for approximately 116 patrons. Additionally, two outdoor patios are provided totaling 550 square feet and seating approximately 40 patrons. The outdoor patios flank the entrance with the western patio extending around the edge of the suite. Based on the layout of the patios, a pinch point is provided that would reduce clearance for pedestrian movements to a width of approximately three feet. Planning Staff has added a condition ensuring that sufficient clearance is provided between the parking lot and the patios.

The restaurant operates Sunday through Thursday from 10 a.m. to 10 p.m. and Friday and Saturday from 10 a.m. to 11 p.m. Live entertainment is not proposed; however, piped music will be played both indoors and on the outdoor patio. Although the nearest residential property is south of the arterial, Planning Staff has added a condition ensuring that the music does not unreasonably disturb area residents.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 25, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham 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 granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.
4. The site and outdoor patio shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents.
6. The applicant shall work with Planning Staff to ensure that adequate pedestrian clearance is provided between the parking lot and patios.

48. **LIQUOR LICENSE:** Tony Sacco's

APPROVED a Series 12 Restaurant Liquor License (Chandler #153833L12) for Jared Michael Repinski, Agent, Brydon LLC, dba Tony Sacco's, 4960 S. Gilbert Road, Suite 10. A recommendation for approval of State Liquor License #12079932 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.

49. **USE PERMIT:** Tokyo Joe's

APPROVED Use Permit LUP14-0008 Tokyo Joe's, Series 12 Restaurant License, to sell and serve liquor as permitted under for on-premises sales indoors and within an outdoor patio located at 800 N. 54th Street, Suite 5. (Applicant: Andrea Lewkowitz/Lewkowitz Law Office, PLC.)

BACKGROUND

This new restaurant will be located in Chandler Pavilions at the southwest corner of 54th and Harrison streets. The tenant space is approximately 2,356 square feet with approximately 67 seats inside and 15 seats outside. The tenant space was formerly occupied by a barbecue store. Other adjacent businesses include Sports Clips hair salon and Jimmy John's restaurant.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 12, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham 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 reapplication and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

50. LIQUOR LICENSE: Tokyo Joe's

APPROVED a Series 12 Restaurant Liquor License (Chandler #153416L12) for Andrea D. Lewkowitz, Agent, Tokyo Inc, dba Tokyo Joe's, 800 N. 54th Street, Suite 5. A recommendation for approval of State Liquor License #12079929 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.

51. LIQUOR LICENSE: Springfield's Eagles Nest Grill

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #153991L7) for Lawrence Edward Elliget, Agent, HSP Resorts LLC, dba Springfield's Eagles Nest Grill, 1200 E. St Andrews Boulevard, Suite A. A recommendation for approval of State Liquor License #07070624 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 Aldecoa Investors, Inc., dba Springfield's Eagles Nest Grill.

52. LIQUOR LICENSE: Eagles Nest Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #153991L12) for Lawrence Edward Elliget, Agent, HSP Resorts LLC, dba Springfield's Eagles Nest Grill, 1200 E. St. Andrews Boulevard, Suite A. A recommendation for approval of State Liquor License #12079951 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 Aldecoa Investors, Inc., dba Springfield's Eagles Nest Grill.

53. LIQUOR LICENSE: Burger 21

APPROVED a Series 12 Restaurant Liquor License (Chandler #153532L12) for Daniel Thomas Lenhauser, Agent, JDJD LLC, dba Burger 21, 2855 W. Ray Road, Suite 1. A recommendation for approval of State Liquor License #12079934 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 QMG Vail Arizona LLC, dba Qdoba Mexican Grill.

54. LIQUOR LICENSE: Hurricane Grill & Wings

APPROVED a Series 12 Restaurant Liquor License (Chandler #153448L12) for Theresa June Morse, Agent, Franchise partners LLC, dba Hurricane Grill & Wings, 7450 W. Chandler Boulevard. A recommendation for approval of State Liquor License #12079929 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 Triple J Restaurant Group LLC, dba Speak Easy Saloon.

55. LIQUOR LICENSE: Seksun Sushi Goaround

APPROVED a Series 12 Restaurant Liquor License (Chandler #147810L12) for Yuhua Zhao, Agent, Seksun Sushi, Inc., dba Seksun Sushi Goaround, 1175 W. Ray Road, Suite 1. A recommendation for approval of State Liquor License #12079950 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 CRI Holdings LLC, dba Seksun Sushi Goaround.

56. LIQUOR LICENSE: Silk True Asian

APPROVED a Series 12 Restaurant Liquor License (Chandler #153901L12) for Bussara Ngoitaku Irwin, Agent, Silk True Asian LLC, dba Silk True Asian, 4995 S. Alma School Road, Suite 1. A recommendation for approval of State Liquor License #12079943 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 Silk True Asian LLC, dba Silk True Asian.

57. LIQUOR LICENSE: Sir Veza's Taco Garage

APPROVED a Series 12 Restaurant Liquor License (Chandler #153854L12) for Raymon C. Flores, Agent, Chandler Taco Co. LLC, dba Sir Veza's Taco Garage, 3111 W. Chandler Boulevard, Suite 2146. A recommendation for approval of State Liquor License #12079954 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 F & F Restaurant Group, Inc., dba Rock Taco Cantina.

58. CONTINUED LIQUOR LICENSE: Max & Ted's 480

CONTINUED TO SEPTEMBER 11, 2014, Liquor License, Series 12, for William Clude Mohler, Jr., Agent, Mohler Enterprises LLC, dba Max & Ted's 480, located at 480 N. Arizona Avenue to allow the applicant time to complete the requirements for a new Use Permit.

59. SPECIAL EVENT LIQUOR LICENSE: The Leukemia & Lymphoma Society

APPROVED a Special Event Liquor License for the Leukemia & Lymphoma Society for the Mark Taylor Summer of Love Community Event on August 23, 2014, at San Cervantes Apartments, 400 N. Coronado Street. 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 has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

60. SPECIAL EVENT LIQUOR LICENSE: Ballet Folklorico Quetzalli-AZ

APPROVED a Special Event Liquor License for Ballet Folklorico Quetzalli-AZ for the Rockin' Taco Street Fest on September 13, 2014, at El Palacio Restaurant, 2950 E. Germann Road. 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 has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

61. SPECIAL EVENT LIQUOR LICENSE: St. Joseph the Worker

APPROVED a Special Event Liquor License for St. Joseph the Worker for the SanTan Octoberfest on October 4, 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 has 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.

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

APPROVED a Special Event Liquor License for Chandler Center for the Arts for the Mariachi Festival on October 12, 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 has 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.

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

APPROVED a Special Event Liquor License for the Chandler Center for the Arts for the Larry The Cable Guy Show, October 18, 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 has 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.

64. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Rock the Block event on November 8, 2014, on Arizona Avenue between Frye Road and Chandler Boulevard. 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 has 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.

65. FINAL PLAT: Kyrene 202 Business park

APPROVED Final Plat FPT14-0006 Kyrene 202 Business Park, for a business park located at the southwest corner of Kyrene Road and Gila Springs Place that was approved by Council in early 2013. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

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

67. APPEAL – AUSTIN ETAL V. CITY OF CHANDLER

AUTHORIZE the filing of a cross-appeal of the trial court's ruling on reimbursement of City's costs and attorney fees.

68. CITY MANAGER CONTRACT: Rich Dlugas

APPROVED an employment agreement with Rich Dlugas for an annual base salary of \$203,088.00 effective July 1, 2014.

ACTION

66. USE PERMIT: Washington Residence

USE PERMIT ZUP14-0005 Washington Residence, to allow a single-family dwelling within the MF-2 (Multiple-Family Residential District) on property located at 380 S. Washington Street. (Applicant: Robert Jarman.)

BACKGROUND

This case was continued from the Council meeting on July 10, 2014, to August 14, 2014, due to the applicant's scheduling conflicts and needed time to review the Planning & Zoning commission meeting minutes of June 18, 2014.

The subject site is a vacant lot zoned MF-2 (Multi-Family Residential District). There are two vacant lots and a single-family dwelling to the south abutting this property. To the east is property zoned Regional Commercial (C-3) developed with The Door Christian Center church. To the northeast is the former Dunn-Del Re, commonly referred to as the CMC Steel facility. To the north is a single-family dwelling and a vacant lot.

GENERAL PLAN/AREA PLAN

The General Plan designates the subject site as Revitalization/Infill Growth Area identifying areas suitable for a mix of land uses including commercial, office, public and various residential. The South Arizona Avenue Corridor Area Plan further delineates the planned land uses downtown. The Area Plan designates this property as High Density Residential/Mixed use (18-40 du/ac). This category, unique to the downtown corridor, is intended to create a strong sense of place while at the same time provide an urban living lifestyle. Appropriate mixed uses consisting of high-density residential, selected commercial and office are desired.

SITE/HOME DESIGN

The request is to allow a 1,390 livable square foot single-family residential home upon the 7,500 square foot residential lot. The single-family dwelling is designed in conformance with the FM-2 zoning regulations including a minimum front yard building setback of 20 feet, a rear yard setback of 10 feet, side yard setbacks of 5 feet and 10 feet, and maximum lot coverage of 45%. A six-foot high masonry block wall will be along the rear and side property lines. The three bedroom, two bath home includes a two-car garage and a rear yard covered patio.

PLANNING REPORT:

The Planning Commission and Planning Staff recommend denial of the Use Permit request. The land use is not consistent with the South Arizona Avenue Corridor Area Plan which designates this property to be a part of planned High Density Residential/Mixed Use. The surrounding area to the east includes a former steel plant site, an existing church and a City park. The steel plant site is in the zoning process to develop a high density residential development. While a single-family home on this property is not unlike nearby existing uses, its construction would be inconsistent with the adopted land use plans for the area. Incremental zoning decisions will be considered in the area that together will serve to further the long term plans for the area. The Planning Commission and Planning Staff are of the opinion that permitting a single-family home on the property, while inconsistent with the adopted Area Plan, will act to delay the implementation of the City's planning objectives for the 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 May 21, 2014. There was one neighbor in attendance inquiring about the project. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to deny passed 5-0 with Commissioners Cunningham and Donaldson absent.

RECOMMENDED ACTION

Upon finding the request to be inconsistent with the General Plan and South Arizona Avenue Corridor Area Plan, the Planning Commission and Planning Staff recommend denial.

MS. JODIE NOVAK, Senior Planner, summarized the background for this case.

MR. ROBERT JARMIN, 902 S. Kachina, Mesa stated he and his brother are the applicants for the project.

MR. EDWIN JARMIN, stated they would like to build a single residential home on the land, instead of the three-plex which is allowed as well, but without a Use Permit, as required by the single family unit. They believe the single residential unit would be a better fit for the surrounding community than the three-plex. The surrounding properties are single family homes.

MAYOR TIBSHRAENY inquired about the existing zoning for the property and that it allows for a three-plex without a Special Use Permit. Ms. Novak explained the MF-2 zoning allows for a multi-family development such as apartments, up to 18 dwelling units per acre. This is a very small lot, and in order to meet the development standards the applicant will more than likely have to develop vertically. A duplex would need Council approval; a triplex would not.

MOTION BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR HEUMANN TO DENY USE PERMIT ZUP14-0005 Washington Residence, to allow a single-family dwelling within the MF-2 (Multiple-Family Residential District) on property located at 380 S. Washington Street.

MOTION CARRIED UNANIMOUSLY (7-0).

PUBLIC HEARINGS:

PH1. CHANDLER CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FISCAL YEAR 2013/2014

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 7:42 P.M.

Each year, the City of Chandler is required to publish a consolidated Annual Performance and Evaluation Report (CAPER) and submit the document to the U.S. Department of Housing and Urban Development (HUD). The report is a required performance report that meets three basic purposes:

- Provides HUD with necessary information for the Department to meet its statutory requirements to carry out Community Planning and Development programs;
- Provides information necessary for HUD's Annual Report to Congress; and
- Provides the City of Chandler an opportunity to describe to its citizens the successes in meeting objectives stipulated in the 2010-2014 Consolidated Plan for its community development programs.

The fiscal year 2013-2014 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments for the Community Development Block Grant (CDBG), HOME Investment partnership (HOME) and Neighborhood Stabilization Programs (NSP).

In addition, the CAPER describes accomplishments of General-Funded social service programs including activities funded with Acts of Kindness, Social Services Funding, Youth Enhancement Program (YEP) and Veteran's Transportation funds.

The City strives to holistically address the needs of its neighborhoods through the provision of a combination of general and federally funded programs. The goal to do so is driven by an ongoing commitment to neighborhoods by the Mayor and City Council. This year, the Mayor launched Next Door, an online application to connect residents with their neighbors. In addition, the inaugural Neighborhood Excellence Awards were presented by the Mayor at the State of the City Address to outstanding neighborhood leaders and neighborhoods. In addition to these programs, the City, with the assistance of a citizen panel, performed a thorough review of the City ordinances that govern parking in neighborhoods. These new and continuing efforts at neighborhood outreach, recognition and participation help to maintain a steady focus on improving Chandler's neighborhoods.

Providing comprehensive programs for neighborhood revitalization in Chandler's low to moderate-income areas continued to be a priority for Chandler's federally funded programs in fiscal year 2013-2014. CDBG funded new Americans with Disabilities Act (ADA) compliant curb ramps, sidewalks and drives in the Park Manors neighborhood which positively impacted 115 homes in the neighborhood by improving mobility and connectivity. The CDBG-funded Blight Elimination Program continued to provide enhanced, proactive code enforcement efforts in the City's CDBG-eligible Census Tracts. CDBG funding of the Voluntary Demolition Program resulted in the demolition of one substandard dwelling.

Housing programs were also an area of emphasis in fiscal year 2013-2014. Programs focused on creating first-time homebuyers and assisting existing homeowners with housing rehabilitation and emergency repairs. Newtown's Community Land Trust Program created first-time homeownership opportunities for nine new homeowners utilizing NSP and HOME funds. Sixty-five low to moderate income homeowners were assisted through housing rehabilitation programs which range from emergency home repair to more substantial housing rehabilitation. In addition, the City provided HOME funding to Habitat for Humanity for the reconstruction of a single-family residence. The provision of these programs serves to improve the living conditions of residents, while stabilizing the housing stock in their neighborhoods.

Chandler funding, through a combination of local and federal sources, continued to support Chandler's homeless and near-homeless populations. Individuals and families were assisted to prevent their eviction and provided emergency shelter and transitional housing through programs funded by the City of Chandler. In addition, over 88,010 food boxes were provided through local food banks to aid in the fight to prevent hunger in Chandler.

In fiscal year 2013-2014, Chandler continued to grow programs and partnerships to assist the homeless. The For Our City-Chandler I-HELP (Interfaith Homeless Emergency Lodging Program) provided overnight emergency shelter for 192 individuals at faith communities throughout Chandler, while assisting those individuals with over 2,500 meals.

With the assistance of Chandler Christian Community Center, I-HELP successfully implemented a case management component for I-HELP clients by securing the program's first Case Manager in February 2014. With the inclusion of this program, 47 homeless individuals in Chandler have engaged in case management resulting in the employment of 18 individuals, the housing of 6 individuals and the referral of 17 individuals to medical and mental health treatment. The collaboration among For Our City partners, Chandler Christian Community Center and the City continues to result in enhanced services for Chandler's homeless. Rounding out these programs is the continuation of the Tenant Based Rental Assistance (TBRA) program for homeless individuals and families funded by the HOME program. Seventeen households were supported through rental assistance and case management services throughout the fiscal year.

In many areas, the City far extended its Five-Year Plan goals to meet the needs of Chandler's low and moderate-income residents. The investment of General Fund resources leveraged federal funds to significantly address additional needs such as programs for foster children, domestic violence victims, daycare assistance and utility assistance through Social Service funding. During fiscal year 2013-2014, the City allocated \$424,043.00 to 17 programs that served 22,176 low-and-moderate-income residents.

Chandler continues to be a leader in support of youth services and youth activities. The purpose of the YEP is to provide a catalyst for the development and operation of programs for Chandler youth ages 0-18. The Mayor and City Council are aware of the problems facing today's youth and are committed to funding a variety of programs that provide positive activities. YEP funding is granted to a diverse group of nonprofit organizations located throughout the community. During fiscal year 2013-2014, the City allocated \$631,438.00 to 29 programs that served 19,316 youth and their families.

As part of the process for creating the CAPER, the City is required to conduct a 15-day public comment period and conduct a public hearing at a Chandler City Council meeting. The public comment period for the fiscal year 2013-2014 CAPER runs from August 6, 2014, through August 21, 2014. The draft report will be available for review online at www.chandleraz.gov/communitydev during the comment period. In addition, the public is invited to review the draft document at the City of Chandler's Neighborhood Resources Division office or at the Chandler Main Library. The final report will be reviewed by the City Council on September 11, 2014, for approval.

DISCUSSION:

MS. JENNIFER MORRISON, Neighborhood Resources Division Director, summarized the Annual Performance and Evaluation Report document. The report summarizes the City's accomplishments for the Community Development Block Grant (CDBG), HOME Investment partnership (HOME) and Neighborhood Stabilization Programs (NSP).

Along with the Federal funds Chandler receives, the City contributes \$1.2 million from the General Fund for social services every year. There is a tremendous amount of human capital Chandler receives through all the volunteering as well. She then presented some statistics where these funds were used.

She stated this is their public comment time until August 21st, comments can be submitted to the city or called in. All public comments will be included in the final report and final approval of the document will be at the September 11th Council meeting.

VICE MAYOR HEUMANN stated his appreciation for staff's involvement.

There were no comments from the public.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 7:48 p.m.

PH2. ANNEXATION: Ocotillo Road and the Union Pacific Railroad

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 7:48 p.m.

MR. KEVIN MAYO, Planning Manager, explained the requested annexation will 'clean up' the City's limits at the intersection of Ocotillo Road and the Union Pacific Railroad. Specifically, the annexation consists of three parcels; two that encompass the intersection of railroad right-of-way and Ocotillo Road right-of-way, and the remaining parcel includes a segment of existing right-of-way on Ocotillo Road and a part of a larger City-owned property that will be used for a well site.

Background:

Typically, right-of-way annexations are managed through an alternative annexation process that does not require a public hearing prior to adoption by City Council. However, this request requires the public hearing process in order to annex property that is owned by the City and the Union Pacific Railroad, which is not public right-of-way.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time.

There were no comments from the City Council or the public.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 7:49 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor thanked Commander Dale Walters and his staff in the Chandler Police department for the work they have done in the community.

Mayor welcomed the new CAPA Director Matt Burdick, and recognized and thanked Christine Mackay for all her hard work as Chandler's Economic Director. She has accepted a position with the City of Phoenix.

He highlighted the shade structures which were approved on the agenda. Item 41 which approved the installation of shade structures for six ball fields at the Snedigar Sports complex.

Mayor provided an update on two other parks in Chandler. The City Council accelerated the design and construction of Centennial and Valencia Parks over the last two budget cycles. These parks should be completed by September, with a dedication sometime in the Fall.

He announced the Chandler Center of the Arts will celebrate their 25th Anniversary the week of August 18th.

He reminded Chandler residents of proposition 470 on the August 26th ballot. This is the Home Rule option that is on the ballot every four years.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER congratulated Christine Mackay on her new position. He thanked her for all her help when he was newly elected to council and throughout the years.

COUNCILMEMBER SELLERS stated what a pleasure it had been to work with Chris all these years and wished her well. In addition, he recognized Lisa Butters son who is the number one ranked player under the age of 6 years old in the state. He has been invited to play in the US Kids Golf World Championship at Pinehurst North Carolina. He knew Lisa when they worked on the Chandler Transportation Commission prior to him serving on Council.

VICE MAYOR HEUMANN congratulated Ms. Mackay for her new position with the City of Phoenix and all the hard work and projects that have benefited Chandler. He reminded everyone to keep a look out for kids as school is back in session.

Vice Mayor reminded everyone of the Primary Election on August 26th, and asked everyone to vote.

COUNCILMEMBER DONOVAN thanked Chris for her passion and all the projects she worked on for the City.

COUNCILMEMBER HARTKE thanked and congratulated Chris. He recalled his beginnings with the City and how Christine was on a tour with him at the airport. He mentioned how many of those attending the event made an extra effort to speak to him regarding Chris and her skills at being in Economic Development.

Councilmember Hartke announced the grand opening of the new Trauma Center wing at Chandler Regional Hospital.

COUNCILMEMBER ELLEN noted August is Drowning Prevention Month, and gave the reminder to watch everyone around water, not just children. She also asked people watch Councilmember Weninger's Chandler in Focus on human trafficking.

She welcomed Matt to the City of Chandler and wished Christine all the best.

C. City Manager's Announcements

City Manager Rich Dlugas congratulated Chris on her new career with the City of Phoenix and her hard work over the last 16 years in Economic Development.

Adjournment: The meeting was adjourned at approximately 8:03 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 14th day of August 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of September 2014.

City Clerk