

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, October 23, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:05 p.m.

The following members answered roll call:

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

* Councilmember Donovan participated by phone.

Also in attendance:

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

INVOCATION: Pastor Keith Shepard – Alma School Church of Christ

PLEDGE OF ALLEGIANCE: Girl Scout Troop #2818 led the Pledge of Allegiance.

Mayor acknowledged Boy Scout Troop #841 and #897 were also present in the audience.

CONSENT:

VICE MAYOR HEUMANN asked that item 5 be moved to the Action Agenda.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER WENINGER, TO APPROVE THE CONSENT AGENDA AS PRESENTED, NOTING ITEM 5 WAS MOVED TO THE ACTION AGENDA.

MOTION CARRIED UNANIMOUSLY (7-0).

1. ANNEXATION: SWC Ocotillo Road and the Union Pacific Railroad Ord. #4559

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4559 Annexation of approximately 0.36 acres located on the SWC of Ocotillo Road and the Union Pacific Railroad. (Applicant: City of Chandler.)

BACKGROUND

This annexation will 'clean up' the City limits at the intersection of Ocotillo Road and the Union Pacific Railroad. Specifically, the annexation consists of three contiguous parcels. There is a railroad-owned parcel which is half in the public right-of-way, existing Ocotillo Road right-of-way, and a future City well site located south and west of the intersection.

A public hearing for this annexation was held at the August 14, 2014, Council meeting. Staff has not received any comments from residents or other members of the public regarding this

annexation. Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

This annexation request has been processed in accordance with Arizona Revised Statutes which requires a Public Hearing to annex property that is not public right-of-way and is subject to taxation.

2. IRRIGATION EASEMENT: Salt River Project

Ord. #4563

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4563 granting a no-cost irrigation easement to Salt River Project (SRP) on City property located along the north side of Queen Creek Road, west of Price Road.

BACKGROUND/DISCUSSION

As part of the Old Price Road and Queen Creek Road improvements, it is necessary to relocate a small portion of irrigation piping. As a result, SRP has requested an easement over a portion of the roadway on the north side of Queen Creek Road containing approximately 958.84 square feet. Concurrently, with the recording of the new easement, SRP will extinguish approximately 1,460.81 square feet of their existing irrigation easement to the City. The new irrigation 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 of the requested easement.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: The Place on Alma School
Ord. #4572

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4572, DVR13-0049 The Place on Alma School, rezoning from Planned Area Development (PAD) for commercial and multi-family to PAD for condominiums. (Applicant: Bruce Tully, Trapezium Consulting Group, LLC.) APPROVED a Preliminary Development Plan (PDP) for site design and building architecture on approximately five acres located at the NWC of Mercury Way and Alma School Road.

BACKGROUND

The subject site is an approximate five-acre property located at the northwest corner of Mercury Way and Alma School Road. The long and narrow infill property is the final remaining undeveloped parcel within The Park development. Surrounding uses include a Home Depot, Safeway, Bank of America, Krispy Kreme and multifamily developments. Talavera and Rialto Hills single-family subdivisions are to the south. The site was zoned in 1996 and conceptually designed for 92 rental units as two-story stacked apartment buildings.

DESIGN REVIEW COMMITTEE

Planning Staff forwarded the request to the Design Review Committee (DRC) prior to Planning Commission to review architectural design elements. Some of the building articulation was not meeting the expected quality of projects. Design elements related to massing, scale, wall plane modulation and symmetry and specifically included: roof ridgeline, fenestration organization and similarity, front door entries, and garage doors were discussed. The applicant revised the building elevations by adding varied door entries, pop-outs, garage doors with windows, decorative wrought-iron, and four color schemes. Landscape planters between garages were added and include varied plant varieties to add visual interest.

SITE

The site has street frontages on Alma School Road, Mercury Way and Parklane Boulevard; however, access is proposed from Parklane Boulevard with the western driveway as an exit only. Vehicular access is not proposed on Mercury Way or directly to Alma School Road to reduce traffic conflicts at intersections and reduce through traffic in the adjacent residential subdivisions.

The gated condominium development consists of 17 buildings designed as two or three stories at a net density of 15.7 dwelling units per acre (du/ac). Each unit provides two garage spaces as either side by side spaces or tandem spaces. Adequate visitor parking is provided throughout the site. Amenities include a swimming pool, bocce court and putting green. Additional detail can be found in the Development Booklet.

ARCHITECTURE

The proposed condominium buildings are configured as two and three story townhome style buildings. Limiting buildings to four or five units reduces building mass. As discussed in the DRC section, many design elements are provided to create articulation, diversity and quality.

Floor plans range from 1,268 up to 1,665 square feet and offer 2 to 4 bedrooms. As is typical with condominium developments, unit sizes and location within the individual buildings tend to be consistent from building to building creating a repetitious building design; however, the buildings are configured with several unit types per building to create architectural diversity.

DISCUSSION

Planning Staff supports the request. The proposal is a viable solution to a small infill site by providing a housing product for empty nesters and homeowners. This type of infill project maximizes a property's viability but maintains compatibility with existing adjacent uses through the quality building architecture and attention to site design.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on March 4, 2014. There were 20 neighbors in attendance. Concerns expressed include: pool location, perimeter wall height, location of two and three story buildings, tree species abutting single-family yards, parking and vehicular access to Mercury Way, on-site management and price range. The tree species was modified from a Sissoo to a Live Oak and the condominium building adjacent to the single-family homes was moved north and replaced with a large open space to provide a buffer and retention area. Planning Staff emailed the revised plans to the concerned residents who requested the information on the tree species and building locations. The revisions appear to allay their concerns. Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

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

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

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled 'THE PLACE ON ALMA SCHOOL', kept on file in the City of Chandler Planning Services Division, in File No. DVR13-0049, except as modified by conditions herein.
 2. 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.
 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.
 5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
4. REZONING/PRELIMINARY DEVELOPMENT PLAN: Willis and Arizona Avenue
Corporate Park Ord. #4573

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4573, DVR14-0018 Willis and Arizona Avenue Corporate Park, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial and commercial retail. (Applicant: Wes Balmer, Balmer Architectural Group.)

APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on approximately 10.5 acres located east of the SEC of Willis Road and Arizona Avenue.

BACKGROUND

The subject site is approximately 10.5 acres located east of the southeast corner of Willis Road and Arizona Avenue. The surrounding developments include the Santan Gateway South shopping center to the north, an undeveloped parcel to the west, railroad tracks to the east and commercial uses to the south and southwest.

The site is located within the Chandler Airpark Area Plan and designates the property for Commercial/Office/Business Park uses with a Light Rail Corridor Overlay if the nearby railroad tracks are ever designated for light rail transit. The proposed uses include Light Industrial (I-1) as permitted in the Zoning Code and select commercial uses outlined in the Development Booklet, which are consistent with the Airpark Area Plan designation.

SITE LAYOUT

The site will consist of two buildings facing north and south, respectively, with an interior truck yard shared between the buildings. The total floor area of both buildings is approximately 139,462 square feet. Two driveways provide access from Willis Road. Parking is located around the perimeter of the property. Setbacks around the entire perimeter are proposed as 50 ft. from Willis Road, 12 ft. on the east and west property lines and 10 ft. along the south property line. The buildings are setback greater than these minimums, 60 ft. from both the east and west property lines and 70 ft. from the south property line to provide greater buffers. Additional details can be found in the Development Booklet.

BUILDING ARCHITECTURE

Building architecture is industrial in style, creating a functional form with visual interest. Design elements and materials incorporate concrete tilt-up panels, horizontal metal accents, full height glass near the building corners that are visible from Willis Road, modulated rooflines and vertically extruded metal accents extending from ground to above the roof edge. The color palette utilizes earth tones to complement the landscape palette and provide some contrast with the austere building materials.

SIGNAGE

The request includes a Comprehensive Sign Package for the development which limits the size, amount and type of signage. The material and color palette for the signs is complementary to the proposed buildings and unifies the development.

AIRPORT COMMISSION

The Airport Commission reviewed the rezoning request in accordance with the Airport Conflicts Evaluation Process at their September 10, 2014, meeting. The Airport Administrator has issued a conflicts evaluation report indicating that the Airport Commission determined the proposed rezoning and associated uses do not constitute a conflict with existing or planned airport uses.

DISCUSSION

Planning Staff supports the request. The project reflects a quality office and warehouse development which further sustains existing businesses in the area and creates additional employment opportunities along the railroad tracks within the Airpark Area Plan. The proposal is compatible with adjacent developments.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on August 11, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet entitled "WILLIS AND ARIZONA AVENUE CORPORATE PARK" kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0018, except as modified by conditions herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
4. The site shall be maintained in a clean and orderly manner.

5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. Moved to Action Agenda.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Chandler
Pathways of Arizona Ord. #4577

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4577, DVR14-0017 Chandler Pathways of Arizona, rezoning from Planned Area Development (PAD) for commercial retail uses to PAD for an assisted living memory care facility. (Applicant: Ed Bull; Burch & Cracchiolo, P.A.) APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on approximately 5.8 acres located at the NWC of Chandler Heights and Lindsay roads. APPROVED Preliminary Plat PPT14-0015 for an assisted living memory care facility on approximately 5.8 acres located at the NWC of Chandler Heights and Lindsay roads.

BACKGROUND

The subject site is located at the northwest corner of Chandler Heights and Lindsay roads. Directly north of the site is the Avian Meadows single-family residential subdivision that is currently under construction. West is vacant land currently within the jurisdiction of Maricopa County; south, across Chandler Heights Road, is the Valencia II master-planned residential community; east, across Lindsay Road, are the Environmental Education Center and the South Police Substation. The site was rezoned in late 2007 for a commercial retail development; however, development never occurred.

SITE LAYOUT/BUILDING ARCHITECTURE

The development proposes nine residential buildings designed around a central outdoor gathering area. Each building contains ten residential rooms, a dining and kitchen area, great room and general amenities required for residential living. Additionally, each residential building includes an outdoor patio area. Medical staff is present on-site and in the building 24 hours a day. A loop road surrounds the residential buildings.

Throughout the site, each building is interconnected via sidewalks internal to the residential buildings as well as on the perimeter of the buildings, creating easy access throughout the site. Central to the site, the retention area is designed with a 6:1 slope (typical retention areas have a 4:1 slope) allowing for residents to enter the amenity area. Just east of the centralized retention area is an outdoor courtyard area where residents can gather as well as where community outdoor activities will occur.

The residential buildings are designed in a manner to relate to the agrarian and residential nature of the surrounding area and the SECAP (Southeast Chandler Area Plan). Each building is single-story and designed to look like homes in an effort to foster a residential feel to the project. The buildings incorporate concrete tiles, Exterior Finish and Insulation System (E.F.I.S.), and stone veneer materials to present a residential feel. Additionally, all windows are framed with faux shutters.

In order to address visitor parking, and in an effort to inhibit an institutional feel to the development, parking stalls are provided along the perimeter of the buildings and designed so

that visitors to the residential buildings can park in front of the particular building they are visiting. Green screens are provided along the street frontages to screen the parking stalls.

A relatively minor sign package is included. The request is for three wall mounted signs. All signs will be located on and incorporated into a green screen element. The main sign will be located along the perimeter wall at the intersection. Details are provided for a couple of different widths for the sign background; however, the wording of the sign is limited to 100 sq. ft. Similarly, two smaller signs are provided at either entrance to the site, and serve the purpose of bringing awareness of the entrance drive to visitors of the site.

DISCUSSION

The Planning Commission and Planning Staff support the Rezoning and PDP request citing that the use and design of the development is consistent with the design objectives of the SECAP. Additionally, housing options for Chandler's aging population are very limited in this area of Chandler and this development presents an opportunity currently unrealized in the area.

As part of the request, there are some requested deviations as outlined in the development book. The deviations include relief from landscape setbacks along the western property boundary and at the intersection, and relief from the 50' building setback along Lindsay Road for minor building encroachments. Details explaining the deviations are outlined in the development booklet.

The Planning Commission and Planning Staff are supportive of the deviations. As Planning Staff has reviewed the deviations in light of the site design, Planning Staff is comfortable with the deviations based on the general layout of the buildings and angled orientations presented. If all of the buildings were designed to be parallel to the arterials in a squared fashion, the deviations would be eliminated; however, Planning Staff finds that the angled orientation of the buildings presents a better design and layout.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 21, 2014. There were two neighbors in attendance in general support of the request. Planning Staff has received two telephone calls relating to the project. The first caller initially had concerns due to the assisted living type nature of the request, but once details were provided about the size and design of the development, the callers concerns were addressed. The second caller expressed similar concerns about an assisted living development in the area and what it would do property values in the surrounding area.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan and SECAP, 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. Development shall be in substantial conformance with the Development Booklet entitled "CHANDLER PATHWAYS" and kept on file in the City of Chandler Planning Division in File No. DVR14-0017, 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.

Preliminary Plat

The Planning Commission and Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.
7. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Wildhorse Ord. #4578

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4578, DVR14-0022 Wildhorse, rezoning from Agricultural to Planned Area Development for single-family residential. (Applicant: Mike Curley; Earl, Curley & Lagarde P.C.)

APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product.

APPROVED Preliminary Plat PPT14-0011 for a 15-lot subdivision on approximately 5 acres located north of the NWC of Willis Road and El Dorado Drive.

BACKGROUND

The subject site is located north of the northwest corner of Willis Road and El Dorado Drive. North and west, adjacent to the site, is the Allred Park Place development. East are developed residential lots zoned AG-1. South is the Vintage Villas single-family residential subdivision.

The subject site is located within the Dobson/Germann Area Plan that encompasses the area between the Loop 202 Santan Freeway, Germann, Dobson, and Price roads. The area plan designates the site for minimum 10,000 sq. ft. residential lots. The request is consistent with the area plan.

SUBDIVISION LAYOUT

The roughly five-acre site is designed for 15 residential lots, for a density of 2.97 dwelling units per acre (du/ac). Typical lot size is 70'x143' with a minimum lot size of 10,000 sq. ft. and a maximum lot size of 14,666 sq. ft. Due to the rectangular shape and relatively small size of the development, a single amenity area is provided at the site's west end that includes a ramada and small tot lot.

Due to all lots being greater than 10,000 sq. ft., the Residential Development Standards (RDS) do not apply. Based on the public participation process, the design team took into consideration the layout of homes and is preemptively restricting lots 2, 14 and 15 to single-story.

HOUSING PRODUCT

Similarly with the RDS for subdivision layout, since all lots are greater than 10,000 sq. ft., the RDS for housing product does not apply; however, a number of the elements of the standards are incorporated into the design of the homes.

Three housing plans are provided with three elevation styles per plan. Two single-story plans and one two-story plan is proposed. Square footages range from 2,904 sq. ft. up to 4,877 sq. ft. Various architecture elements highlighting the prescribed style include window pop-outs, arched window reveals, window muntins, shutters and stone detailing. The RDS require that at least one elevation provide stone elements; the home builder is providing stone on two of the three elevations.

DISCUSSION

The Planning Commission and Planning Staff support the request citing that the development represents another quality addition to Chandler's housing stock. Furthermore, Planning Staff is pleased with the strong design characteristics of the housing product, the variety of elevations, the larger lot sizes provided and that the proposal successfully develops a parcel that, under different circumstances, would have difficulty being developed.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 16, 2014. There were 11 neighbors in attendance generally in support of the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

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

Following the close of the Planning Commission hearing, two neighbors expressed concerns with Planning Staff stating they were representing their neighbors who could not attend. The two neighbors stated their neighbors had concerns with the potential for two-story homes to be located behind single-story homes. One of the attendees contacted Planning Staff stating that he did not have any concerns, but had passed on Staff's contact information. The second neighbor did not want to provide Staff with any contact information. Planning Staff has not received any additional information from the surrounding neighborhood.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

Upon finding consistency with the General Plan and the Dobson/Germann Area 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 "WILDHORSE" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0022, 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. 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 the Preliminary Development Plan shall apply.
3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
4. Lots 2, 14 and 15 shall be restricted to single-story homes.

Preliminary Plat

The Planning Commission and Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.
8. REZONING/PRELIMINARY DEVELOPMENT PLAN: Metro Chandler Airport Center
Ord. #4579

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4579, DVR14-0021, Metro Chandler Airport Center, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Business Park Uses. (Applicant: Michael B. Withey, Withey Morris PLC.) APPROVED a Preliminary Development Plan (PDP) for site design and building architecture for a business park development on approximately 25 acres located at the SWC of Cooper and Germann roads.

BACKGROUND

The subject site consists of two parcels located at the southwest corner of Cooper and Germann roads just north of the Chandler Municipal Airport. The site is bounded by Germann Road to the north, Cooper Road to the east, Aviation Drive to the south and a small parcel as well as Airport Boulevard to the west. The Curtis Way right-of-way alignment bifurcates the subject site. To the north and east are developed and vacant parcels zoned for business park uses as part of the Chandler Airport Center master plan. To the south are predominantly vacant parcels zoned Airport District (AP-1) owned by the City of Chandler.

The subject site, along with approximately 27 acres to the south, was zoned to PAD for an industrial/business park subdivision 2000. In 2004, the zoning was reverted to the previous AG-1 designation.

GENERAL PLAN/AREA PLAN

The General Plan designates the subject site as being located within the Chandler Airpark Area Plan (CAAP). The Area Plan specifically highlights the subject site as falling within the Commercial/Office/Business Park land use category. This category denotes major campus-like employment centers permitting uses such as retail services, research and development, and office/showroom uses, as well as light industrial uses considered on a case by case basis. The requested rezoning is consistent with the General Plan and Chandler Airpark Area Plan.

REZONING

The request includes rezoning the subject site to PAD for business park uses. Permitted uses are split between the two larger industrial buildings, Building 1 and 2, and the smaller multi-story Building 3. Permitted uses within Buildings 1 and 2 include all Planned Industrial District (I-1) uses, as well as all office, educational facilities, financial institutions, places of worship, service retail uses and recreational assembly uses such as fitness centers, gymnastic and martial arts studios. Recreational assembly uses for children and young adults within Buildings 1 and 2 are

limited to no more than 15% of total building square footage and shall be located no closer than 450 feet to the western property line. Permitted uses within Building 3 include all uses permitted within Buildings 1 and 2, as well as automotive accessory sales and installation uses. A more detailed permitted uses description is included in the Development Booklet.

SITE DESIGN/ARCHITECTURE

The subject site is essentially surrounded on all sides by right-of-way and bifurcated by a future street. The relatively shallow north to south depth property presents a level of challenge when it comes to siting buildings. The proposal orients the industrial/office buildings to Germann Road, with the overhead doors and service areas oriented south towards Aviation Drive, effectively screened from arterial street view. The building footprints respond to the variations in right-of-way along Germann Road as well Building 3 is set into the Cooper/Germann intersection corner with landscaping treatments similar to the other three intersection corners established by the Chandler Airport Center. The parking screen walls and 8-foot tall rear service area screen walls are set at alternating opposing angles intended to infer an aviation-related image that is carried further onto the building architecture.

Sufficient parking is provided for Buildings 1 and 2 for a traditional light industrial land use build out. Building 3 provides sufficient parking for an all office build out. In the event Buildings 1 and/or 2 require additional parking, Planning Staff has worked with the applicant to develop a plan that would not only underground the retention basin at the properties southwest corner, but also strip out areas within the rear service truck court areas for additional spaces.

This approach allows the site to remain flexible in terms of final tenant needs and still comply with Code.

The building architecture continues a subtle aviation-related theme through the use of smooth, clean forms articulated through plane changes. Predominant elements include angled parapet lines with 8-inch wide ¾-inch deep reveals, again evoking a subtle aviation theme. Scoring patterns are differential to provide a hierarchy to the façade while also breaking down the wall plane. Finally, aluminum canopies are used to provide a final level of architectural interest.

The request includes a comprehensive sign package. Building mounted signage will provide either non-illuminated or halo-illuminated reverse pan-channel lettering. Corporate font and logos are permitted. Four 11-foot tall 5-tenant panel freestanding monument signs are proposed; three along Germann Road and one along Cooper Road. The signs feature an angled sign cap and deep reveals relating to the building architecture. The tenant panels include routed push-through internally illuminated lettering. Additional details can be found in the Development Booklet.

AIRPORT COMMISSION

The Airport Commission reviewed the rezoning request in accordance with the Airport Conflicts Evaluation Process at their September 10, 2014, meeting. The Airport Administrator has issued a conflicts evaluation report indicating that the Airport Commission determined the proposed rezoning and associated uses do not constitute a conflict with existing or planned airport uses.

DISCUSSION

Planning Staff supports the request. The proposed land use mix is compatible with and consistent with approved land uses in the immediate area such as within the Chandler Airport Center immediately to the north and east. Time has proven the compatibility of educational facilities and recreational assembly uses integrated within more traditional light industrial and office business park uses. The proposed business park provides a good land use development

solution for a challenged narrow parcel that is basically surrounded on all sides by right-of-way, further compounded by the future Curtis Way alignment. The site layout accented by the use and placement of screen walls provides a relationship and reference to the site's Chandler Airpark aviation context. That context is further acknowledged by the clean and subtle architectural angular forms, aluminum accent canopies and cool grey-scale color palette. Ultimately, without final users identified at this time, any necessary minor adjustments will be handled administratively in the future as identified in the Development Booklet.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held at the Chandler Municipal Airport. There were no neighboring property owners in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Foley and Ryan declaring a conflict of interest and Commissioner Baron absent.

RECOMMENDED ACTION

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. Development shall be in substantial conformance with the Development Booklet entitled "METRO CHANDLER AIRPORT CENTER" and kept on file in the City of Chandler Planning Division in File No. DVR14-0021, 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. Sign packages, including freestanding 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.

9. UTILITIES EASEMENT EXTINGUISHMENT: San Tan Commerce Center Res. #4798

ADOPTED Resolution No. 4798 authorizing the extinguishment of a portion of a 30-foot wide roadway, water, sewer, access and public utilities easement located on Lot 1 of the San Tan Commerce Center at the SEC of Coronado Street and Chandler Boulevard.

BACKGROUND/DISCUSSION

On November 17, 2011, City Council approved a development agreement between the City and RG-101, LLC (Rockefeller), for the property at the southeast corner of Price Road and Chandler Boulevard. Part of this agreement requires the City to obtain and/or provide any easements

required for the development from adjacent property owners. As part of the project, it is necessary for Salt River Project (SRP) to relocate 69 kV power facilities along the western property line partially onto an adjacent parcel. To accommodate the relocation and future servicing of these facilities, the City acquired a separate 20-foot wide power transmission easement for SRP from the adjacent parcel to the east. The easement area acquired for SRP overlays a portion of an existing 30-foot wide roadway, water, sewer, access and public utilities easement. In order to proceed with the relocation of the 69kV lines, SRP is requiring the City extinguish the portion of the 30-foot wide easement shared with the new SRP easement. RG-101, LLC, is providing a separate public utility easement along the west side of the new Coronado Street alignment for any utilities that may require relocation as a result of this extinguishment.

Staff has reviewed this request and legal description for the area in question and recommends City Council approve the extinguishment.

10. FIESTA-DOWNTOWN CHANDLER TRANSIT CORRIDOR STUDY AGREEMENT
Res. #4803

ADOPTED Resolution No. 4803 authorizing the Fiesta-Downtown Chandler Transit Corridor Study Agreement between the City of Chandler, City of Mesa, and Valley Metro Rail, Inc., providing for a High Capacity Transit Corridor Study along Arizona Avenue in Chandler; the expenditure of public funds in an amount not to exceed \$687,500.00 and the future reimbursement to the City of Chandler by the City of Mesa of 46.9 percent of the cost of the Transit Corridor Study; and authorizing the City Manager to execute the agreement.

BACKGROUND

In December 2012, the City of Chandler and Valley Metro Rail, Inc., completed an initial High Capacity Transit Long Range Study for Arizona Avenue. The study assessed Arizona Avenue/Country Club Road's potential as a light rail corridor by modeling transit ridership under a number of different transit and land use scenarios. The model results indicated that Arizona Avenue has a great deal of potential as a future light rail corridor, if accompanied by enhancements to connecting bus service and intensified land use near stations.

Although the initial feasibility study showed promising results, the study was conducted at a high level. The Fiesta-Downtown Chandler Transit Corridor Study will look at short-, mid-, and long-term improvements, including a more detailed analysis of future high capacity transit (light rail, bus rapid transit, streetcar, etc.). The initial feasibility study only looked at high capacity transit alternatives that originated on Arizona Avenue at Germann Road and followed Arizona Avenue/Country Club Road north to Main Street, where it connected to light rail.

This second study will analyze that alignment in more detail in addition to the analysis of an alternative alignment that would provide service to Fiesta Mall, Mesa Community College, and Banner Desert Hospital along Southern Avenue and Dobson Road before meeting up with the existing light rail line on Main Street. This study will model exclusive right-of-way bus rapid transit on the corridor as a possible alternative to light rail and will also lay out specific land use and transit enhancement steps for the near-, mid-, and long-term that will help build transit service along this corridor over time. This study will include a public involvement component. There will be at least one public meeting in Chandler as well as other public outreach, such as an online survey. The study will conclude with the cities of Mesa and Chandler selecting a preferred alignment and mode.

The City of Chandler will initially be responsible for funding the study. The City of Mesa will reimburse the City of Chandler for its portion of the study on or before January 1, 2027, should a countywide transportation sales tax beyond Proposition 400 pass. Should a countywide transportation sales tax not pass, the City of Mesa shall reimburse the City of Chandler on or before January 1, 2034.

Valley Metro Rail's consultant will conduct the study and Valley Metro Rail staff will manage the project. Staff from the City of Chandler and the City of Mesa will provide input and assistance and be involved throughout the project.

The agreement and scope must be approved by the Mesa City Council and the Valley Metro Rail Board, which is expected to occur in November 2014. The study is anticipated to commence early in 2015 and be completed by the end of 2016.

TRANSPORTATION COMMISSION

The Transportation Commission unanimously recommended approval of the Fiesta-Downtown Chandler Transit Corridor Study at their August 21, 2014 meeting.

11. GRANT AGREEMENT: ADOT

Res. #4807

APPROVED Resolution No. 4807 authorizing a grant agreement with the Arizona Department of Transportation (ADOT) for Grant No. E5S1K in the amount of \$703,800.00 for the design and construction of approximately 75 airfield guidance signs and Runway 4R/22L PAPI replacement; and authorizing the City Manager to execute the grant agreement.

BACKGROUND/DISCUSSION

The Airfield Guidance Signs project involves replacing or installing new mandatory runway/taxiway guidance signs. This work will not only address changes to the Federal Aviation Administration's (FAA) signage standards, it is anticipated to reduce maintenance time and costs as most of the signs were installed in 1989. The grant represents the State's 90% share of the cost for replacement.

AIRPORT COMMISSION RECOMMENDATION

The Airport Commission voted unanimously (7-0) to pass and forward a recommendation for approval to the City Council at their regular meeting on September 10, 2014.

FINANCIAL IMPLICATIONS

This project is in the current 5-year Airport Capital Improvement Program (CIP). The remaining 10% local share is \$78,200.00 and has been identified in the Airport Operating Fund.

12. SECURITY BOND EXEMPTION: Industrial Commission of Arizona

Res. #4808

ADOPTED Resolution No. 4808 authorizing the continuation of exemption from the Industrial Commission of Arizona (ICA) requirement of posting a security bond for the City of Chandler Self-Insured Workers' Compensation Program.

BACKGROUND/DISCUSSION

The City of Chandler was approved by the ICA to self-insure workers' compensation benefits on January 1, 2003. A requirement of self-insured programs is to post a security bond with the ICA in order to ensure performance in the event that a self-insured program becomes insolvent.

On April 4, 2005, the ICA implemented new rules governing management of the workers' compensation self-insurance program. The new rule, R20-5-1114, includes an "Exemption from Requirement to Post Security" noted below:

"A public entity applicant or public entity self-insurer is exempt from the requirement under this Article to post or provide security if the public entity:

1. Has a fully funded risk management fund sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10; and
2. Provided funding to the risk management fund each year sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10."

FINANCIAL IMPLICATION

Since the inception of the self-insured program in January 2003, the City has expended a total of \$16,745.00 to purchase Security Bonds. The City's application for exemption to post security was accepted and expenditures for bonds are no longer incurred.

13. PROPERTY PURCHASE: 298 E. Chandler Boulevard Res. #4809

APPROVED Resolution No. 4809 authorizing the purchase of the property located at 298 E. Chandler Boulevard at a cost of \$50,000.00, plus closing costs of approximately \$2,000.00 and authorizing the Real Estate Coordinator, or authorized designee, to execute, deliver and deposit into escrow the approved purchase agreement along with all other documents and instructions necessary to consummate the purchase of said real estate.

BACKGROUND/DISCUSSION

Mr. and Mrs. Michael M. Sarvi, the owners of the property located at 298 E. Chandler Boulevard (northwest corner of Chandler Boulevard and Delaware Street), have agreed to sell their property to the City of Chandler for \$50,000.00 plus closing costs. The property appraised at \$41,100.00. The property has a land area of 3,000 sq. ft. and is improved with a vacant 790 sq. ft. shell structure.

The property is desired by the City for right-of-way for Chandler Boulevard should it be improved in the future. Due to its unique size and location, the property has limited development potential. The City's purchase of the property solves a long-term maintenance challenge and will allow aesthetic improvement in the area.

14. PRELIMINARY DEVELOPMENT PLAN: Layton Lakes Parcel 22

APPROVED Preliminary Development Plan PDP14-0008 Layton Lakes Parcel 22, for housing product on a portion of approximately 44.5 acres located south and east of the SEC of Gilbert and Queen Creek roads. (Applicant: Brennan Ray; Burch & Cracchiolo, PA.)

BACKGROUND

The approximate 832-acre Layton Lakes Master Planned development received PAD zoning in March 2001. Of the 832 acres, approximately 373 are within the City of Chandler with the majority of Phase I occurring in the Town of Gilbert. In December 2003, a PDP was approved for the 21.6-acre Community Recreation Center as the part of Phase 1 within the City of Chandler. In February 2004, Council approved a Preliminary Development Plan (PDP) and Preliminary Plat

involving the subdivision layout and landscape plans for Phases 2, 3 and 4 of the master planned community. The subject Parcel 22 was part of this PDP approval and included 95 residential units. Most recently, Parcel 22 was amended from the original 95 lots with a standard lot size of 90'x120' (10,800 sq. ft.), to 96 lots with a standard lot size of 90'x140' (12,600 sq. ft.). Each of the 7 residential subdivisions within the Chandler portion of Layton Lakes, would be required to process future PDPs for the housing product.

The subject Parcel 11 is bordered to the north by a portion of the Layton Lakes lake system and open space, with Parcel 21 located north of the lake and stream. Layton Lakes Boulevard abuts the site's east side, with additional Layton Lakes open space and the Eastern Canal abutting the site's western side. The Appleby Road alignment borders the site's southern side with existing rural residential properties within Maricopa County located south of the Appleby Road alignment.

The request is for PDP approval of housing product for 47 lots within the 96-lot Parcel 22. The remaining lots within the parcel will be built by a different builder (Taylor Morrison), currently in review. The proposed housing product by Maracay Homes includes 5 single-story plans ranging in size from 2,990 square feet to 3,844 square feet. Due to the standard lot width of 90', multiple housing product widths are offered. One 57-foot wide plan, two 65-foot wide plans and two 70-foot wide plans are offered. Four distinct architectural styles are offered with each plan utilizing at least three. Additional product details can be found in the Development Booklet.

DISCUSSION

Planning Staff supports the request finding the proposed housing product to represent a quality addition to the Layton Lakes community. The homes meet the intent of the Residential Development Standards by not only providing strong architectural design diversity, but through product-width diversity as well.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on September 3, 2014. There were several rural residential property owners in attendance with questions and discussion regarding the proposed housing product. There was no opposition and the residents were pleased with the all single-story product offering. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6-0 with Commissioner Baron absent.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "LAYTON LAKES PARCEL 22" kept on file in the City of Chandler Planning Services Division in File No. PDP14-0008, except as modified by condition herein.
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3250, case DVR00-0025 LAYTON LAKES, except as modified by condition herein.
3. Compliance with the original stipulations adopted by the City Council as case PDP03-0038 LAYTON LAKES, except as modified by condition herein.
4. The same elevation shall not be built side-by-side or directly across the street from one another.

5. Window mullion/muntin patterns shall remain consistent on all sides of the homes.

15. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Museum Board

Sam Huang

Library Board

Rachel Sutherland

Domestic Violence Commission

Jon Repar

16. CLAIMS REPORT

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

17. GENERAL FUND TRANSFER

APPROVED the transfer of General Fund Non-Departmental Contingency appropriation to the Police Department Personnel Accounts to provide appropriation for the remaining 9 months of FY 2014-2015 for two new Police Officers (one School Resource Officer (SRO) and one Crime Prevention Officer) in the amount of \$136,500.00.

BACKGROUND

For Fiscal Year 2014-2015, the City has budgeted salary and benefit costs in the General Fund for 9 SRO's at a total City cost of \$1,066,079.00 (salaries plus benefits). It was anticipated that 6 of these positions (3 in the Kyrene School District and 3 in the Chandler Unified School District) would be 100% funded by reimbursement from the districts. Additionally, 3 Chandler Unified School District positions were to be 50% funded by the district and 50% funded by the City's General Fund. Total budgeted revenue (reimbursements) for these 9 positions is \$971,787.00.

Fortunately, the Chandler Unified School District was able to obtain sufficient grants to fully cover the cost of the three 50%-funded positions, which will increase the City's associated revenue by \$173,789.00 to \$1,145,576.00. With this additional revenue, the Police Department is requesting to fund a new ongoing Crime Prevention Police Officer position. However, as a mid-year position add, this will require additional appropriation of \$68,250.00 for the remaining nine months of the fiscal year. This assumes an existing senior police officer would fill this new position, requiring a backfill of an entry level officer at an estimated full year cost of \$91,000.00. This position is needed to provide each of the three precinct commanders with a resource to direct crime prevention efforts within their respective precincts, strengthen community partnerships, and implement crime suppression strategies. Presently, there are two crime prevention officers assigned to the Community Resource section. An additional crime prevention officer would allow for the de-centralization of the crime prevention function ensuring responsibility and accountability at the precinct command level.

Additionally, the Mesa Public Schools District obtained a grant to fund an SRO for Summit Academy at 80% funding, bringing the total number of SROs up to ten. The Police Department would like to fill this SRO position which will result in additional revenue of \$72,800.00 in reimbursement, but also requires \$68,250.00 additional appropriation for the remaining nine months of the fiscal year. This again assumes a senior officer would fill this position, requiring the backfill of an entry level officer. The advantage of adding this position is threefold; it completes the coverage of all common middle schools in the City limits of Chandler, provides annual safety education to an additional 1,200 students and delivers protection including immediate response to any threats to the safety of the students.

In order to provide sufficient spending appropriation for the remainder of FY 2014-15 for these two new positions, an appropriations transfer from the Non-Departmental General Fund Contingency is needed requiring Council approval.

FINANCIAL IMPLICATIONS

A transfer of General Fund Non-Departmental Contingency appropriation to the Police Department Personnel Accounts is needed to pay for the remaining nine months of FY 2014-15 for the two new positions. This will provide spending authority for the additional revenue to be received. The approval of these two new positions will add an ongoing expense of approximately \$182,000.00 with an estimated \$256,655.00 in revenues to offset these costs.

18. AGREEMENT: Clearwing Productions

APPROVED Agreement No. CS5-855-3420 for the purchase of 12 moving lights to Clearwing Productions in the amount of \$93,954.58.

Over the past few years, the request for moving lights in the Technical Riders of performances has increased as discerning audiences have grown more accustomed to theatrical advances. To meet this demand, Staff has rented these fixtures to supplement the City's standard lighting. In the FY 2014/15 budget, City Council approved \$96,000.00 to purchase moving lights. This purchase was agreed upon as a 3-way split between the City, Chandler Unified School District and the Chandler Cultural Foundation with each paying \$32,000.00. Both the School District and the Cultural Foundation have agreed with that funding split. The purchase meets the technical needs of touring and local lighting designers.

19. AGREEMENT AMENDMENT: Baker & Taylor and Midwest Tape, LLC

APPROVED Agreement No. CS3-526-3145, Amendment No. 1, with Baker & Taylor, Inc., and Midwest Tape, LLC, for library materials and related services in a combined total amount not to exceed \$1,450,000.00 for the first optional two-year period.

The library contracts with book and media vendors to obtain the best discount for library materials. These agreements will enable the library to continue to receive the best prices. The items purchased from these vendors are discounted up to 46.5% and come preprocessed so they can quickly be made available to library customers.

20. PROJECT AGREEMENT: Gavan and Barker, Inc.

APPROVED a Project Agreement with Gavan and Barker, Inc., for landscape design consulting services, Project No. PR1502.21, pursuant to Annual Landscape Design Consulting Services Contract No. EN1511.101, in an amount not to exceed \$49,074.00 (Harris Park).

Harris Park is a 0.81-acre neighborhood park that is located south of the Alta Steelyard Loft project and serves the residents in the square mile bordered by Chandler Boulevard, McQueen Road, Pecos Road and Arizona Avenue. It was purchased in 1966 and originally developed in 1967. The park was renovated in 1994. Formerly known as Elgin Park, the park was renamed in 2002 in honor of Mr. N. J. Harris.

On July 10, 2014, a development agreement between the City of Chandler and PR III/Wood Chandler Apartments, LLC, was approved by the City Council. As a part of this agreement, the

City is responsible for renovating Harris Park at a future date when funding becomes available. The agreement also states that the City shall proceed to undertake and complete the design work for said renovations on or before January 2015.

21. CONTRACT AMENDMENT: CH2M Hill, Inc.

APPROVED Contract No. WA1302.201, Amendment No. 1, with CH2M Hill, Inc. for additional professional design services associated with the Railroad Well and Iris Well Equipping Design in an amount not to exceed \$42,896.00 for a total revised contract amount of \$267,608.00.

On June 13, 2013, City Council approved Contract No. WA1302.201 for well equipping design of the Railroad Well and Iris Well with CH2M Hill, Inc. The design for the two separate wells is in progress. Construction will be implemented as a single project to achieve cost savings due to implementation efficiencies. The Railroad Well site fronts on Ocotillo Road just east of Arizona Avenue and its design must closely coordinate with the Ocotillo Roadway Improvement Project (ST0808). The coordination between these two projects has resulted in some scope items being added to the Railroad Well design that will require the need for additional work and time. The three items that this amendment addresses are additional drainage design along the frontage of the Railroad Well site facing Ocotillo Road, a new driveway entrance to the Railroad Well site and design of a new pump-to-waste pipeline.

The Iris Well site is situated within an existing subdivision and its design has proceeded independently.

22. AGREEMENT AMENDMENT: Municipal Emergency Services, Inc.

APPROVED Agreement No. FD3-340-3133, Amendment No. 2, with Municipal Emergency Services, Inc. (MES), for the purchase of fire protective clothing and uniforms in an amount not to exceed \$300,000.00. This is the second of four optional one-year renewals and includes a 5% price increase

The Fire Department selects a vendor to provide Department approved uniforms to the members of the Department. The members use an annual uniform allowance to purchase their individual uniforms. As uniforms are purchased throughout the year, amounts are deducted from each member's account. The account balances are tracked by the vendor and billing invoices are sent to Fire Administration monthly. This helps to insure that Department members present the best appearance to the public and that they are provided with uniform items that meet national standards for safety. Also, firefighters are provided with protective clothing that includes turnout coats, turnout pants, firefighting boots and a firefighting helmet. The Department has an inspection program in which turnouts are inspected once a year and it is determined if the turnouts need to be repaired and/or replaced. This inspection insures firefighting protective clothing is safe and meets compliance with the National Fire Protection Association's (NFPA) guidelines. In FY 2014/15, the Department has \$211,400.00 budgeted for uniforms and \$88,600.00 budgeted for protective clothing.

23. AGREEMENT: Patrol Vehicles

APPROVED Agreement No. FD5-071-3422 with PFVT Motors in the amount of \$125,933.08 and Midway Chevrolet in the amount of \$634,335.42, for a total amount of \$760,268.50 for the purchase of patrol vehicles.

During the FY 2014/15 budget process, the Police Department submitted vehicles to be considered for replacement in FY 2014/15. The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. The FAC recommends replacing 26 vehicles used by Police Field Operations. All 26 of the old vehicles being replaced are Chevrolet Tahoes and Ford Crown Victorias. The recommended new replacements are 6 Chevrolet Caprice Police Patrol vehicles, 15 Tahoe Police Patrol vehicles and 3 Ford Police Interceptor Utilities. Two Ford Fusions are recommended for Staff officer service.

24. AGREEMENT: Vehicle Purchase

APPROVED Agreement No. FD5-071-3413 for the purchase of vehicles (light trucks) with Sanderson Ford, Inc., in the amount of \$310,705.93, Tom Jones Ford in the amount of \$135,389.03 and Haas Ford dba Freedom Ford and Lincoln in the amount of \$79,084.73 for a total amount of \$525,179.69.

During the FY 2013/14 budget process, Municipal Utilities, Police and Transportation & Development departments submitted vans and light duty trucks to be considered for replacement in FY 2014/15. The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. The FAC recommends replacing 4 vans and 17 light trucks.

25. AGREEMENT AMENDMENT: All City Towing

APPROVED Agreement No. PD3-968-3140, Amendment No. 1, for Police towing service with ACT Towing dba All City Towing, for a two-year period with the option of one additional two-year extension.

In December of 1995, the City began utilizing a contract for towing service. Contract towing service has proven to be a successful alternative to the previous rotation program. Some of the benefits provided by contract service include lower cost to the citizens, fewer customer complaints and a streamlined workload for the Police Department. The Police Department utilizes the contract for vehicle towing, storage and impounding services including removal of wrecked vehicles, vehicles abandoned on City streets, vehicles left unattended in a traffic way, vehicles towed for evidentiary purposes and vehicles towed due to an arrested driver.

In 2013, Senate Bill 1075 revised provisions regarding storage fees related to impounds pursuant to ARS 28-3511 *et.seq.* Senate Bill 1075 revised the maximum storage rate to a state legislated rate of \$15.00 per day. The current contract storage rate is \$9.00 per day for all storage including impound and non-impound storage. The purpose of Amendment No. 1 is to amend the agreement provisions regarding impounding fees to reflect the new statute and to execute the first available extension. The rates for non-impounding storage will remain at \$9.00 per day.

26. GRANT AGREEMENTS: Arizona Department of Homeland Security

APPROVED grant agreements with the Arizona Department of Homeland Security to be used for emergency preparedness in the total amount of \$235,000.00.

BACKGROUND

The City of Chandler established a Fire/Police Rapid Response Team and Fire/Police Terrorism Liaison Officers program in 2003 with federal funding from the State Homeland Security Grant

program. Each of these programs ensure that Fire and Police personnel are prepared and equipped to respond to large scale emergencies, terrorist events and natural and/or man-made disasters. The purpose of the awards is to provide equipment and training to sustain these emergency preparedness programs.

The grants will be used for the following projects:

• Enhance Rapid Response Teams – Police RRT	\$108,000
• UASI Assessment Teams-Terrorism Liaison Officers (Chandler Police)	\$ 6,000
• CERT Training	\$ 5,000
• Enhance Rapid Response Teams – Fire RRT	\$ 108,000
• UASI Assessment Teams-Terrorism Liaison Officers (Chandler Fire)	<u>\$ 8,000</u>
	\$ 235,000

FINANCIAL IMPLICATIONS

These grants have no match requirements. Chandler Fire, Health & Medical has the appropriation allocation for both Fire and Police in the FY 2014/15 budget.

27. AGREEMENT: Vincon Engineering Construction, LLC

APPROVED Agreement No. ST5-745-3435 with Vincon Engineering Construction, LLC, for concrete repair and maintenance in the amount of \$3,500,000.00 for one year with options to renew for four additional one-year periods.

28. AGREEMENT: Vincon Engineering Construction, LLC

APPROVED Agreement No. ST5-745-3433 with Vincon Engineering Construction, LLC, for asphalt rubber crack sealing in the amount of \$300,000.00 for one year with options to renew for up to four additional one-year periods.

29. AGREEMENT: MR Tanner Development & Construction, Inc.

APPROVED Agreement No. ST5-745-3434 with MR Tanner Development & Construction, Inc., for asphalt maintenance and repair in an amount of \$250,000.00 for one year with options to renew for up to four additional one-year periods.

30. AGREEMENT & CONTINGENCY TRANSFER: Altec Industries, Inc.

APPROVED Agreement No. TE5-070-3441 for the purchase of two (2) bucket trucks from Altec Industries, Inc. in the amount of \$250,212.42.

APPROVED the contingency transfer of \$49,613.00 from the Vehicle Replacement Fund Non-Departmental Contingency Account to the Vehicle Replacement Fund Transportation & Development Account.

31. CONTRACT: Salt River Project

APPROVED Contract No. ST0808-401 with Salt River Project (SRP) for design and construction for removal of overhead facilities, overhead conversion and installation of primary conductor and equipment to accommodate the Ocotillo Road Improvements in an amount not to exceed \$77,397.22.

32. CONTRACT: Kimley-Horn and Associates

APPROVED Contract No. ST1409.201 with Kimley-Horn and Associates for design services for Western Canal Pedestrian and Bicycle Crossing Improvements at the Union Pacific Railroad (UPRR) in an amount not to exceed \$49,200.00.

The City has a license agreement with Salt River Project for an existing multi-use path along the south side of the Western Canal from Price Road to the UPRR, ½ mile east of Arizona Avenue. The project scope consists of filling in a gap within the existing multi-use rail system at the UPRR crossing by designing a 10-foot wide concrete path and adding at-grade railroad crossing improvements. The construction of this project will utilize federal Congestion Mitigation Air Quality (CMQ) funds.

Crossing improvements include replacing the wooden panels between the rails with concrete panels and installing railroad crossing signals with flashing lights, audible bell device and signage.

This design concept was developed by a collaborative effort by the Maricopa Association of Governments (MAG), several cities including Chandler, and the UPRR. The current design does not include automated crossing gates from the original design a few years ago.

As the lead consultant for the MAG “Bicycle and Pedestrian Pathway/Railroad Crossing Recommendations” report, Kimley-Horn and Associates worked with UPRR on railroad crossing solutions around the Valley and completed 15% design plans for this location.

33. CONTRACT: Salt River Project

APPROVED Contract No. ST1305.501 with Salt River Project (SRP) for construction, removal of existing cast-in-place pipe with reinforced concrete pipe and installation of two new manholes on Queen Creek Road to accommodate the Old Price Road and Queen Creek Road Intersection Improvements in an amount not to exceed \$253,241.00.

34. PURCHASE: Exercise Equipment

APPROVED the purchase of exercise equipment for the Tumbleweed Recreation Center from Advanced Exercise Equipment, National Joint Powers Alliance (NJPA) Contract No. 021512-LFF, in an amount not to exceed \$64,000.00.

Eight pieces of equipment are being purchased as part of a five-year replacement plan (currently in the third year) of the existing 47 pieces of cardio equipment at the Tumbleweed Recreation Center (TRC). The pieces of equipment being purchased include five treadmills, two ellipticals, and one Powermill stair stepper. The new equipment will replace the older models. The new models are all equipped with the LifeFitness Wi-Fi technology that the TRC currently has in place and will enhance the users’ workouts. The TRC will also receive a trade-in credit of \$7,000.00 on the eight pieces of equipment that are being replaced.

35. PURCHASE: Corona Solutions

APPROVED the purchase of law enforcement staffing analysis and data-mining subscription from Corona Software, Inc., dba Corona Solutions, sole source, for a three-year term, in an amount not to exceed \$154,719.00.

The Police Department is requesting the purchase of the staffing analysis and police incident “data-mining” subscription for a three-year service period using asset forfeiture funds. A three-year service agreement entitles the Chandler Police Department to a \$6,300.00 discount over a year-to-year purchase. This product is specific to law enforcement and is available only through Corona Solutions.

“Deploy” is a police staffing analysis tool that provides analytical capabilities based on a number of elements to include City geography, service time demands, and response times while factoring in existing staffing constraints (i.e. number of authorized positions). This tool will help Chandler PD to determine staffing efficiencies and deficiencies as well as forecast future staffing needs.

“Discover” is a data-mining tool that grants easy access to the Department’s reported crime data, provides extensive search capabilities and allows for the generation and delivery of a large variety of reports. Additionally, this product analyzes the types of calls coming in to the Chandler PD. This product can be programmed to automatically notify designated police personnel of the activities in their assigned areas. These notifications may occur within minutes of the criminal occurrence.

Overall, these products would harness the large amounts of data acquired through the Department’s computer-aided dispatch system. This data can then be used to conduct useful and timely analysis of officer activity as well as criminal activity throughout the City.

36. AGREEMENT: Bair Analytics, Inc.

APPROVED an agreement with Bair Analytics, Inc., for crime analysis software and embedded analyst services, sole source, in the amount of \$92,270.00.

The BAIR Analytics agreement gives the Crime Analysis and Research Unit the ability to meet the Chandler Police Department (CPD) direction for proactive and predictive analytics. This agreement supports practical CPD crime analysis functionality for strategic, operational, tactical, and administrative crime analysis to include spatial and temporal analysis for both long and short term analytical projects. The agreement includes an embedded police crime analyst for a one-year term and provides data services necessary to meet this objection.

The embedded pattern analyst will provide training in advanced analytical techniques and methodologies to existing crime analysis and research unit staff. This training will be incorporated into the everyday production of crime analysis products such as recognizing and disseminating crime trends and patterns, creating and disseminating crime trends and patterns, creating and disseminating crime bulletins, producing statistical reports and crime suppression meeting documents.

Data services include an automated data feed of crime reports and calls for service data into our current BAIR Analytics software, Automated Tactical Analysis of Crime Workstation. This increases product functionality while offering the unique feature of an embedded analyst to provide the training and consulting on the software and how it can best be utilized with existing Chandler Police Department systems.

37. PURCHASE: Vehicles

APPROVED the purchase of heavy duty trucks, undercover vehicles and administrative vehicles, utilizing the State of Arizona contract, from Chapman Ford in an amount of \$47,726.06, Larry

Miller Dodge in an amount of \$53,982.23, Midway Chevrolet in an amount of \$208,572.66. PFVT in an amount of \$497,150.50 and Sanderson Ford in an amount of \$711,632.90 for a total amount of \$1,519,063.35.

During the FY 2013/14 budget process, Communication & Public Affairs, City Manager, Community Services, Fire Health & Medical, Municipal Utilities, Police and Transportation & Development departments submitted passenger vehicles and heavy duty service body trucks to be considered for replacement in FY 2014/15. The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. The FAC recommends replacing 19 passenger vehicles and 26 heavy duty service trucks.

38. PURCHASE: Creative Communications

APPROVED the purchase of emergency vehicle up-fitting from Creative Communications, utilizing the City of Phoenix contract, in the amount of \$366,577.45.

Public safety depends on specialized automobiles and trucks to provide service delivery. Up-fitting modifies vehicles to provide emergency response warning devices, communication systems and equipment/personnel carrying capabilities. The vehicles must provide safe, dependable, effective and comfortable transportation for personnel as well as required equipment. The design engineers and installation technicians involved in up-fitting must be highly skilled and experienced in order to design and build efficient, long lasting public safety vehicles. In 2014/15, the City of Chandler is replacing 27 public safety vehicles that require up-fitting.

39. PURCHASE: Tires

APPROVED the purchase of tires for City-owned equipment and vehicles from numerous State contract supply points, utilizing the State of Arizona contract, in an amount not to exceed \$260,000.00.

40. PURCHASE: Miscellaneous Supplies

APPROVED the purchase of miscellaneous supplies, building materials and related services from Home Depot and HD Supply Facilities Maintenance, utilizing the U.S. Communities Government Purchasing Alliance Contract No. 11019-RFP, in an amount not to exceed \$250,000.00.

41. PURCHASE: EMC Corporation

APPROVED the purchase of network storage annual support from EMC Corporation, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) Contract No. ADSPO-0000049/B2716, in an amount of \$319,632.00.

The City of Chandler continues to have great success with EMC SAN and NAS storage technologies. Services such as Oracle E-Business Suite, Accela Automation, Lucity, MyTimekeeper, EDMS, ChandlerAZ.gov and many other applications rely on enterprise class storage for reliable service. Renewal of support and maintenance on this equipment will ensure timely response to support issues and replacement of faulted components. The renewal also guarantees software updates for performance, bug fix and security related issues. As the

manufacturer of the hardware and software, EMC is the direct provider of support for these systems and the WSCA contract with EMC provides the best value to the City.

42. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of Cisco network and server equipment from Nexus IS, Inc., utilizing the State of Arizona Contract No. ADSPO12-02422 in an amount of \$831,847.00.

Most City of Chandler information technology infrastructure equipment is evaluated after 5 years of operation to determine reliability and viability for continued use. Equipment operating core Citywide databases, Citywide financials and human resources systems, criminal justice systems and network infrastructure has been evaluated this fiscal year under this methodology. It has been determined that this equipment has reached end of useful life and needs to be replaced to reduce the risk of unplanned outages. All equipment has been in use for over 5 years and is being replaced as part of the technology replacement cycle.

Cisco server technology offers the level of reliability and performance that meets the City standards for service. The focus of this purchase is to replace the existing server equipment for the Oracle E-Business Suite (Citywide financials and human resources system), related server hardware as well as the Oracle database hardware for Citywide applications such as Permits & Inspections, Geographic Information System, Criminal Justice Information Systems and other Citywide or departmental applications.

The Cisco networking infrastructure that is in need of replacement for this fiscal year includes equipment that is installed in various remote City facilities that enables connectivity to critical City technology services that are provided on centralized systems. This connectivity is crucial to processes that require connectivity to City technology services and systems.

NEXUS IS, Inc., is an authorized reseller of Cisco hardware, has a participating Western States Contracting Alliance contract and was able to work with the City and Cisco to authorize additional savings outside of standard negotiated discounts.

43. PURCHASE: Knowledge Services

APPROVED the purchase of Information Technology consulting and staffing services from Guidesoft, Inc., dba Knowledge Services, utilizing the State of Arizona Contract No. ADSPO12-031581, in an amount not to exceed \$256,800.00.

Information Technology has historically hired temporary employees to assist in special projects or backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology Staff and are intended to work on a temporary basis for a specific assignment. The Information Technology field is becoming increasingly more competitive for specialized resources; assistance is needed to find qualified resources in a timely manner.

The State has contracted with Knowledge Services to provide contract technical support resources. Knowledge Services is a "consolidator" of contract resource providers. They represent a wide range of contract staffing firms. The City provides the requirements; Knowledge Services poll their providers for resources and the City interviews the resources and makes a selection. The City then enters into an agreement with Knowledge Services to provide the necessary resource from the most qualified resource provider.

The Information Technology Division brought forward a request in FY 2013/14 to procure temporary staffing services from this vendor and is now looking to expand these services for the remainder of the current fiscal year. These resources will continue to provide the services on several Citywide initiatives identified as priorities by the Information Technology Oversight Committee (ITOC). The complexity of the Lucity and Accela upgrade projects with their multi-point integration with several City Enterprise systems is being simplified by utilizing the Enterprise Service Bus technology. This extension is due to multiple factors including a more complete understanding of the work required for the projects and more complex initial interface design requirements than originally anticipated. The contractor is cross-training City Staff to be able to maintain the system long term.

Information Technology is seeking an extension of two key resources:

1. Enterprise Service Bus Interface Developer: This resource will continue to develop new technology system interfaces for various applications being upgraded or implemented. The contractor has also been tasked to simplify enterprise system integration utilizing best practices with the Enterprise Service Bus tool set. Total cost is \$202,400.00 for 1,760 hours at \$115/hour. This will extend these services through the remainder of this fiscal year.
2. ITOC Project Manager: This resource will provide assistance managing multiple ITOC prioritized projects. There are numerous major ITOC projects being worked on simultaneously and this resource is filling in for a vacant IT Principal Service Delivery Analyst, which is currently under recruitment. This resource will help ensure these projects will continue to be delivered on time and on schedule. Total cost is \$54,400.00 for 680 hours at \$80/hour. This will extend this resource through the end of January 2015 at which time the vacancy is expected to be filled.

44. USE PERMIT: Mid Mountain Excavation

APPROVED Use Permit ZUP14-0006 Mid Mountain Excavation, extension for the continued operation of an excavation business located at 900 E. Germann Road, west of the NWC of Germann and McQueen roads. (Applicant: Ed Johnson; Owner Mid Mountain Excavation.)

BACKGROUND

The request is for Use Permit extension approval to allow the continued operation of an excavation business on property zoned Planned Area Development (PAD) for a mixed-use project with fuel station, RV storage and retail elements. The excavation business has operated on approximately $\frac{3}{4}$ acres of the 9-acre site that surrounds it since 2004. A Use Permit was granted for two years for the business in early 2012. West of the excavation business on the same 9-acre site, is a legal nonconforming auto repair business that includes a metal building and a paved parking lot. Besides the two businesses and a cell tower located along the northern property boundary, the remainder of the site is vacant.

The site received PAD zoning and Preliminary Development Plan approval in 2008 for a fuel station, RV storage and retail project that was to take up the entire site. The project has yet to be developed and is not anticipated to be developed in the upcoming years due to a reduction in commercial demand.

DISCUSSION

The subject business is primarily a swimming pool excavation business with ancillary contractor and municipal construction services. It uses an existing house on the property for its main office that is set back approximately 90' from the Germann Road ROW. Surrounding the office building is a 36,000 square foot vehicle and equipment storage yard enclosed by a chain-link fence that is set back 35' from the Germann Road ROW. Vehicles and equipment stored in the yard include dump trucks, backhoes, smaller trailers and employee vehicles. The yard surface is unimproved. An asphalt driveway connects the gate on the eastern portion of the fencing to the existing Germann Road curb cut. Hours of operation will vary seasonally within the window of approximately 6 a.m. to 5 p.m. The applicant would like to continue operating the business in largely the same manner as it currently is.

A number of concerns were expressed by Planning Staff at the time of initial Use Permit approval that primarily involved the ability to meet a number of the Commercial Design Standards. As part of the Use Permit approval, conditions were added requiring the following:

1. Decomposed granite and boulders along the street frontage,
2. Providing screening materials in addition to the chain link fence, and
3. Providing compacted asphalt as an improved drivable surface into the yard.

The conditions were acted upon and the site is operating consistent with the original Use Permit conditions of approval.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to there being only a few property owners within the notification list, a neighborhood meeting was not held; however, a letter explaining the request along with contact information for both the applicant and City Staff was provided. Planning Staff has heard from one neighbor who had general questions about the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

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

1. Substantial conformance with application materials (Site Plan, Narrative) kept on file in the City of Chandler Planning Division in File No. ZUP14-0006, except as modified by condition herein.
2. The Use Permit shall be extended for a period of three (3) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

45. USE PERMIT: Verizon at Pima Park

APPROVED Use Permit ZUP14-0015 Verizon at Pima Park, to install a wireless communication facility on a ball field light pole within the City of Chandler's Pima Park located at 625 N. McQueen Road, NEC of McQueen Road and Thatcher Boulevard. (Applicant: James Gardner, Shaw & Associates; Owner: City of Chandler.)

BACKGROUND

The request is for Use Permit approval to install a wireless communication facility on a ball field light pole within the City of Chandler's Pima Park located at 625 N. McQueen Road. The surrounding uses are Nicholas Point, The Tradition, Sierra Point North and McQueen North single-family subdivisions. McQueen Commons townhouse development, which has not yet commenced construction, is directly north of the park. Sanborn Elementary school is east.

The Verizon facility would be the first wireless service provider to locate within Pima Park. A Use Permit is required because the facility would not be on the farthest available light pole from residential neighbors. The applicant worked extensively with City Staff to identify a location within the park that met both the Park Department requirements and those of the provider. The ball field light pole selected appears to be the least intrusive to the surrounding developments and to park users. It is sited approximately 218 ft. south of McQueen Commons and 215 ft. east of Sierra Point subdivision, across McQueen Road.

The existing ball field light pole is 55 ft. in height. The replacement ball field light pole will remain at the same height but the diameter increases slightly to support the antennas and comply with building and structural code requirements. The top of antennas will be at 45 ft. above grade with a 2 ft. diameter microwave dish placed below the antenna array.

A 9 ft. high equipment enclosure is proposed to be located approximately 158 ft. to the north of the ball field light pole. It would be constructed of concrete masonry units painted to match the color of existing walls in the park. A state approved pre-fabricated equipment shelter and a back-up generator would be contained within the enclosure. A solid metal gate would allow access for routine maintenance. Landscape is proposed around the north, south and east sides of the enclosure.

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

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

DISCUSSION

Planning Staff supports the request. The proposed location is appropriate for a wireless communication facility attached to a ball field light pole. The separation from the residential properties is consistent with recently approved wireless communication facilities which are located approximately 160 ft. from residentially zoned properties

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 8, 2014. There were no neighbors in attendance. Planning Staff received several phone calls and emails. One resident is in support of the request and two households are in opposition.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

46. USE PERMIT: #1A Lifesafer of Arizona, LLC

APPROVED Use Permit ZUP14-0017,#1A Lifesafer of Arizona, LLC, for automotive accessory installations within a Planned Area Development zoned district that allows for industrial/office/warehouse uses located at 480 E. Warner Road, Suite 1, within the Warner Business Center development. (Applicant: Paul Masse; PHM Ltd.)

BACKGROUND

The subject site is located at the northeast corner of Warner Road and Nevada Street within the Warner Business Center. Directly north of the site is a City of Chandler water tank and industrial buildings. West, across Nevada Street, is the Biscayne Bay apartment complex. East is the Southern Pacific Railroad with the single-family San Vicente residential subdivision east of the track; south is Warner Road.

Warner Business Center, which is part of the Westech Corporate Center, has been zoned PAD for employment uses since 1985. In 2005, the business center received PDP approval for an office/warehouse development with six multi-suite buildings arranged in three rows. In 2012, the permitted uses were expanded to add additional "light retail" uses that would increase the area for retail sales beyond the practice of 10% for showroom uses. The retail uses allowed did not anticipate automotive accessory installations. Each row of buildings has a parking field in front of the suites with a small truck courtyard in the rear of the buildings.

The current request is for Use Permit approval to allow for the installation of ignition interlock devices that require a clean breathalyzer test in order for the vehicle to start. The interlocking devices are installed in the vehicle. Additionally, on a monthly basis, clients are required to visit the site so that the devices can be monitored. Clients will arrive at the site, be instructed to pull in the rear of the building where diagnostics are performed. Following the diagnostics, the clients then leave the facility to resume their normal daily routine. The business is currently in operation and was cited in June of this year for operating without a Use Permit. Following the citation, the applicant submitted for the Use Permit.

DISCUSSION

The Planning Commission and Planning Staff support the request citing that historically, requests for automotive accessory installations have successfully worked in industrial/warehouse developments and typically do not generate the concerns with traffic or noise that locations outside of an industrial development may create.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 27, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. On-street parking is prohibited. All vehicles must be parked within designated parking spaces inside the paved parking lot, fenced yard or inside the building.
3. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. All motor vehicle customization and installations shall occur indoors.
5. Outdoor storage is prohibited.
6. The site shall be maintained in a clean and orderly manner.

47. USE PERMIT: Evolution Custom Cycles

APPROVED Use Permit ZUP14-0021 Evolution Custom Cycles, for motorcycle sales, customization and accessory installations within a Planned Area Development zoned district that allows for industrial/office/warehouse uses located at 430 E. Warner Road, Suites 1 and 2, within the Warner Business Center development. (Applicant: Paul Masse; PHM Ltd.)

BACKGROUND

The subject site is located at the northeast corner of Warner Road and Nevada Street within the Warner Business Center. Directly north of the site is a City of Chandler water tank and industrial buildings. West, across Nevada Street, is the Biscayne Bay apartment complex. East is the Southern Pacific Railroad, with the single-family San Vicente residential subdivision east of the track; south is Warner Road

Warner Business Center, which is part of the Westech Corporate Center, has been zoned PAD for employment uses since 1985. In 2005, the business center received PDP approval for an office/warehouse development with six multi-suite buildings arranged in three rows. In 2012, the permitted uses were expanded to add additional "light retail" uses that would increase the area for retail sales beyond the practice of 10% for showroom uses. The retail uses allowed did not anticipate automotive accessory installations. Each row of buildings has a parking field in front of the suites with a small truck courtyard in the rear of the buildings.

The request is for Use Permit approval to allow for the sale, customization and accessory installations of motorcycles. The business largely does motorcycle customization and accessory installations that often includes machining, welding and mechanical assembly. In addition to the machining, welding and assembly portions of the business, the occasional motorcycle is customized from the ground-up and sold on the premises. It is anticipated that custom motorcycle sales would equate to less than half a dozen motorcycles a year.

DISCUSSION

The Planning Commission and Planning Staff support the request citing that historically, requests for automotive accessory installations have successfully worked in industrial/warehouse developments and typically do not generate the concerns with traffic or noise that locations outside of an industrial development may create.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 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 6-0 with Commissioner Baron absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. On-street parking is prohibited. All vehicles must be parked within designated parking spaces inside the paved parking lot, fenced yard or inside the building.
3. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. All motor vehicle customization and installations shall occur indoors.
5. Outdoor storage is prohibited.
6. The site shall be maintained in a clean and orderly manner.

48. USE PERMIT: AASK – Aid to Adoption of Special Kids

APPROVED Use Permit ZUP14-0023, AASK – Aid to Adoption of Special Kids, to allow a general office use within an existing building on property zoned Planned Area Development (PAD) for Planned Industrial District (I-1) uses located at 175 E. Corporate Place. (Applicant: Ron Adelson with AASK.)

BACKGROUND

The property is located within the Westech Corporate Center industrial business park located east of Arizona Avenue and north of Warner Road. In 1985, the property was zoned Planned Area Development (PAD) for light industrial use. A Preliminary Development Plan (PDP) is required for each parcel that develops. In 2003, a PDP was approved for the site and building design of a single light industrial warehouse building with ancillary general office for an electrical wholesale company.

Parcels to the north, west and east are vacant and planned for light industrial. South of the property is an existing building occupied by Tower Services, a wireless telecommunications contractor.

This application requests approval of a Use Permit to allow a general office use. The property's zoning does not allow 100 percent office use. Recently, AASK purchased this building under the assumption it could be occupied with 100 percent general office. AASK is a nonprofit agency focused on finding families for children in foster care. This site would be AASK's third location in the valley with approximately 20 employees operating Monday through Friday 8 a.m. to 5 p.m. with occasional weekend hours 9 a.m. to 4 p.m. and evening meetings 6:30 p.m. to 9:30 p.m.

The building is approximately 8,980 sq. ft. in size. The building's interior was approved for a warehouse and up to 57% support general office. However, at some point, the prior business expanded the office component without City approval. AASK provides administrative offices and other recourses for employees, families and children including a training room, intake rooms, a play area, multi-purpose room and crafts room.

The site provides 34 of the required 36 parking spaces for general office. A parking demand study was provided and reviewed by Planning Staff finding the site provides adequate parking based on the nature of the proposed office use. There is on-street parking available for overflow parking.

DISCUSSION

The Planning Commission and Planning Staff find the proposed AASK office is compatible with the mix of commercial, office and light industrial uses in the Westech business park area. The location provides adequate parking and access for the office.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting and notice was waived due to the property not being located near any residential areas. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 - 0 with Commissioner Baron 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 (Exhibit A Narrative, Exhibit B Site Plan, Exhibit C Floor Plan) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other property.
3. The property shall be maintained in a clean and orderly manner
4. Use Permit approval does not constitute Final Development Plan approval such as building permits and/or Certificate of Occupancy for the general office use; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

49. USE PERMIT: Social Box/American Eats and Drinks

APPROVED Use Permit LUP14-0014 Social Box/American Eats and Drinks, Series 6 Bar Liquor License, to sell and serve liquor as permitted for on-premise and off-premise consumption within an existing restaurant and outdoor patios located at 1371 N. Alma School Road, the SEC of Alma School and Knox roads. (Applicant: Amy Nations; Arizona Liquor Industry Consultants.)

BACKGROUND

The subject site has a long zoning history going back to the mid-1980's with a variety of liquor licenses and restaurants occupying the site. The current request is for a Use Permit to sell and serve liquor as permitted under a Series 6 Bar Liquor License. While restaurant uses have been established for the site, the current restaurateur is in the process of remodeling the interior by splitting the existing restaurant into two restaurants under one roof and expanding the outdoor

patios allowing each restaurant their own patio. The restaurants will use the same kitchen. The restaurant formerly operated as Iguana Mack's.

The center in which the subject site is located includes restaurants adjacent to the site's north and south, offices south of the adjacent restaurant, parking lots on both the west and east sides, with residential condominiums east of the center.

The restaurants are open seven days a week from 11 a.m. to 2 a.m. and will employ 40 full-time and 20 part-time employees. All of the employees are required to successfully complete State certified liquor law training. The restaurants are approximately 10,000 square feet and will be able to accommodate 259 patrons in the dining areas and 96 patrons in the bar and patio areas.

The two outdoor patio areas are provided, one for each restaurant. The patio for Social Box will be provided north of the entrance, whereas the patio for American Eats and Drinks will be located along the south side of the restaurant. While two patios are proposed, the overall square footage of the combined patios is less than the previously approved patio. The restaurant currently has approval for live entertainment four nights a week by means of a DJ, along with provisions for an acoustic group. Entertainment will be reduced in terms of the type of entertainment going from a DJ to karaoke indoors only, with an occasional single acoustic troubadour. The entertainment allowance includes both restaurants; however, live entertainment will not be provided in both restaurants at the same time.

DISCUSSION

While the footprint of the restaurant is largely staying the same as the previous restaurants, interior modifications to the restaurant include reworking of the seating around the existing bar area for the Social Box side of the restaurant (north), and relocating restrooms, updating the dining area, providing a bar area, and providing an outdoor patio for the American Eats and Drinks side of the restaurant (south). With the last Use Permit, a condition of approval was provided requiring that if any modifications were made that were not in substantial keeping with the presented exhibits, a new Use Permit would be required. Based on the condition, a new Use Permit is required. Additionally, there were concerns with the previous bar's operation; with the redesign of the restaurant and creating a more sit-down restaurant environment, Planning Staff finds that a number of the past concerns will be alleviated; however, Planning Staff is recommending a timing condition of three years. Although the restaurant is creating a more sit-down environment, a Series 6 license is being maintained to allow the ability to sell packaged to-go liquor as well as to sell liquor along with food delivery.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 18, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron 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 for interior and exterior areas (Floor Plan, Site Plan and Narrative) shall void the Use Permit and require re-application and approval of a new Use Permit.
2. The Use Permit is granted for a Series 6 license only and any change of licenses shall require re-application and approval of a new Use Permit
3. The Liquor Use Permit shall remain in effect for three (3) years from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. The Use Permit is non-transferable to other store locations.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or additional entertainment related uses beyond outdoor speakers and live music shall require reapplication of the Use Permit.
6. The site and outdoor patio shall be maintained in a clean and orderly manner.
7. Music shall be controlled so as to not unreasonably disturb area residents.

50. PERMANENT EXTENSION OF PREMISES: Social Box/American Eats and Drinks

APPROVED a permanent extension of premises for a Series 6 Bar Liquor License (Chandler #139973L) held by Iguana Ventures LLC, dba Social Box/American Eats and Drinks located at 1371 N. Alma School Road. Recommendation for approval of the permanent extension of premises for State Liquor License #6070034 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

51. USE PERMIT: D'Vine Gourmet

APPROVED Use Permit LUP14-0015 D'Vine Gourmet, Series 7 Beer and Wine Liquor License to sell and serve liquor as permitted for on-premise retail sales and sampling within a new retail store located at 4955 S. Alma School Road, Suite D-103, within the Fulton Ranch Promenade shopping center. (Applicant: Andrew McCreery, Owner.)

BACKGROUND

The subject site is located at the northeast corner of Alma School and Chandler Heights roads within The Promenade at Fulton Ranch shopping plaza. The center contains 150,000 sq. ft. of building area for use of retail shops, restaurants and professional offices. The subject site is located at the northeast end of the shopping plaza and occupies 2,511 sq. ft.

D'Vine Gourmet has operated a store with a Use Permit for a Series 7 License at the southeast corner of McQueen and Riggs roads since 2010 and is in the process of relocating to The Promenade at Fulton Ranch. The business is a retail store that sells gourmet gift baskets including bottles of wine and beer. They offer a variety of 50 different wines. A Series 7 liquor license allows the business to provide beer and wine sales for on-premise consumption, as well as on and off-premise sales. The business has no desire at this point to allow on-premise consumption, but rather will use the Series 7 license for the sale of gift baskets that may include wine and beer.

The business is open Monday through Friday 10 a.m. to 6 p.m. and Saturday 10 a.m. to 4 p.m. The store is currently managed by the owner and has one employee. It is anticipated that two additional employees will be hired in the coming months.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 29, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTION

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

1. 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.
2. The Use Permit is granted for a Series 7 license and any change of license shall require reapplication and new Use Permit approval.
3. The Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.

52. LIQUOR LICENSE: D'Vine Gourmet

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #154936L7) for Denise Kathleen McCreery, Agent, D'Vine Gourmet, 4955 S. Alma School Road, Suite D103-4. Recommendation for approval of State Liquor License #07070298 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.

53. LIQUOR LICENSE: Stone & Vine Urban Italian

APPROVED a Series 12 Restaurant Liquor License (Chandler #154642L12) for Randy D. Nations, Agent, Three Fingers LLC, dba Stone & Vine Urban Italian, 1035 W. Queen Creek Road, Suite 103. Recommendation for approval of State Liquor License #1207A007 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 Ocotillo Pizzeria, Inc., dba Patsy Grimaldi's Pizzeria.

54. TEMPORARY EXTENSION OF PREMISES: Jolie's Place

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #139148L6) held by JoJo Tender LLC, dba Jolie's Place, 140 W. Warner Road. Recommendation for a Temporary Extension of Premises for State Liquor License #06070566 will be forwarded to the State Department of Liquor Licenses and Control. The period of the extension is November 8, 2014, from 9 a.m. until 1:30 a.m. for the 2nd Annual Prostate Cancer Corn Hole Tournament. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

55. SPECIAL EVENT LIQUOR LICENSE: Matthew's Crossing Food Bank

APPROVED a Special Event Liquor License for Matthew's Crossing Food Bank for the Sip N Sizzle 2 Event, November 6, 2014, to be held at Connect 5, 222 E. Warner Road. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

56. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Holiday Enchantment Gala, November 7, 2014, to be held at Big Two Toyota, 250 S. Gilbert Road. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

57. SPECIAL EVENT LIQUOR LICENSE: Chandler Compadres

APPROVED a Special Event Liquor License for the Chandler Compadres for the Rock the Cause of Kids 2014 Fundraiser, November 15, 2014, to be held at Ten Chandler, 560 N. 54th Street. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

58. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Chandler New Year's Eve Party, December 31, 2014, to be held at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

59. FINAL PLAT: Replat of a Portion of Layton Lakes Parcel 24

APPROVED Final Plat FPT14-0012 Replat of a Portion of Layton Lakes Parcel 24, located at the SEC of Gilbert and Queen Creek roads. (Applicant: Kent Groh, Bowman Consulting.)

BACKGROUND

This Final Plat is a replat of a portion of Parcel 24 of the Layton Lakes Master Plan most recently amended in February 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

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

60. **PURCHASE:** Creative Communications

APPROVED the purchase of 59 General Electric (GE) two-way radios from Creative Communications, utilizing State of Arizona Contract No. ADSPO13-036883, in an amount not to exceed \$117,662.29.

In order to remotely control the City's water distribution, wastewater collections and reclaimed water turnouts, water and wastewater systems utilize a supervisory control and data acquisition (SCADA) radio system to communicate with remote sites throughout the City. The current radio system has become obsolete by the manufacturer GE MDS, LLC, and will no longer be serviced. To continue to maintain dependable and serviceable communication for daily operations, migration to the newest version of licensed radios produced by GE MDS, LLC, is necessary. This change to the new technology will improve communication speed and reliability with the 59 water and wastewater sites throughout the City.

61. **CONTRACT:** Sundt-McCarthy Construction, Inc.

APPROVED Contract No. WW1301.251 with Sundt-McCarthy Construction, Inc., for the Ocotillo Water Reclamation Facility (OWRF) expansion and related facilities, in an amount not to exceed \$1,080,756.00.

This contract is for pre-construction services for a new treatment system and supporting areas to expand the OWRF. The new treatment system and supporting areas will be located immediately to the north and west of the existing OWRF located at 3333 S. Old Price Road. Currently, the OWRF has a ten million gallon per day (MGD) capacity. This initial phase of construction will add five MGD treatment capacity. The future phases will accommodate build-out capacity.

62. **EMPLOYMENT CONTRACT:** City Clerk

APPROVED an employment contract with Marla Paddock as City Clerk for a base salary of \$121,938 for FY2014-15.

ACTION

5. **ZONING EXTENSION/PRELIMINARY DEVELOPMENT PLAN:** Pacific Oil Partners
Ord. #4576

BACKGROUND

The subject site is an undeveloped property located at the southeast corner of Alma School and Pecos roads. The parcel is approximately 2.5 acres and was previously zoned as part of a larger planned commercial development. The parcel is surrounded by vacant land to the east and south zoned for commercial use. Further east is an existing apartment development. The northeast and northwest corners of the Alma School and Pecos roads intersection are developing with multi-family residential, Aerie West and Aerie East. Single-family residential subdivisions exist next to the Aerie projects. The southwest corner of the intersection is vacant land zoned for commercial use and an apartment development to the west.

ZONING REVERSION

The property was previously zoned Planned Area Development (PAD) for community commercial (C-2) uses including a gas station with convenience store and a car wash. The rezoning included a Preliminary Development Plan (PDP) for a retail shopping center along with the gas station site on approximately 14 acres. The property abuts a 12-acre undeveloped parcel. This 12-acre parcel used to be a part of the 14-acre retail shopping center plan. Over the years, the 12-acre parcel has been approved different PDPs for a mix of office and retail development.

Recently, the 12-acre parcel was zoned back to its original PAD zoning in case PL97-199 (Ord. 2811) on 10 acres and a new PAD (C-2) zoning on 2 acres. This reestablished community commercial (C-2) uses and the former PDP case, PDP08-0005, for a mix of office and retail

The request is to revert the 2.5-acre property's zoning from PAD (Commercial) in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). This aligns with the recent zoning reversion on the surrounding 12-acre parcel. The reverted zoning establishes community commercial (C-2) uses including a gas station, convenience store and car wash uses on approximately 2.5 acres.

PRELIMINARY DEVELOPMENT PLAN

The request includes Preliminary Development Plan (PDP) for site layout and building design. The proposed development includes a 4,950 sq. ft. convenience store, 3,563 sq. ft. car wash and 8 fuel dispensers under a 5,808 sq. ft. canopy. There is covered parking for employees and customers as well as a covered vacuum area. The site layout is designed to coordinate with the adjacent property's PDP by providing shared access and similar landscaping. Building architecture reflects the materials and forms of the adjacent PDP's office and retail buildings.

The development requests waivers to a few zoning codes in order to accommodate site standards and allow the corner pad to develop prior to the larger commercial development. The Zoning Code requires any pad building less than 25,000 sq. ft. in size, within a site less than 10 acres, to develop along with at least 12,000 sq. ft. of additional building area. The development requests to waive this requirement.

The property is located at the intersection of two arterial streets requiring a 50-foot by 250-foot landscape intersection setback. The development requests to waive this requirement allowing a 35-foot by 250-foot landscape intersection setback to provide adequate on-site circulation. The development is providing a greater landscape setback along Alma School Road and additional landscaping within the property. Lastly, the development requests a waiver from applying the minimum six additional quality standards required for shopping centers, office complexes and commercial centers given the site's small size.

The proposal includes freestanding monument signage and building mounted signage. There are two freestanding signs, one on each street frontage. Building mounted signage is provided on all three buildings/structures.

The Planning Commission and Planning Staff support the request to revert the property's PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). The reverted zoning establishes community commercial uses including a gas station, convenience store and car wash. The building architecture is creative and atypical which is compatible with the approved architecture on the surrounding parcel. The request for

Zoning Code waivers is appropriate given the sites small size and unknown development timing surrounding the parcel.

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 August 25, 2014. There were no neighbors in attendance. Planning Staff is aware of opposition/concerns from two area gas station owners who provided correspondence to Staff.

PLANNING COMMISSION VOTE REPORT

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

Two business owners spoke at the meeting with concerns about another gas station and convenience store occurring in the area and requested the site design occur in the same manner as their sites. The speakers represented Cobblestone gas station and car wash at the southeast corner of Alma School and Germann roads and Chevron at the northwest corner of Alma School and Germann roads. Both business owners emailed Planning Staff their concerns.

RECOMMENDED ACTIONS

Zoning Reversion

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Preliminary Development Plan

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. 2822 in case PL97-199, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "DVR14-0003 Pacific Oil Partners", kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0003, except as modified by condition herein.
3. 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.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
8. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
9. The site shall be maintained in a clean and orderly manner.

COUNCIL DISCUSSION:

VICE MAYOR HEUMANN stated he had concerns with the design and land use requested with this development. With no real development plan in place, and the request to have the gas station take the "corner" future development may be inhibited because of visibility. He expressed concern over the industrial architectural style of the building and it seems the building standards are more lenient.

SR. PLANNER JODIE NOVAK stated there has been a conceptual plan for many years. The Planning Department does not have any issues with the planning/land use of the current layout of the building and pump stations. The property will be sharing ingress and egress with the land adjacent to it. With regards to the architecture, the materials, the geometric lines the parapet elements are similar to what is across the street. It may be the color pallet that is giving the development the industrial feel. The architecture has been approved based on what has already been approved for the other two buildings to be built on the land adjacent to it.

COUNCILMEMBER WENINGER asked if there was a stipulation on the amount of pumps the Chevron could have when they built. Ms. Novak stated there were no stipulations to the number of gas pumps. The applicant originally filed to have 8 pumps and through the Planning Commission and the Design Review Committee. It had to be redesigned to fit the smaller pad within the shopping center, therefore the direction from Committee was to reduce the number of pumps to 6 in order to fit within the design layout. Councilmember Weninger asked if the thought process was to have less pumps for all stations or just that one. Ms. Novak said it was compatibility. The number of pumps was not an issue, it was how the design would fit the site in order to accommodate traffic flow and connectivity with the rest of the center. There was no way this site could accommodate 8 pumps and extend the canopy. Ms. Novak stated that in the late 1990's and early 2000's the city was seeing a decrease in the parcel size for gas stations, therefore the size of the site actually dictated the number of pumps.

Councilmember Weninger inquired why the Chevron site seems a bit backwards compared to most. He inquired as to why the gas station does not face either Alma School or Germann, why does it face inward. Ms. Novak stated at the time, the philosophy that was directed to Staff was to not have gas pump canopies face a major intersection. Based on existing structures, the canopies were not as high quality design at that time based on existing structures. So the placement of the building would be at the corner or parallel to the street and internalize the canopies. Over the years, that philosophy has changed of staff.

MR. TUCK BETTIN, 3739 E. Bell Rd. Phoenix (work location), stated he was involved with the development of the Cobblestone Auto Spa located at Alma School and Germann. The planning and design of this development took over 3 1/2 years before it opened in 2003. This development even received an architectural award from the City of Chandler. He stated the number of gas pumps were a major issue. Originally the site was designed for 8 pumps and after many conversations with City Staff they had to reduce the number to 6. It was a City imposed expectation for sites then. The Chevron station across the street, built before Cobblestone, was originally designed for 8 stations and they too had to reduce the number to 6. He stated the Quicktrip, which is about 1 mile east of Cobblestone and recently built, has 10 gas pumps which correlates to 20 fueling positions and 65% more capacity than the Cobblestone or the Chevron across the street. The impact of this capacity has affected Cobblestone's business greatly. Cobblestone is a local company, that prides itself on buying local and spending local, and he is requesting the Council reconsider the 8 gas pumps currently being proposed for this application. He stated they would appreciate and expect a level of fairness and consistency with where they

are expected to develop and how they are to develop sites. Without this fairness, it puts local businesses at a significant disadvantage.

J.D. SARAN, 2472 W. Spruce Dr. Chandler, stated he is the owner of the Chevron at Germann and Alma School since 2004. He said they also applied for 8 pumps but was approved for 6. He stated they lost a lot of business when the QuickTrip opened up. While not afraid of competition, he is upset that another Chevron is being proposed in just .9 miles from his store and is also on the same side for flow of traffic. The industry standard is that the same business, whether it be Chevron, Arco, Shell, etc. does not build within a 2 mile radius of itself. He is requesting the same standards he was required to build under be the same for this proposed site, that this facility be limited to 6 pumps and the store be similar in size.

DAVID MILLER, 20750 N. 87 St. Scottsdale, stated he is the applicant for this project. He has been a Chandler business person since 1995. He built the Arco Station, which is now Chevron located at SEC of Dobson and Ray Road. He has been working on this project with the City of Chandler for 3 years, trying to develop a model of the "newest," gas station/convenient store that the state has ever seen. He has complied with every request the City has asked for at a higher cost than other stations. Times have changed. In prior years stations were built on smaller lots, which meant smaller facilities and less pumps. Recently throughout the valley, new stations are being built on larger sites with more amenities to accommodate the increase of customers. They are usually built with 10 pumps, but he scaled this back to 8. He believes this is about competition, but he is competing with them, just as much as they are competing with him. The reason major oils will let stations be built a mile apart is because there is a major corridor between them. This "corridor" is usually a freeway. In existence today there are gas stations on opposite corners because they are on the opposite side of the freeway. Before he purchased this site he pulled the traffic count for the intersection of Alma School and Germann and Alma School and Pecos. The Alma School and Germann intersection has 55,900 cars and his corner has 47,000. This station will service the north side of the freeway. There are no gas stations for over 3 miles on the north side of the freeway. The Cobblestone convenience store is twice the size he is building, which is 4,950 sq. ft., and Cobblestone has two more pumps they did not mention in the back of their site, making a total of 8 pumps.

He believes he represents a different market, has a different traffic pattern, he is in a much needed location, the site has been planned for a gas station for 12-13 years, and has pulled out all the stops to accommodate the City's requests.

COUNCILMEMBER WENINGER asked Mr. Miller how many pumps were at the Dobson and Ray location. Mr. Miller stated 8 pumps, which were approved in 1995. Mr. Miller stated he has not decided on which brand he will choose for this location, but he is a Chevron dealer, so he is leaning towards the Chevron brand.

VICE MAYOR HEUMANN asked Ms. Novak if the City has looked at the land use in the area to the number of gas stations and the possibility of adaptive reuse if the area is saturated with gas stations. Ms. Novak stated they have not done a study on how many gas stations are within the city, or how many are located on corners. She was reviewing how many stations have been approved but not yet been constructed that share the same intersection. There are only about 6 or 7 stations proposed that will be on opposite corners of each other in the city. She summarized the location of stations within this corridor and stated there are not that many and some of them are several miles between each other.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO INTRODUCED AND TENTATIVELY APPROVE ORDINANCE NO. 4576, DVR14-0003 PACIFIC OIL PARTNERS, ON THE EXISTING PLANNED AREA DEVELOPMENT (PAD) ZONING TO REVERT FROM PAD (COMMERCIAL) ZONING IN ORDINANCE NO. 3260 (DVR00-0005) TO PAD (COMMERCIAL) IN ORDINANCE NO. 2822 (PL97-199) AND TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN (PDP) DVR14-0003 PACIFIC OIL PARTNERS FOR SITE DESIGN AND BUILDING ARCHITECTURE LOCATED AT THE SEC OF ALMA SCHOOL AND PECOS ROADS AS RECOMMENDED BY THE PLANNING COMMISSION AND CITY STAFF.

COUNCILMEMBER WENINGER asked Staff to review the signage for the other two businesses if the owners wish, and see if there are other options to make them more competitive. Ms. Novak stated Staff has upgraded Cobblestone's signage over the years. The City has upgraded the sign code, and Staff is available if the business owners wish to evaluate their signage and see if there are any other elements that could aid visibility to their business.

THE MOTION CARRIED (5-2) WITH VICE MAYOR HEUMANN AND COUNCILMEMBER WENINGER VOTING NAY.

62. USE PERMIT: Hudson Baylor dba ReCommunity Chandler

Use Permit ZUP13-0025 Hudson Baylor dba ReCommunity Chandler, extension for the continued operation of a recycling facility located within a General Industrial (I-2) zoning district and the continued use of ingress and egress off of Hamilton Street located at 1100 N Hamilton Street, north and west of the NWC of Ray Road and Hamilton Street. (Applicant: Will Herzog; Hudson Baylor dba ReCommunity.)

BACKGROUND

The subject site is located north and west of the northwest corner of Ray Road and Hamilton Street. Surrounding the site on all four sides are industrial uses. Directly north of the site is a steel welding facility. Directly east is a lot zoned for I-2 uses, and is relatively vacant. South of the site is another recycling facility. Directly west is the Union Pacific Railroad.

Recycling activities have taken place on the subject property since 1995 and on the adjacent property to the south since 1989. Recycling activities for both sites are deemed vested as well as the means of ingress off of Hamilton Street. Up until 2009, the subject site had been part of the recycling operations to the south. In 1999 and 2001, Use Permits were granted to allow ingress to the recycling facilities off of Hamilton Street. The 2001 approval removed any timing condition for the means of access. With the end of the lease agreement for the subject site in 2009, the facility to the south modified their access points utilizing Ray Road for ingress and egress, eliminating the need for access off of Hamilton Street. Due to the change in operators for the lease agreement, the subject site was prohibited from using any means of access on Ray Road, which led to the Use Permit request in 2009 for both ingress and egress off of Hamilton Street. The Use Permit was granted with a one-year timing condition and subsequently approved in 2010 for an additional three years. The Use Permits were required due to the point of egress crossing a separate parcel that does not include the subject site. The current request seeks to extend the Use Permit for an additional three (3) years allowing for egress on to Hamilton Street. Due to concerns regarding vehicular movements from the site, Planning Staff is recommending an extension for one (1) year.

At the time of approval in 2009, the request included an expansion area and drop-off building located north of the existing building. The approved structure consisted of pre-fabricated 10' tall by 7'-6" wide concrete walls on the approximate 82' x 68' pad. An additional 10' of mesh netting will extend above the walls for an overall structure height of 20'. The structure has yet to be built due to the lower number of trips generated than was initially anticipated; however, the request for the additional structure remains.

There is no storage of materials or the operation of vehicles overnight; however, a spare trailer is kept on site to allow for loading of materials until a delivery truck arrives at the site the following morning. Public drop-off of recyclables does not take place on this site.

Based on concerns received from the surrounding neighborhood about trash, Planning Staff has visited the site on a number of occasions, unannounced, and has found that the site has been maintained and kept in clean order; no violations have been issued for the site. While visiting the site, Planning Staff noticed recyclables in the area and that there were two facilities within close proximity of the subject site (one directly south of the site and the other at the immediate northwest corner of Ray Road and Hamilton Street) with exposed recyclables. Since the writing of the initial Council memo, the recycling operations located at the northwest corner of Hamilton Street and Ray Road has closed. Planning Staff is working with the City inspection team to remedy any outstanding issues.

Additionally, concerns have been expressed regarding the amount of truck traffic generated. Based on the concerns that Planning Staff heard regarding traffic movements, Planning Staff worked with the Traffic Division to have an in-house traffic study conducted over a two-day time period. The results were then compared with a study that was conducted in 2010. Overall, there was an increase in traffic; however, the increase was consistent with what was anticipated with the prior Use Permit approval. Results of the study concluded that truck traffic on Hamilton Street heading south of Knox Road constitutes four percent of overall traffic on Hamilton Street and truck traffic heading north on Hamilton Street, north of Ray Road, provides nine percent of the traffic. In short, the results show that truck traffic largely heads north on Hamilton Street to the facility and then heads south on Hamilton Street from the facility, with some occasional trucks heading north on Hamilton Street (equating to four trucks). Movements are consistent with the requirement that truck traffic exit the facility heading south onto Hamilton Street.

As mentioned above, concerns were expressed by neighbors regarding truck movements and established uses for the site. Staff from the City's Traffic Division have reviewed the access point into the site and have provided an exhibit showing modifications to the mouth of the driveway. The design provides a modified curb return on the south portion of the access drive which widens the mouth of the driveway allowing trucks to start south bound movements with the truck angled towards south Hamilton Street. In addition to the widening of the driveway mouth, a curved median is proposed that would further force trucks into a south bound angle. With the incorporation of the median, the modification reduces the wide swing-out of the truck as provided on the exhibit. This design allows for the truck to remain either completely in the south bound lane or within the center lane. With the existing drive configuration, trucks heading south bound have the potential to swing far out into Hamilton Street with some occasion of heading south in the north bound lane of Hamilton Street. Planning Staff is also recommending that the "right-turn only" sign that is currently located on the drive's south side be relocated to the median.

Concerns were also expressed regarding the nature of the business and whether or not the use is deemed a transfer station or a recycling facility. Per the recycling category of the *Table of*

Permitted Uses, the table does not distinguish between a collection, transfer or processing facility, but rather all elements of the recycling process are included. Two categories are provided for recycling facilities. Provisions are provided for small-scale operations where a resident could drop-off recyclables for cash payment; these types of facilities are allowed by right in both I-1 and I-2 zoning districts. The second category covers large operations that would include the subject site and adjacent recycling facility; these types of facilities require a Use Permit in I-2 zoned districts. While a distinction between a transfer station and a recycling facility has been made, the use designation allows for both operations. It is more important to note that general collection and transfer activities have occurred on the subject site, largely in the same manner as currently exists, since 1999. The users have changed, but the use has largely remained the same and is consistent with the current use categories.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 10, 2014. There were nine neighbors in attendance who strongly expressed their concerns with the increase in trash, traffic and pests. Two letters expressing opposition were also received.

Planning Staff has heard from a number of residents concerned with the request citing that because of the recycling facility, trash in the surrounding neighborhoods has increased and traffic issues on Hamilton Street have become more difficult to deal with. Concerns have primarily been conveyed via petition with a neighborhood representative being in routine contact with Planning Staff. Following the Planning Commission hearing, Planning Staff has heard from two additional neighbors in opposition.

PLANNING COMMISSION VOTE REPORT

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

Two neighbors spoke in opposition at the hearing with one of the speakers being a resident looking for a home in the neighborhood. Concerns expressed dealt with the size of trucks on Hamilton Street and potential traffic safety, the early hours of operation and diminished property values. Following the Planning Commission hearing, Planning Staff spoke with the applicant and the Traffic Division to address the wide turns out of the site and it was determined that the applicant, in working with the property owner, could widen the mouth of the driveway which would give exiting trucks a more direct ability to angle south, reducing the width of the turn-out from the site.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and I-2 zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The site shall be maintained in a clean and orderly manner.
2. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
3. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
4. The applicant shall work with Staff to make driveway modifications to ensure vehicular movements are safe.
5. The right-turn only sign that is located on the south side of the drive shall be relocated to the median.

6. Recyclable drop-off operations shall not occur on-site until after 5:30 a.m.
7. The driveway modifications shall be completed within 120 days from Council approval.

COUNCIL DISCUSSION:

SR. PLANNER ERIK SWANSON stated this item was continued from the September 11, 2014, Council meeting to allow the applicant and Staff time to review traffic measures that potentially resolve truck movements from the site. Additionally, at the meeting neighbors expressed concerns about the Use Permit request with specific concerns regarding the operation and established use for the subject site, at which time Council requested a timeline of recycling activities for the area. Planning Staff has added exhibits that address the truck movements and has provided a history/timeline of recycling activities for the site and surrounding area.

At the September 11th meeting neighboring residents did voice their concerns of the hours of operation, truck traffic, maintenance of the street, and the breakdown of the roadway, and whether the use of the site was being represented accurately.

Mr. Swanson requested to only address those issues that are different from the previous hearing, address any changes from the last meeting and then any site specific details if requested.

The following items were reviewed since the last meeting:

- He worked with the traffic division to devise solutions of truck movement out of the facility. The third exhibit within the Staff Memo displays a modified curb return to open up the entrance/exit and the addition of a small raised median to direct traffic south rather than north.
- Relocation of the right turn only sign, that is currently on the south side of the drive, into the median area, making the sign more prominent and directly in front of the drivers when exiting.
- Staff is requesting completion of these changes be done within 100 days assuming Council approval of the stipulations. This allows sufficient time for plans to be drawn, reviewed by City Staff, and ultimate construction.
- Regarding the improvements of Hamilton Street – Transportation and Planning Director RJ Zeder indicated that improvements were originally planned for mid to late 2016, but have been moved up approximately 1 year and are included in the repaving program to the fall of 2015.
- Timeline for the recycling activities on the site & how the Use is classified – There are two classifications for recycling facilities. The first is for recycling collection and transfer only facility. This is for small mom and pop places where you drop off your cans. The second classification is recycling, collection, transfer, and processing facility. This applies to the subject site and user to the south. The City does not separate what is collection oriented, transfer oriented, or what is facility oriented. The subject site was approved in 1995. The application was submitted similar to what is currently going on at the site. As the users changed over time, activities on the site have remained the same.

VICE MAYOR HEUMANN inquired whether the parcel was for sale, or had it been sold, and whether the use permit will transfer over to the new owner. Mr. Swanson stated the parcel that Hudson Bay (Re-community Chandler) is on, is in the process of being sold and the Use Permit would transfer if the use remained the same.

There is the potential the new owners could terminate the lease with Hudson Baylor and expand the steel facility to the south and east, provided it meets the existing zoning setback and use requirements. It could not expand the recycling facility.

Vice Mayor Heumann inquired when the Use Permit was approved in 1995 was this for the City's own use. Mr. Swanson stated in 1995 when the permit was issued, it was initially for the City's recycling.

GARY LIEDER 1072 North Bogle Avenue, Chandler, stated his opposition to the extension of the Use Permit for Hudson Baylor and the recycling facility because of all the issues the neighborhood has suffered with and made known to the City. He stated the following conditions should be part of the stipulations of the permit if approved.

- Mandatory trucks less than 53 feet in length
- Add a deceleration lane and slower speed limits on Hamilton Road
- Hours of Operation from 7 am to 5 pm
- Enclose the east end of the building with doors for noise abatement
- Maintain landscape and install signs for noise and other complaints
- Widen turn radius on Ray and Hamilton Roads to decrease damage to sidewalks and curbs
- Be responsible to keep litter and debris picked on both sides of Hamilton Road from entrance down to Ray Road.
- Limit the extension of Use Permit for one year, not three to ensure compliance with stipulations
- Limits be placed on traffic capacity
- Repair street damage along Hamilton Road

He asked Council to vote no on extending the Use Permit for continued operation of the recycling plant.

In response to COUNCILMEMBER SELLERS question, Mr. Swanson confirmed that the use on the site is a vested use and the use permit is for continued use of ingress and egress off Hamilton Street.

The Mayor asked the City Attorney the options Council could consider for this item.

City Attorney Kay Bigelow stated the Use Permit is not about the land use, and Council cannot control land use through the Use Permit. The Use Permit is strictly for the ingress and egress of the site. Ms. Bigelow confirmed with Sr. Planner Erik Swanson that the applicant has accepted the stipulations he has recommended. Ms. Bigelow stated this is a very unusual situation.

Mayor Tibshraeny asked Mr. Swanson to address the speaker's recommendations. Mr. Swanson stated the Use Permit has been amended to a one year extension from the three year. With regards to installation of signs with phone numbers for people to call with complaints, he will contact the applicant/ new property owner to see what can be worked out. With regards to some

of the other stipulations Mr. Lieder's spoke of such as decel lane and street speed, he cannot address, but believes the safety issues will be resolved.

VICE MAYOR HEUMANN asked Mr. Swanson to address the hours of operation and if the City had any regulated hours for this type of business. Mr. Swanson stated one of the added stipulations regulates operating hours. It stipulates that recyclable drop-off operations shall not occur on-site until after 5:30 a.m. However he was informed that workers are on site earlier than 5:30 a.m. to open up and prepare for the work day. However trucks will not be allowed any earlier than 5:30 a.m.

COUNCILMEMBER WENINGER requested that Mr. Swanson address the issue of litter and debris along Hamilton and Ray roads with the applicant and that they keep the area clean of debris. Mr. Swanson stated he would work with the applicant on addressing that.

WILL HERZOG, APPLICANT stated he is the Regional Business Development Manager for Recommunity. They only deal with recycling, and not in waste management. The building where the recyclables are held has walls to control the debris as best as possible. They have had guidelines related to truck counts throughout their occupancy of the facility, and they have turned away trucks because they are limited to the number of trucks allowed at the site. Their operating hours say from 4:00 a.m. to 6:00 p.m., but that is to have workers open up to do any clean up or maintenance before trucks start to roll in, which is usually around 5:30-6:00 a.m. When employees arrive, usually there are other employees from the other businesses already there.

In response to questions from Councilmembers Weninger and Hartke, Mr. Herzog said they do their best to be a good neighbor especially since they are so close to a residential area. With regards to keeping both sides of the streets clean, he expressed concern over the safety of his employees since the streets are very busy and on a major arterial. As to the matter of having a phone number and point of contact for the neighbors, he stated he has handed out his business cards to several individuals, but they have not put up signage because they are not soliciting for more business. If signage becomes a requirement they would be willing to work with Staff to figure something out.

MOVED BY COUNCILMEMBER SELLERS SECONDED BY COUNCILMEMBER ELLEN TO APPROVE THE EXTENSION FOR THE CONTINUED OPERATION OF THE RECYCLING FACILITY AND THE CONTINUED USE OF INGRESS AND EGRESS OFF OF HAMILTON STREET.

VICE MAYOR HEUMANN inquired about any additional stipulations to the Staff report. Mr. Swanson clarified stipulations 1-6 in the staff report are included, with the addition of number 7 addressing the timing of modifications that are to be made. Potentially there are two more conditions. Condition 8 would deal with the trash pickup on both sides of Hamilton and Ray roads, with a concern. The east side of Hamilton is maintained by the HOA, so from a business standpoint, Mr. Swanson was not sure if the business would have authority to maintain the area.

MAYOR TIBSHRAENY stated the motion was for conditions 1-7. Councilmember Sellers stated his motion was to include Staff stipulations 1-7 with the understanding that the applicant will work on keeping Hamilton Street clean.

MOTION PASSED UNANIMOUSLY (7-0).

PUBLIC HEARINGS

PH1. **ANNEXATION** of approximately 18.75 acres located SW of Queen Creek Road and the Union Pacific Railroad

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 8:29 P.M.

The subject site is an undeveloped parcel that is zoned RU-43 within the County. The site is currently used for agricultural purposes and is bordered by an unincorporated rural residential property to the west, Queen Creek Road to the north, the Union Pacific Railroad to the east, and undeveloped property owned by First Baptist Church to the south.

The Chandler Land Use Element of the General Plan designates the site as Employment and refers to the Chandler Airpark Area Plan (CAAP) for more specific land uses. The CAAP designates the subject site as Commercial/Office/Business Park with a Light Rail Corridor Overlay. An area plan amendment application, rezoning and preliminary development plan application has been submitted for a small lot single family development on the subject site. These applications will be coming before the Planning Commission and City Council for review following the annexation request.

MR. DAVID DE LA TORRE, Principal Planner, stated the parcel is approximately 18.75 acres, zoned R-43, currently used for agricultural purposes and there are no existing structures on the site. The property is located within the Chandler Airpark area plan which designates future land use of this acreage for Commercial Office Business Park with the light rail corridor overlay. Staff has received a development proposal which is currently being reviewed and will be forthcoming to the City Council. Utilities are available on Queen Creek Road to serve future development of the property.

COUNCILMEMBER WENINGER inquired if the development proposal is compliant with the land use and overlay. Mr. De la Torre stated not at this time, it will require an area plan amendment, a rezoning, and preliminary development plan. They are currently reviewing those three applications.

VICE MAYOR HEUMANN asked if the applicant is proposing single family housing; Mr. Swanson stated they are seeking single family housing with a low to medium density subdivision.

There was no discussion from the audience.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 8:32 P.M.

PH2. **ANNEXATION** of approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 8:32 P.M.

The subject site is a 10-acre parcel that has one single family home and a couple of non-residential structures. The parcel abuts the south end of Fieldstone Estates subdivision on the west side of McQueen Road. South of the subject parcel is an unincorporated rural residential

area consisting of twenty homes located on lots that range in size from approximately 1-2.5 acres.

The Chandler Land Use Element of the General Plan designates the site as residential and refers to the Southeast Chandler Area Plan (SECAP) for more specific land uses. The SECAP designates the subject site as Traditional Suburban Character. A rezoning and preliminary development plan application has been submitted for the subject parcel to construct a low density residential subdivision which will be forthcoming following approval of the requested annexation.

MR. DAVID DE LA TORRE, Principal Planner, stated the annexation request is for a 10-acre parcel that is zoned R-43 in County with one single family dwelling on the property with 3 non-residential structures. Utilities are available from McQueen Road to service this area.

VICE MAYOR HEUMANN inquired about the land immediately south of the parcel, as to whether all of the land is all county owned down the Hunt Highway or is any of it part of Chandler. Mr. De la Torre stated all the land south of the parcel resides within the County.

CLAUDIA WHITEHEAD, 26446 S. McQueen Road Chandler, stated while she understands why her neighbor is selling, she is opposed to the proposed high density residential with the proposed 26 homes. The number would greatly increase the residential structures along Sunnydale Road. She stated there are only 7 homes along the road right now. The proposal is not compatible with the equestrian oriented neighborhoods of the area and feels the city would lose diversity of the housing product. She stated she would not describe this as an "infill" piece as described in the neighborhood meeting notice.

VICE MAYOR HEUMANN reiterated the item on the agenda is for annexation of the land, not any proposed development. If a development proposal is submitted, it would come to the city for public hearings and any necessary rezoning requirements.

JAMES JANDREAU, 11821 E Sunnydale Dr., stated he is opposed to the proposed development of the land. The open space, semi-rural area, undeveloped or limited development of the area is why he bought out there.

CHRIS AND ANNETTE MAJOUÉ, 26603 S. 118th Pl., Chandler. Ms. Majoué stated that within several hundred yards of this land, there are horses, goats, chickens, cattle, sheep, and ducks. They are on rural property, which comes with noise, smells, and flies. They accept that when they buy rural, individuals that buy in residential developments tend not to accept those facts. On the other hand, the current residents don't want the noise pollution, and light pollution that such a development would bring to their neighborhood.

Mr. Majoué said the issue is not the property begin sold, it is with the proposed high density development proposal. They currently have CCR's for their 1-acre sites, and if the site is subdivided he would like to see no less than 1 acre sites, and it be kept rural.

ED BULL, 702 E. Osborn, Phoenix, representing the applicant. Mr. Bull stated that before the landowner started down any path, he met with City Staff and County Staff and decided it made the most sense to annex the land into the City of Chandler. The decision was partially based on the difference in development standards between the City and the County, and felt it would benefit those neighbors in the surrounding area to have structures built under City regulations, not County. They have been very open about the annexation and have been actively meeting with the surrounding community. He stated the northern 20 feet of this property is already annexed into the City of Chandler. This was part of the Fieldstone development that required it

be landscaped by the Fieldstone developer and maintained by the Fieldstone HOA until such time the property in question was subdivided and developed.

What is being proposed is a large 26-lot development within a gated neighborhood. They are consistent with the City's General Plan, and the Southeast Chandler Area Plan, and under Chandler's diversity guidelines the development would fall under the large lot incentives.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 8:52 P.M.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor announced the dedication of two new City parks, Valencia and Centennial.

He announced Saturday, November 1 was the Mayor's Day of Play at Tumbleweed Park. Saturday night is the G.A.I.N event, where several Chandler neighborhoods have events planned. He said the Mayor and Council plan on visiting as many G.A.I.N events as possible.

Saturday, November 1st marks the Annual Veterans Health Care and Benefits Expo at the Center for the Arts. He thanked the Arizona Department of Veterans Services, the Phoenix VA Health Care System, and the Veterans Benefit Administration. He thanked Melanie Sala, Executive Management Assistant with the City of Chandler who works so hard on putting on the event.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER recognized the Chandler Fire Department on their firefighting efforts when the Chop Steak House caught fire. The owners of Chop Steak House were extremely happy with the way Chandler Fire Department responded and handled the fire. They were only closed for a few days, when they could have been closed for several months.

COUNCILMEMEBER SELLERS announced the Taste of Chandler is Saturday night at downtown Ocotillo. He also attended the ribbon cutting of the \$225,000,000 improvement to the Mariposa Port in Nogales. He stated this is a significant Port for Arizona, 60% of the rural produce from Mexico crosses the Port.

VICE MAYOR HEUMANN reminded everyone to be safe next week on Halloween. He reminded everyone to either vote at the City Clerk's office during Early Voting, or on Election Day.

COUNCILMEMBER HARTKE announced on Saturday, November 1 there is the "For Our City Day" from 6:00 A.M. to 11:00 A.M. working on the neighborhood near Galveston Elementary School to spruce up the area. He announced the November 7th – 9th Chuck Wagon Cook Off, and the "Rock the Block" event on Saturday the 9th from Noon to about 10 P.M. He announced a new program the City is launching in conjunction with the help of the Not-For-

