

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, January 7, 2015 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Pridemore called the meeting to order at 5:30 p.m.
2. Pledge of Allegiance led by Commissioner Foley.
3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak

Absent and excused:

Commissioner Phil Ryan

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER CUNNINGHAM to approve the minutes of the November 19, 2014 Planning Commission Hearing. The motion passed 5-0. (Commissioner Foley abstained since he was not present November 19, 2014 and Commissioner Ryan was absent).
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and also to inform them the consent agenda will be approved by a single vote. After Staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion.

A. DVR14-0033 KINDRED CHANDLER PHYSICAL REHABILITATION

Approved.

Request rezoning from Planned Area Development (PAD) for a commercial retail to PAD for healthcare/physical therapy including a Mid-Rise Overlay for buildings up to 60 feet in height with Preliminary Development Plan (PDP) approval for site design and building architecture. The site is approximately 3.7 acres and located at the southwest corner of Chandler Boulevard and Arrowhead Drive.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “KINDRED CHANDLER PHYSICAL REHABILITATION”, kept on file in the City of Chandler Planning Division, in File No. DVR14-0033, except as modified by conditions herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City’s adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
8. Maximum building height shall be limited to 60 feet.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled “KINDRED CHANDLER PHYSICAL REHABILITATION”, kept on file in the City of Chandler Planning Division, in File No. DVR14-0033, 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 Transportation & Development Director 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.

6. 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.
7. **The applicant shall work with Planning Staff to modify the color palette for the south elevation.**

B. DVR14-0034 CHANDLER AIRPARK BUSINESS CENTER

Approved.

Request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former zoning district of Agricultural (AG-1). The existing PAD zoning designation is for a business park development with aviation-related uses on an approximate 19.2-acre site located at the northwest corner of Cooper and Queen Creek roads.

Planning Staff, upon finding consistency with the General Plan and Chandler Airpark Area Plan, recommends approval of extending the timing condition for case DVR14-0034 CHANDLER AIRPARK BUSINESS CENTER for an additional three (3) years, with all of the conditions in the original approval remaining in effect.

C. DVR14-0039 CORNERSTONE CHRISTIAN FELLOWSHIP

Approved.

Request rezoning from Agricultural (AG-1) to Planned Area Development for church uses, along with Preliminary Development Plan approval for site layout on a remnant 0.22-acre site located east of the northeast corner of Alma School Road and Maplewood Street, along the Maplewood Street frontage.

Rezoning

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
4. The rezoning request does not include a specified timing condition. This includes relief of the 1-year timing condition from the effective date of the ordinance as specified in the City Code section 35-2603.B.

Preliminary Development Plan

1. 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.

D. PDP14-0006 LANDINGS CREDIT UNION

Approved.

Request Preliminary Development Plan (PDP) approval to amend the comprehensive sign package for a freestanding monument sign. The property is located at 4850 W. Chandler Blvd.

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case PDP14-0006 LANDINGS CREDIT UNION, except as modified by conditions herein.
2. 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.
3. A decorative stone cap shall be provided to match the site entry stone cap.

E. PDP14-0013 PORTICO PLACE II

Approved.

Request Preliminary Development Plan (PDP) approval to amend the comprehensive sign package for a freestanding monument sign. The property is located at 2195 W. Chandler Blvd.

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case PDP14-0013 PORTICO PLACE II, except as modified by conditions herein.
2. 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.

F. LUP14-0017 BAY LEAF CAFE

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors and on an outside patio at an existing restaurant. The property is located at 955 W. Chandler Heights Road, Suites 1 and 2, southeast corner of Alma School and Chandler Heights roads.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. Music shall occur indoors only.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

G. LUP14-0022 NABERS MUSIC BAR & EATS

Approved.

Request Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 6 Bar License for on-premise consumption indoors and within an outdoor patio, and continue live music indoors. The property is located at 825 N. 54th St., northeast corner of Harrison and 54th streets in the Chandler Pavilions.

1. The Use Permit granted is for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live entertainment occurring indoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. The site shall be maintained in a clean and orderly manner.
7. The patio shall be maintained in a clean and orderly manner.

H. ZUP13-0024 SONRISE FAITH COMMUNITY CHURCH

Approved.

Request Use Permit time extension approval for continued use of a modular building. The property is located at 800 W. Galveston St., east of Alma School Rd. on the north side of Galveston St

1. **The Use Permit shall be extended for a period of five (5) years 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.**
2. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. The site shall be maintained in a clean and orderly manner.

I. ZUP14-0011 VERIZON WIRELESS – MCCLINTOCK AND RAY

Approved.

Request Use Permit approval to install a monopalm wireless communication facility at 3875 W. Ray Rd., southeast corner of McClintock Dr. and Ray Rd.

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.

J. ZUP14-0025 ARIZONA CORPORATE PLAZA

Approved.

Request Use Permit approval for the operation of a hair salon within Suite 1-2 of Building 1 at Arizona Corporate Plaza located at the southeast corner of Arizona Avenue and Comstock Drive, south of Elliot Road.

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. The site shall be maintained in a clean and orderly manner.
3. The Use Permit shall remain in effect for two (2) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER FOLEY** to approve the Consent Agenda as read in by Staff with the noted additional stip. for Item A and the modification to stip. (no. 1) for item H. The Consent Agenda passed 6-0 (Commissioner Ryan was absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager, wished everyone a relaxing and safe holiday season and welcomed everyone to a new productive year of 2015. **CHAIRMAN PRIDEMORE** also gave holiday greetings.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE said the next regular meeting is January 21, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:37 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary