

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, January 22, 2015 at 7:02 p.m.

THE MEETING WAS CALLED TO ORDER BY VICE MAYOR KEVIN HARTKE AT 7:02 P.M.

The following members answered roll call:	Kevin Hartke	Vice-Mayor
	*Nora Ellen	Councilmember
	*Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Jack Sellers	Councilmember

\*Councilmembers Ellen and Heumann participated by phone.  
\*Mayor Tibshraeny was absent and excused.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: The invocation was given by Rabbi Mendy Dietsch – Chabad of the East Valley

PLEDGE OF ALLEGIANCE: Members from Scout Troops 988, 588 and 885 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER ROE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (6-0) VIA A ROLL CALL VOTE.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. (Former) Regular meeting of January 8, 2015.
- 1b. (New) Regular meeting of January 8, 2015.

2. CONTINUED ANNEXATION: Southwest Corner of Queen Creek Road and Union Pacific Railroad Ord. #4590

CONTINUED TO FEBRUARY 26, 2015, final adoption of Ordinance No. 4590, Annexation – Southwest Corner of Queen Creek Road and Union Pacific Railroad, annexation of approximately

18.75 acres located at the SWC of Queen Creek Road and the Union Pacific Railroad to coincide with the timing of the rezoning case.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: Kindred Chandler Physical Rehabilitation Ord. #4599

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4599, DEV14-0033 Kindred Chandler Physical Rehabilitation, rezoning from Planned Area Development (PAD) to PAD for healthcare/physical therapy including a Mid-Rise Overlay for buildings up to 60 feet in height. (Applicant: Casey Carlton, Ascension Group Architects.) APPROVED a Preliminary Development Plan (PDP) for site design and building architecture on Approximately 3.7 acres located at the SWC of Chandler Boulevard and Arrowhead Drive.

BACKGROUND

The approximately 3.7-acre subject site is located at the southwest corner of Chandler Boulevard and Arrowhead Drive. The Armored mini-storage facility abuts the site to the west and south. Office and medical uses are east across Arrowhead Drive. Christ Community Church and commercial retail uses are north of the site across Chandler Boulevard.

The subject site is part of the Maggio Ranch Planned Area Development (PAD) that received zoning approval for commercial retail uses in 1983. In 1995, the property was part of a rezoning for a mixed-use development that allowed the mini-storage facility and included a conceptual site plan for commercial retail uses on the subject site.

SITE DESIGN

The site has one main entry from Chandler Boulevard and a secondary entry on Arrowhead Drive identified for deliveries, ambulance access and other ancillary services such as trash collection. A patient drop-off area is adjacent to the main entrance to allow direct access into the physical therapy facility. Parking wraps around the rectangular building utilizing a looped driveway. One hundred ninety-two (192) parking spaces are provided which is twelve spaces above the 180 required spaces. The applicant indicates this type of healthcare facility has additional parking needs due to the outpatient operation.

Two minor waivers are requested including a minor setback encroachment at the intersection of Arrowhead Drive and Chandler Boulevard to allow adequate parking spaces and to allow chain-link fencing on two sides of the bulk oxygen enclosure. Planning Staff supports the requested waivers. The 20-ft. wide landscape setback utilizes a desert plant palette designed in a linear fashion along both frontages. The outdoor bulk oxygen enclosure requires adequate ventilation through use of chain link fencing on the two elevations located out of public view.

ARCHITECTURE

The request includes a Mid-rise Overlay for buildings up to 60 ft. in height. Although the exhibits indicate a maximum building height of approximately 57 ft. to the top of the rooftop mechanical screen wall, the requested maximum of 60 ft. is intended to account for any unforeseen parapet height changes due to the mechanical equipment screening.

The three-story physical therapy rehabilitation facility contains approximately 65,000 sq. ft. of gross floor area. The top two floors contain 50 inpatient rooms with a physical therapy room on each floor. The ground floor includes administrative offices, an outpatient rehabilitation gym, kitchen/dining area and other ancillary uses. Amenities include an outdoor therapy garden with an ambulatory track and an outdoor seating area with tables for dining or employee breaks.

Building architecture is contemporary in style, utilizing geometric shaped elements. Materials include an Exterior Insulation and Finish System (EIFS), aluminum storefronts with high performance glazing, aluminum window shades and dry stacked stone veneer. The color palette utilizes natural earth tones accented with a deep sun dried red. South facing windows include a shade element as well as canopied sidewalks along the ground level. The roofline and wall planes modulate to break up the building mass and linear nature of the building. The placement of the design elements along with the colors and materials create articulation, diversity and a high quality design. Additional details can be found in the Development Booklet.

### SIGNAGE

The request includes building mounted signage, freestanding monument signs and directional signs. Building-mounted signage includes stud-mounted ¼ inch aluminum logo and lettering. The freestanding monument signage utilizes the same materials and colors as those used on the building to further create cohesiveness.

### DISCUSSION

Planning Staff supports the request finding it to represent a quality healthcare development and a compatible addition to the surrounding area. The site design and building architecture are sensitive to the nearby developments through building location, access and scale.

### PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with two neighborhood meetings being held. The first was held on October 15, 2014, and there were no attendees. The second meeting was held on October 22, 2014, and was attended by two residents from one household. Their concerns related to traffic volume and turning movements onto Chandler Boulevard from Arrowhead Drive and the need for a traffic signal at this intersection. Planning Staff relayed this concern to the City Traffic Engineer who conducted a traffic signal warrant study and accident study. The results of the analysis indicate that a traffic signal is not warranted and revealed an average of two accidents per year. This is typical of most stop-controlled intersections throughout the City.

Planning Staff has received no correspondence in opposition.

### PLANNING COMMISSION VOTE REPORT

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

The Planning Commission recommended an additional stipulation, listed as Condition No. 7 to the Preliminary Development Plan (PDP) conditions, for the applicant to modify the south elevation's color palette.

### 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 "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.
4. REZONING/PRELIMINARY DEVELOPMENT PLAN: Cornerstone Christian Fellowship  
Ord. #4601

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4601, DVR14-0039, Cornerstone Christian Fellowship, rezoning from Agricultural (AG-1) to Planned Area Development for church uses. (Applicant: Michael Bonnette; Larson Engineering, Inc.)

APPROVED a Preliminary Development Plan (PDP) for site layout on a remnant 0.22-acre site located east of the NEC of Alma School Road and Maplewood Street, along the Maplewood Street frontage.

#### BACKGROUND

The request is for rezoning from AG-1 to PAD for church uses, along with PDP approval for site layout. The 0.22-acre (9,600 sq. ft.) site is located east of the northeast corner of Alma School Road and Maplewood Street along the Maplewood Street frontage. For all intents and purposes, the site is part of the Cornerstone Christian Fellowship campus and due to its proximity to Maplewood Street, will function as a portion of the landscape buffer for the parking lot upon development.

The site is part of the street frontage and through the rezoning process, approximately 3,600 sq. ft. of the site will be dedicated to the City of Chandler for the completion of Maplewood Street. The site currently houses an inoperable well pump that has not been used in years. While Cornerstone has tried numerous times to acquire the site, the previous owner kept the site in its current state to ensure that well rights are maintained in the area. Cornerstone recently acquired the property and requests the rezoning to ensure that the campus maintains clear zoning entitlements. A master plan for the entire church campus will be forthcoming at which the subject site is incorporated into the landscape buffer for the parking lot. Cornerstone is currently in the process of improving the parking lots on the east side of the campus.

#### PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to the nature of the request, a neighborhood meeting was not held; however, a notification letter, including details of the request, was sent to all property owners and neighborhood organizations within the required notification area.

Planning Staff has received no correspondence in opposition.

#### PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan 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**

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

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.

5. ZONING EXTENSION: Chandler Airpark Business Center

APPROVED a three-year zoning extension for DVR14-0034, Chandler Airpark Business Center, for the existing PAD zoning designation for a business park development with aviation-related uses on approximately 20 acres located at the NWC of Cooper and Queen Creek roads. (Applicant: Brennan Ray; Burch & Cracchiolo, PA.)

#### EXTENSION OF THE TIMING CONDITION

In 2008, the site was rezoned from AG-1 to PAD for an 18-lot business park with aviation-related uses. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date. This is the second zoning time extension requested for the property. The current application requests a three-year time extension; the timing condition expired on October 25, 2014. The three-year time extension would be in effect until October 25, 2017, as the time limit is calculated from the previous zoning approval's expiration.

#### BACKGROUND

The subject site is bordered to the south by Queen Creek Road. South of Queen Creek Road is a retail and office commercial development. West of the commercial development is Twin Acres, an existing rural-residential subdivision. The Chandler Municipal Airport borders the subject site's northwest side. Cooper Road abuts the property's east side with vacant land zoned AG-1 east of Cooper Road.

Chandler Airpark Business Center represents one of the first through-the-fence taxiway-access developments for the Chandler Municipal Airport. The proposed development will include industrial, office and retail showroom/warehouse land uses including aviation-related uses. Permitted uses for the business park will include all light industrial uses permitted in the Light Industrial District (I-1), office uses including medical and dental and retail showroom uses where the display area is generally limited to 30% of the floor area. Additionally, permitted aviation

related uses include uses such as charter operations, pilot training, aircraft sales and leasing, aircraft hangar sub-leasing and other aeronautical activity uses. Prohibited aviation-related uses include uses such as flying clubs, aircraft sightseeing, crop dusting, aerial advertising and aircraft repair and maintenance businesses.

**PUBLIC/NEIGHBORHOOD NOTIFICATION**

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 13, 2014. Two neighboring property owners were in attendance.

Planning Staff has received no correspondence in opposition.

**PLANNING COMMISSION VOTE REPORT**

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

**RECOMMENDED ACTION**

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission and Planning Staff recommend approval of a three-year extension with all of the conditions in the original approval remaining in effect.

6. **INTERGOVERNMENTAL AGREEMENT:** Maricopa County Res. #4821

ADOPTED Resolution No. 4821 authorizing the execution of an Intergovernmental Agreement (IGA) with Maricopa County for the abandonment and annexation of portions of Willis Road and McQueen Road.

**BACKGROUND/DISCUSSION**

Council previously approved the Willis Gated Community (Ordinance No. 4545 and DVR14-0004) located east of the southeast corner of McQueen and Willis roads. In conformance with the zoning approval, a median break is recommended at the intersection of McQueen and Willis roads to allow westbound left turns from Willis Road onto McQueen Road. This intersection is currently under ADOT (Arizona Department of Transportation) control and they have agreed to abandon the portion of rights-of-way needed (Parcel A) on condition that the City (and County) waive the Four-Year Advance Notice of Abandonment and Pavement Quality Report, in accordance with Arizona Revised Statutes Section 28-7209.

The IGA identifies and defines the County's and City's responsibilities for the abandonment and annexation of Parcel A. The Council will accept ADOT's abandonment, so Parcel A becomes part of their jurisdiction. Once Parcel A is under the County's jurisdiction, the City will proceed with the transfer (annexation) of this right-of-way by resolution at a future City Council meeting.

7. **LICENSE ACCEPTANCE:** Salt River Project Res. #4831

ADOPTED Resolution No. 4831 accepting a license from Salt River Project (SRP), acting on behalf of the United States of America, for a bus bay located on the north side of Chandler Boulevard approximately half a mile east of Cooper Road and authorizing payment of the annual license fee.

**BACKGROUND/DISCUSSION**

The original license was approved by Council in Resolution No. 3896. The new license is for a four (4) year period. The initial annual license fee of \$683.40 is subject to annual adjustments based upon the Consumer Price Index.

Staff has determined that the legal description for the license agreement is correct and recommends City Council accept the license and approve the payment amount.

8. EASEMENT ACCEPTANCE: Roosevelt Water Conservation District Res. #4832

ADOPTED Resolution No. 4832 authorizing the acceptance of a no-cost Roadway and Utility Easement from the Roosevelt Water Conservation District (RWCD) over portions of Appleby Road at Rincon Drive.

BACKGROUND/DISCUSSION

City Council approved the zoning for Layton Lakes at its March 5, 2001, meeting. Various portions of Layton Lakes have been developed over time and now parcels along Appleby Road and Rincon Drive are being developed. RWCD owns a strip of land used for an irrigation facility that runs through the Layton Lakes development. RWCD is granting a Roadway and Utility Easement to the City, at no cost, for the areas where Appleby Road and Rincon Drive cross the RWCD property.

Staff has determined that the legal descriptions on the Roadway and Utility Easement are correct and recommend City Council accept the easement.

9. INFILL INCENTIVE PROGRAM AGREEMENT: East Valley Mall Res. #4833

WITHDRAWN BY STAFF - Resolution No. 4833 authorizing an Infill Incentive Program Agreement for a portion of the East Valley Mall, west of the NWC of Arizona Avenue and Warner Road (former Food for Less/Swapsmart and current Spot Free Carwash).

10. PRELIMINARY DEVELOPMENT PLAN: Landings Credit Union

APPROVED Preliminary Development Plan PDP14-0006, Landings Credit Union, to amend the comprehensive sign package for a freestanding monument sign on property located at 4850 W. Chandler Boulevard, NEC of Chandler Boulevard and Rural Road. (Applicant: Giovann Melendez, Blue Media.)

BACKGROUND

The business is located within the Biagio (Village at Wildtree) mixed-use development located at 4850 W. Chandler Boulevard.

In 2003, Council approved a PDP amendment that included a change from apartments to condominiums, modifying the site plan, site features and adding monument signs for the office component. The condominiums were built in 2005. The corner pharmacy, retail and office-related commercial buildings have yet to be constructed and are not anticipated to be built in the near future. Landings Credit Union, formerly the Tempe Schools Credit Union, is the only office-related commercial building constructed in the development.

The request is for Preliminary Development Plan (PDP) approval to amend the comprehensive sign package for a freestanding monument sign. The approved comprehensive sign package included site entry, commercial tenant signs and building mounted signage. Site entry signs,

'Biagio', are located on Chandler Boulevard and Rural Road. Wall mounted signage for the credit union is installed, however, landscape screens visibility to the wall mounted signage. There are no monument signs identifying this business on either arterial street frontage.

The proposed freestanding monument sign would be located on Chandler Boulevard at the eastern portion of the subject property. The overall sign height is 5 ft. 6 inches. The materials include a stone veneer base with an aluminum cabinet. The Biagio site entry signs are capped with stone. Planning Staff recommends the aluminum cap is modified to a decorative stone cap to match the site entry signs. Lettering is acrylic push through and internal illumination with LED modules. The color scheme complements the building design and existing site entry signs.

### DISCUSSION

Planning Staff supports the request for one freestanding monument sign. The height, design and location of the monument sign complement the building and are architecturally compatible with the Tuscan theme of the mixed-use development.

### PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code. A neighborhood notice letter was sent in lieu of a neighborhood meeting. Planning Staff has not received any correspondence since the letters were sent.

Planning Staff has received no correspondence in opposition.

### PLANNING COMMISSION VOTE REPORT

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

### RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with 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.

### 11. PRELIMINARY DEVELOPMENT PLAN: Portico Place II

APPROVED Preliminary Development Plan PDP14-0013 Portico Place II, to amend the comprehensive sign package for a freestanding monument sign on property located at 2195 W. Chandler Boulevard, SWC of Chandler Boulevard and Dobson Road. (Applicant: Gretchen Cherrill, Airpark Signs & Graphics.)

### BACKGROUND

In 2007, Council approved the rezoning and PDP for commercial, retail and office uses along with a comprehensive sign package. Portico Place currently contains two multi-tenant office and retail

buildings and a pharmacy. A new two story multi-tenant office building will be constructed on the western lot of the development.

The approved comprehensive sign package included one 14 ft. tall and three 6 ft. tall freestanding multi-tenant monument signs as well as one intersection corner feature. Two freestanding multi-tenant signs exist on each arterial street frontage.

The proposed freestanding multi-tenant sign would be the third freestanding monument sign located on Chandler Boulevard. Two sign location options are proposed within the lot; either the east or west driveway, however, only one sign would be constructed. Overall sign height is 8 ft. with four tenant panels of equal size on the two opposing elevations. The tenant panels will be aluminum with routed out  $\frac{3}{4}$  inch push-through acrylic backed lettering. Opaque vinyl is applied to the face of the clear acrylic to simulate reverse pan channel letters. Sign design and architectural elements are similar to the balance of existing freestanding multi-tenant signs, including materials, color and illumination.

#### DISCUSSION

Planning Staff supports the request for an 8 ft. tall freestanding monument signs. The height, design and number of tenant panels are appropriate to identify the future tenants of the new office building proposed within Portico Place.

#### PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code. A neighborhood notice letter was sent in lieu of a neighborhood meeting. Planning Staff has not received any correspondence since the letters were sent out.

Planning staff has received no correspondence in opposition.

#### PLANNING COMMISSION VOTE REPORT

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

#### RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with 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.

#### 12. CLAIMS REPORT

APPROVED the Claims Report for the quarter ended December 31, 2014.

#### 13. CONTINGENCY TRANSFER: City Clerk Department

APPROVED a contingency transfer in the amount of \$32,000.00 from the General Fund Non-Departmental Contingency appropriation to the City Clerk Department for excess 2014 election expenses and increased recording activity.

#### BACKGROUND

The City Clerk's Office received \$175,000.00 in the Fiscal Year 2014-15 budget for election expenses related to the August 2014 Primary Election and the November 2014 General Election. Based on past history, this amount is sufficient to cover the cost of a voting pamphlet and other costs related to the elections. However, the 2014 elections had City Propositions on both the Primary Election ballot (Home Rule) and on the General Election ballot (Charter Amendment). This required the printing of two Voter Information Pamphlets, which has brought the total election expenses to date to \$198,901.00. A temporary transfer of \$15,000.00 from salary appropriation was made in December in order to pay the most recent invoice from Maricopa County, but this salary appropriation needs to be restored before fiscal year end.

Other critical City Clerk expenditure accounts such as legal notices and recording fees will have no funding for the rest of the year without approval of this transfer. In addition, the activity of document recording has increased with the new process of recording plats and CC&R's in-house. Payments for the recording of tax liens and code enforcement actions are also made from this account. The Recording Fee account was funded at \$5,500.00 and currently has a balance of \$500.00.

#### FINANCIAL IMPLICATIONS

The transfer of \$32,000.00 from the General Fund Non-Departmental Contingency Fund account to the City Clerk Department Cost Center, Election Supplies account in the amount of \$24,000.00 and a transfer of \$8,000.00 to the Recording Fee account will allow the City Clerk to restore \$15,000.00 to Salary Appropriation and allow normal operations for the remainder of the year.

#### 14. MEMBERSHIP AGREEMENT: 1Government Procurement Alliance

APPROVED a membership agreement with 1Government Procurement Alliance (1GPA) to be a participating member of the cooperative organization.

Staff recently became aware of 1Government Procurement Alliance (1GPA), an Arizona-based national governmental purchasing cooperative that competitively solicits and awards contracts for cooperative use by public, educational and non-profit agencies. Agencies with an executed Participating Agreement with 1GPA may purchase needed items under the terms, conditions and pricing of the 1GPA contracts.

To be eligible to exercise the option to make use of these cooperative contracts, 1GPA requires that each agency enter into a Participating Agreement. The agreement term commences upon execution and remains in effect until terminated by either party. The agreement is the vehicle allowing the City of Chandler to purchase from 1GPA's cooperative contracts should the use be the best value for the City. The agreement does not commit the City of Chandler to any cooperative use of 1GPA's contracts.

The City has benefited in the past from the value that can be offered through the appropriate use of cooperative contracts. Staff reviews the City's requirements on a case-by-case basis and makes a recommendation whether or not to use a cooperative contract based on market research, historical information, compatibility of scope, lead time and customer needs. An

expedited procurement process, the ability to standardize products and services and the realization of savings based on total volume of purchase are a few examples of potential benefits.

15. AGREEMENT: Titan Machinery, Inc.

APPROVED Agreement No. ST5-755-3424 with Titan Machinery, Inc., for the purchase of a Bomag 1300 Asphalt Cold Milling Machine in the amount of \$353,061.00.

16. AGREEMENT: Freightliner Sterling Western Star of Arizona

APPROVED Agreement No. ST5-072-3470 with Freightliner Sterling Western Star of Arizona for the purchase of a 10-wheel dump truck in the amount of \$129,596.20.

17. AGREEMENT: Ammunition

APPROVED Agreement No. PD5-680-3472 with San Diego Police Equipment Co., Inc., International Cartridge Corporation, Proforce Law Enforcement, Miwall Corporation and Lawmen's & Shooters Supply, Inc., for the purchase of ammunition in a combined total amount of \$125,378.98.

18. AGREEMENT AMENDMENT: Shannon S. Martin Company

APPROVED Agreement No. MU0-910-2850, Amendment No. 4, with Shannon S. Martin Company for janitorial services, increasing the agreement amount by an additional \$55,000.00 for a period of five months until a new contract is bid and awarded, for a total revised amount of \$111,580.00.

19. AGREEMENT: Municipal Emergency Services, Inc.

APPROVED Agreement No. FD5-340-3454 with Municipal Emergency Services, Inc. (MES), for the purchase of self-contained breathing apparatus in the amount of \$1,364,235.84.

This request is for funding to replace the Fire Department's Self-Contained Breathing Apparatus (SCBA's). This equipment is essential because it allows firefighters to breathe while working in the toxic atmospheres created by fires and hazardous materials incidents. Safety standards for SCBA's are set by the National Fire Protection Association (NFPA).

New standards became effective in 2013. Replacing existing SCBA's is necessary in order to meet these new standards and, due to the age of current SCBA's, most of the Department's SCBA are more than ten years old and have reached the end of their operational life. The new NFPA standards required manufacturers to subject the SCBA's to rigorous testing to provide greater assurances that the equipment will function properly after repeated exposure to heat, water and rapid movements. The Department's current SCBA's met the NFPA standards that existed when the SCBA's were manufactured, but now need to be replaced to meet the new standards.

20. AGREEMENT AMENDMENT: Peoria Pest Control, Inc.

APPROVED Agreement No. MU3-914-3165, Amendment No. 1, with Peoria Pest Control, Inc., for manhole insecticide painting services for two years in a total amount not to exceed \$144,000.00. This is the final optional two-year extension.

21. AGREEMENT AMENDMENT: Thatcher Company of Arizona

APPROVED Agreement No. MU4-885-3350, Amendment No. 1, with Thatcher Company of Arizona for water/wastewater treatment and pool chemicals in a total amount not to exceed \$648,725.00.

After construction of the new Ocotillo Water Reclamation Facility (OWRF)/Airport Water Reclamation Facility (AWRF) lift station, there were odor complaints from the Ocotillo community businesses and residents. An odor reduction study found that Trioxyn (Calcium Nitrate Tetrahydrate) was the choice chemical to reduce odor. Trioxyn will be added at the Pecos Road diversion structure to allow time for reduction in odors at the OWRF/AWRF lift station.

22. AGREEMENT: Balar Equipment Corporation

APPROVED Agreement No. MU5-929-3458 with Balar Equipment Corporation for the purchase of Wachs valve equipment in an amount not to exceed \$122,279.87.

23. PROJECT AGREEMENT: Ritoch-Powell & Associates

APPROVED Project Agreement No. ST1305-451 with Ritoch-Powell & Associates for construction management services for Old Price Road / Queen Creek Road Intersection Improvements, pursuant to On-Call Civil Engineering Services Contract No. EN1506-101, in an amount not to exceed \$121,023.00.

24. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WW1508.101 with Carollo Engineers, Inc., for sewer assessment project management services, pursuant to On-Call Water/Wastewater Services Contract No. EN1508.101, in an amount not to exceed \$311,600.00.

25. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WW1506.201 with Carollo Engineers, Inc., for water-wastewater infrastructure design services for Downtown Sites 3, 4, 5, 6 and 7, pursuant to On-Call Water/Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$346,740.00.

26. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WA1412.451 with Carollo Engineers, Inc., for construction management services for water/wastewater plant control system upgrades, pursuant to On-Call Water/Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$209,786.00.

27. PROJECT AGREEMENT: Perlman Architects

APPROVED Project Agreement No. FI1503.201 with Perlman Architects for design services for the Fire Training Center Burn Building Expansion, pursuant to On-Call Architectural Services Contract No. EN1504.101, in an amount not to exceed \$38,000.00.

This contract is for updating the architectural design services for the Fire Training Center Burn Building to be located at the Fire Training Center on South Dobson Road. The original design drawings for the Burn Building were done by Perlman Architects in 2009. This set of drawings went all the way through to the permit-ready stage. The drawings were never submitted because the project was stopped when the economy took a downturn. Now this building is part of the new Fire/Police Joint Training Facility Project and will be submitted for construction in the FY 2015/16 CIP budget. The plans need to be updated to the 2012 building codes and civil requirements.

28. CONTRACT: Combs Construction Company, Inc.

APPROVED Contract No. ST1305.401 with Combs Construction Company, Inc., for construction for Old Price Road/Queen Creek Road Intersection Improvements in an amount not to exceed \$1,539,298.97.

29. CONSTRUCTION CONTRACT: Low Mountain Construction, Inc.

APPROVED Construction Contract No. CS1405.401 to Low Mountain Construction, Inc., for the Aquatic Facilities Slide Stair Structural Improvements at Desert Oasis Aquatic Center and Hamilton Aquatic Center in an amount not to exceed \$139,627.20.

30. CONSTRUCTION MANAGER AT RISK CONTRACT: Felix Construction Company

APPROVED Construction Manager at Risk Contract No. WA1412.401 with Felix Construction Company for water/wastewater plant control system upgrades in an amount not to exceed \$1,233,244.79.

31. PURCHASE: Vehicles

APPROVED the purchase of one vehicle from Midway Chevrolet in the amount of \$26,382.55 and ten vehicles from Sanderson Ford, utilizing the State of Arizona contract, in the amount of \$298,662.91 for a total amount of \$325,045.46.

To reduce delivery time, the requested vehicles have been recommended for purchase or replacement by the Fleet Advisory Committee, through the State of Arizona contract. The Committee reviews mileage, years of service, reliability, maintenance history and forecasted ability to meet service requirements.

The Airport Water Reclamation Facility (AWRF) is requesting three new vehicles for positions appropriated in the FY 2014-15 Adopted Budget. Due to industrial growth, these positions were added as part of the seven million gallons per day expansion to the AWRF.

In addition to these new vehicles, a heavy duty utility truck purchased in 1994 was an active reserve vehicle and repurposed. As an active reserve vehicle, it was removed from the Vehicle Replacement Program. Fleet Services Staff determined this vehicle was unsafe to drive and parts could no longer be obtained to repair it. It has been placed on the auction line and needs to be replaced.

On July 1, 2015, City Staff will commence operations of the Ocotillo Water Reclamation Facility. In order to prepare for operations at this facility, seven new vehicles need to be purchased.

32. PURCHASE INCREASE: 3M Library Systems

APPROVED the purchase increase of \$150,000.00 to \$300,000.00 from 3M Library Systems, sole source, for electronic library materials.

In October 2014, the Chandler Public Library transitioned to the 3M Cloud Library for the provision of electronic books and audio books. The 3M Cloud Library allows staff to select materials expressly for Chandler cardholders and reduce the wait time for popular titles. Customers can recommend titles for purchase and download materials directly from the library catalog with the items checked out reflected in their accounts. Because of the popularity of this new service, requests for e-formats have dramatically increased and are creating a shift in circulation patterns. As a result, funds that would have been dedicated to hard copy materials need to be re-allocated to electronic materials.

The 3M Cloud Library is the only eBook platform that is fully integrated with the Polaris PowerPac software. All digital checkouts, via the library's catalog or the 3M Cloud Library application, can be accessed through one customer library account without having to go to a separate website or use a separate account name and password.

33. PURCHASE: Motorola Solutions

APPROVED the purchase of radio equipment from Motorola Solutions, utilizing State of Arizona Contract No. ADSPO13-036880, in an amount not to exceed \$240,000.00.

Radio communication is critical to safe and successful emergency incident mitigation. Future narrow banding of frequencies and interoperability mandates from the Federal Communications Commission (FCC) and the Arizona Regional Wireless Cooperative (RWC) make it necessary for the Fire Department to replace its existing portable radios and several mobile radios. The entire radio inventory of the Department's XTS3000 and XTS5000 radios are not capable of being narrow banded. Additionally, these radios are no longer supported or no longer in production with a limited support timeframe.

The Department is requesting to purchase 27 dual band portable radios, three mobile radios and associated accessories. This initial purchase will place the dual band radio capability in the hands of all of the on-duty Captains and Chief Officers assuring their ability to communicate on emergency scenes. These Captains and Chief Officers are the Incident Commanders and sector officers on all types of emergency incidents and must have the capability to have seamless communication on both the VHF and 800 Mhz bands. An additional 79 radios will need to be purchased by the end of 2017. The Department intends to try for grant funding for these additional radios.

A regional communication committee, of which Chandler was a member, has evaluated and worked with radio manufacturers to produce a dual system radio that is certified for use in explosive, flammable and combustible atmospheres. The Motorola APX radios are the only radios available that meet these requirements. The State contract allows for a 25% discount off of list price.

34. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of annual maintenance and support of Citywide Cisco network equipment from Nexus IS, Inc., utilizing the State of Arizona contract #ADSPO12-024622, in an amount not to exceed \$109,799.00.

This purchase will provide Cisco Smartnet Services for support and maintenance of the City's Cisco network infrastructure software and equipment. This equipment includes switches, routers and connectivity equipment. These are annual recurring costs that cover hardware technical support, repair or replacement in the event of failure. In addition to the hardware maintenance and repair/replacement, the vendor also provides software patches and upgrades for the City's network hardware. The equipment must be kept up to date with these patches in order for the City's network to remain secure and reliable. This agreement also allows for access to technical support resources to escalate issues and obtain resolution to technical problems with the Cisco network equipment. The State contract allows for a 20% discount off of list price.

35. PURCHASE: Midway Chevrolet

APPROVED the purchase of three DUI Patrol vehicles from Midway Chevrolet, utilizing State of Arizona Contract No. ADSPO13-038803, in the amount of \$138,819.47.

The Police Department received a grant from the Governor's Office of Highway Safety (GOHS) for the purchase of three new Police Patrol Tahoes to be used by the Chandler Police DUI Enforcement Team. These Tahoes will replace the motorcycles currently used by the officers and will improve both safety and efficiency. The Fleet Advisory Committee (FAC) recommends the use of this grant money to purchase these vehicles. City Council approved the acceptance of the grant at its December 11, 2014, meeting.

36. USE PERMIT: Bay Leaf Cafe

APPROVED Use Permit LUP14-0017 Bay Leaf Café, Series 12 Restaurant License, to sell and serve liquor as permitted for on-site consumption indoors and on an outside patio at an existing restaurant located at 955 W. Chandler Heights Road, Suites 1 and 2, SEC of Alma School and Chandler Heights roads. (Applicant: Satyendra Singh.)

BACKGROUND

This restaurant is located within The Summit at Chandler Heights commercial center and occupies a tenant space in an inline shops building. In 2012, a Liquor Use Permit for a Series 12 was approved for Bay Leaf Café in Suite 1 which is approximately 1,450 square feet. The adjacent Suite 2 is owned by the restaurant and was previously their yogurt shop. The yogurt shop had direct access from the restaurant. The yogurt shop has since closed and the restaurant expanded into Suite 2 providing additional dining and large group space, thus the request for a new Series 12 Liquor Use Permit. Business hours are typically Tuesday through Saturday 11 a.m. to 9:30 p.m. and Sundays 11 a.m. to 8:30 p.m., closed Mondays. The request includes live music/entertainment for only Suite 2 including background dining room music and live music. The live music may be an occasional disc jockey a customer brings in for a group party or a karaoke system. The entertainment is based on group event bookings and typically no more than two days a week on a weekend in the evening. A one-year time limit condition is recommended for the live music/entertainment.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 6, 2015. 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 Ryan absent.

### RECOMMENDED ACTION

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

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 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.

### 37. USE PERMIT: Nabers Music Bar & Eats

APPROVED Use Permit LUP14-0022 Nabers Music Bar & Eats, Series 6 Bar License, to continue to sell and serve liquor as permitted for on-premise consumption indoors and within an outdoor patio and continue live music indoors at 825 N. 54<sup>th</sup> Street, NEC of Harrison and 54<sup>th</sup> streets in the Chandler Pavilions. (Applicant: Denise Holliday.)

### BACKGROUND

Nabers Music Bar & Eats is an existing restaurant and bar located at 825 N. 54<sup>th</sup> Street, northeast corner of Harrison and 54<sup>th</sup> streets within the Chandler Pavilions commercial shopping center. Nabers Music Bar & Eats opened for business in 2013. A 65-unit condominium development is east and other retail, restaurant and commercial uses surround the site.

The restaurant and bar received Liquor Use Permit approval in July 2013, with a time condition of one year. The current request is for an extension of the Liquor Use Permit without any further time condition.

The restaurant and bar is open seven days a week. Live music occurs three or four days a week and indoors only. There is no live, amplified or acoustic music in the outdoor patio.

### DISCUSSION

Planning Staff supports the request finding that the restaurant and bar with live music indoors is appropriate at this location if the live music continues to be controlled so as to not unreasonably disturb the surrounding businesses and residents. There have been no complaints filed with the Police Department or opposition during the neighborhood notification and public notification processes. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the business's operation.

### PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 23, 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 Ryan absent.

#### RECOMMENDED ACTION

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

1. The Use Permit 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.

#### 38. USE PERMIT: Sonrise Faith Community Church

APPROVED Use Permit ZUP13-0024 Sonrise Faith Community Church, to allow a time extension for continued use of a modular building located at 800 W. Galveston Street, east of Alma School Road on the north side of Galveston Street. (Applicant: Hyung Joon Kim.)

#### BACKGROUND

The request is for Use Permit approval of a time extension for continued use of a modular building by Sonrise Faith Community Church. The modular building is located at the northeast corner of the property. The Sunnycrest single-family residential subdivision is north and east and Tyson Manor single-family residential subdivision is south of the property.

In 1994, the first Use Permit for the modular building was approved. Four Use Permit time extensions were approved for two previous churches; Tempe Korean Presbyterian and First Christian. The modular building was utilized as classrooms and other church related activities and will continue to function with similar uses. The most recent Use Permit expired in September 2012. This request is for a time extension of an additional five years.

The approximate 1,391 sq. ft. modular building is used for educational and instructional purposes as it contains three classrooms. Each classroom accommodates approximately 15 people. Activities and classes are held seven days a week at varied hours and include child care, bible study and training workshops. Long term, the applicant anticipates that the modular building would be removed and replaced by a permanent building; however, no timeframe is known currently.

### DISCUSSION

Planning Staff supports the continued use of the modular classroom building for an additional five years. The church has an ongoing need to use the modular building for classes and ancillary activities and does not have funding currently available to construct a permanent building. The educational and instructional activities are compatible with the church's operation and with the single family residences.

### PUBLIC/NEIGHBORHOOD NOTIFICATION

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

### PLANNING COMMISSION VOTE REPORT

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

### RECOMMENDED ACTION

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

1. The Use Permit shall 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.

### 39. USE PERMIT: Verizon Wireless – McClintock and Ray

APPROVED Use Permit, ZUP14-0011 Verizon Wireless – McClintock and Ray, to install a monopalm wireless communication facility at 3875 W. Ray Road, SEC of McClintock Drive and Ray Road. (Applicant: Rob Jones, Wavelength Management.)

The request was continued from the November 20, 2014, City Council meeting to allow the applicant time to address neighborhood concerns. Planning Staff met with the applicant to discuss the proposed monopalm distance from residential properties and aesthetics. The applicant consequently worked with the property owner of the subject parcel to select a new location for the monopalm in order to provide greater distances to the single family residences to the east and south.

### BACKGROUND

The proposed monopalm is 50 ft. in height, measured to the top of antennas. The monopalm would be placed in a parking island within the parking lot. The equipment enclosure would be in a separate location from the monopalm. The enclosure would be located between two of the commercial retail buildings in an outdoor seating area.

The nearest residential development is the Golden Keys single family subdivision, approximately 327 ft. south and approximately 159 ft. southeast of the monopalm. These distances from the residentially zoned properties increased due to the new location in the parking lot located north of the commercial retail building. In addition to the increased distance from the residences, the approximate 23 ft. tall building provides both a visual buffer and physical barrier to the proposed monopalm.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, and the antennas would be painted to match the fronds. Palm trees are located in the shopping center and surrounding area. The equipment enclosure would be eight feet high and constructed of concrete masonry units painted to match the color of the adjacent building. 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. Existing landscape would be removed and relocated to the south side of the enclosure including additional landscape.

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. Within the immediate area, no other suitable alternative for co-location of the wireless communication facility on existing poles or towers was found.

#### DISCUSSION

Planning Staff supports the request. The proposed location is appropriate for a wireless communication facility. The new location appears to be the least visually intrusive to the single family residential subdivision. The separation from the single family 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 September 29, 2014. There were three property owners in attendance expressing concerns related to the distance of the monopalm to their properties, visual impact and screening.

Planning Staff received numerous phone calls and a signed letter from property owners stating opposition to this request at the original location which was about 99 ft. from the residences. Concerns expressed related to: decreased property values, health concerns, do not want to see from my home or from my backyard and lack of screening. Following the continuance, the applicant relocated the monopalm further distance from the homes to address these concerns. Additionally, the applicant and Staff conducted further neighborhood outreach to those concerned property owners to provide an update of the new location and distances from the homes. From discussions with these property owners, the concerns and opposition is minimized or eliminated.

#### PLANNING COMMISSION VOTE REPORT

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

40. USE PERMIT: Arizona Corporate Plaza

APPROVED Use Permit ZUP14-0025 Arizona Corporate Plaza, for the operation of a hair salon within Suite 1-2 of Building 1 at Arizona Corporate Plaza located at the SEC of Arizona Avenue and Comstock Drive, south of Elliot Road. (Applicant: Heather Dill, Shear Organic Hair Studio.)

BACKGROUND

The subject Suite 1-2 is located within Building 1 of the Arizona Corporate Plaza mixed-use business park. The site is surrounded by Arizona Avenue to the west and vacant land zoned for commercial uses to the north. South is vacant land, part of the Westech Corporate Center, and east are other light industrial buildings/uses as part of the business park.

The business park's zoning history dates back to 1981 when the property was zoned Planned Industrial District (I-1) with a Planned Area Development (PAD) Overlay. Over the years, a series of Use Permits were granted for uses such as a custom motorcycle business, an automotive customization business, a furniture business, an Arizona Children's Association office, a church, and a daycare. These uses naturally located along the business park's western end along the Arizona Avenue frontage.

The request is for Use Permit approval for the operation of a hair salon within a portion of Site 1-2 of Building 1. The balance of Suite 1-2 is occupied by ExtrusionBot, a personal filament extruder device manufacturer, owned and operated by the applicant's husband. Other uses in Building 1 include a car audio business, Chandler Custom Cycles and an insurance office. Shear Organic Hair operates on an appointment-only basis; there is no walk-in traffic. The applicant, Heather Dill, is the only employee. Hours of operation are Tuesday, Thursday and Friday 9 a.m. to 6 p.m. and Saturday 9 a.m. to 4:30 p.m. The average number of clients per day is 4-7 persons. Although the proposed hair salon is within a portion of Suite 1-2, the hair salon has its own separate entrance. Sufficient parking is provided directly adjacent to the proposed use.

DISCUSSION

Planning Staff supports the request. While historically, service-retail uses such as the proposed hair salon are not supported in Planned Industrial business parks, Building 1 of the Arizona Corporate Plaza has proven to command a quasi-retail nature due to the Arizona Avenue exposure as evidenced by the existing and previous tenant mix. The appointment-only business style of Shear Organic Hair will maintain a lower intensity that can prove compatible with the balance of Arizona Corporate Plaza. Finally, it is a unique circumstance that the remaining portion of Suite 1-2 is occupied by the applicant's husband. Planning Staff is recommending a 2-year timing condition to provide sufficient time to evaluate the anticipated compatibility.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was sent out in lieu of a neighborhood meeting. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTION

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

1. Expansion 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.

41. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Travis Tritt Fundraiser Concert on January 25, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

42. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Social Painting Event on January 31, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

43. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for The Midtown Men Concert, February 7, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

44. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Even Liquor License for the Chandler Cultural Foundation for the Flamenco Vivo Carlota Santana Event, February 14, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

45. No item.

46. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival Kick-Off on March 12, 2015, at Thorobred Chevrolet, 2121 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

47. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival, March 13, 14 and 15, 2015, at Tumbleweed Park, 2220 S. McQueen Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department 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.

48. SPECIAL EVENT LIQUOR LICENSE: The Boot Campaign, Inc.

APPROVED a Special Event Liquor License for The Boot Campaign, Inc., for The Great American BBQ & Beer Festival, March 21, 2015, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

49. PERMANENT EXTENSION OF PREMISES LIQUOR LICENSE: D'Vine Wine Bar & Bistro

APPROVED a Permanent Extension of Premises for a Series 12 Restaurant License (Chandler #140185L12) held by the Arizona-For Better Business Association LLC, dba D'Vine Wine Bar & Bistro, 3990 S. Alma School Road. A recommendation for approval of a Permanent Extension of Premises for State Liquor License #12079067 will be forwarded to the State Department of Liquor Licenses and Control.

The Arizona-For Better Business Association LLC, dba D'Vine Wine Bar & Bistro, has requested a permanent extension of their alcohol serving area to include outside seating. This business was approved for a Series 12 Restaurant Bar Liquor License on February 27, 2012.

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.

50. TEMPORARY EXTENSION OF PREMISES LIQUOR LICENSE: Murphy's Law Irish Pub and Ale House

APPROVED a Temporary Extension of Premises for a Series 18 Liquor License (Chandler #120887L18) held by Murphy's Law 58 LLC, dba Murphy's Law Irish Pub and Ale House, 58 S.

San Marcos Place for a St. Patrick's Day Party, March 17, 2015. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #06070685 will be forwarded to the State Department of Liquor Licenses and Control.

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.

51. TEMPORARY EXTENSION OF PREMISES LIQUOR LICENSE: The Perch

CONTINUED to a Special Council meeting on February 6, 2015.

Temporary Extension of Premises or a Series 18 Liquor License (Chandler #145511L18) held by The Perch LLC, dba The Perch, 232 S. Wall Street for a 1<sup>st</sup> Annual Anniversary Party, February 15, 2015.

52. LIQUOR LICENSE: AZ Market

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #155963L10) for Natalia Lisa Mihilli, Agent, AZ Market LLC, dba AZ Market, 731 S. Arizona Avenue. A recommendation or approval of State Liquor License #10076617 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license. 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 Arizona Carniceria LLC, dba Arizona Carniceria.

53. LIQUOR LICENSE: Holiday Inn at Ocotillo

APPROVED a Series 11 Hotel/Motel Liquor License (Chandler #155027L11) for Kevin Bierl, Agent, Ocotillo Hospitality LLC, dba Holiday Inn at Ocotillo, 1200 W. Ocotillo Road. A recommendation for approval of State Liquor License #11077048 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license. 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 Northface Investments LLC, dba Holiday Inn at Ocotillo.

54. LIQUOR LICENSE: Duke's Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #156300L12) for Lauren Kay Merrett, Agent, The Pink Gardenia LLC, dba Duke's Grill, 980 E. Pecos Road, Suite 5. A recommendation for approval of State Liquor License #1207A112 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license. 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 Svheldt LLC, dba Duke's Grill.

55. FINAL PLAT: Siena at Ocotillo

APPROVED Final Plat, FPT14-0011 Siena At Ocotillo, for a 76-unit townhome development located at the SEC of Dobson Road and Market Place. (Applicant: Michael Sexton; Cardno, Inc.)

### BACKGROUND

This Final Plat is for a 76-unit townhome development located at the southeast corner of Dobson Road and Market Place that was approved by Council in April 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 Planned Area Development zoning, Planning Staff recommends approval.

### PUBLIC HEARINGS

PH1. ANNEXATION of three parcels totaling approximately 9.53 acres located south of the SEC of Chandler Heights and Cooper roads.

VICE MAYOR HARTKE opened the public hearing at 7:08 p.m.

#### Memo Background:

The subject site consists of three rural residential properties currently zoned RU-43 in the County. Two of the properties have existing single family homes and ancillary structures and the third is undeveloped. The site is bordered by rural residential properties to the north, east and west and abuts the Circle G at Riggs Homestead Ranch neighborhood to the south.

On March 28, 2013, the City approved the annexation of 25 acres abutting the north and east sides of the subject site. The applicant intends to develop a low-density residential neighborhood on the subject properties together with the previously annexed 25 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forthcoming to Mayor and Council. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character, supporting low-density residential development.

Existing municipal water service and waste water service are located in Chandler Heights Road. The developer will be required to extend a 12" reclaimed water line in Chandler Heights Road to serve the property.

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

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

### DISCUSSION:

David De La Torre, City Planner, briefly summarized the Staff memo addressing the three properties, the 25 acres abutting the north and east sides of the subject site, and how the developer intends to develop the site.

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

THE VICE MAYOR CLOSED THE PUBLIC HEARING AT 7:10 p.m.

PH2. ANNEXATION of approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads.

THE VICE MAYOR OPENED THE PUBLIC HEARING AT 7:10 P.M.

Memo Background:

The subject site is an approximately 5-acre parcel and adjacent right-of-way adjoining the north side of the Roosevelt Water Conservation District's reservoir that wraps around the Basha's shopping center at the northwest corner of Chandler Heights and Gilbert roads. The site, currently zoned RU-43 in the County, is bordered by the Eastern Canal on the west, an undeveloped and unincorporated parcel on the north, and Gilbert Road on the east.

The applicant would like to develop a self-storage facility on the site and intends to follow the annexation with a request for rezoning and preliminary development plan approval. The Chandler Land Use Element of the General Plan designates the site as Residential, for which self-storage facilities can be considered to serve the needs of residential areas.

Existing municipal water service, waste water service and reclaimed water are located in Gilbert Road to serve future development on the property.

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

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

DISCUSSION:

David De La Torre, City Planner, briefly summarized the Staff memo addressing the 5 acre parcel, and how the developer intends to develop the site.

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

THE VICE MAYOR CLOSED THE PUBLIC HEARING AT 7:11 p.m.

Ph3. ANNEXATION of approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads.

THE VICE MAYOR OPENED THE PUBLIC HEARING AT 7:11 p.m.

Memo Background:

The subject site is currently zoned RU-43 within the County. It contains a mobile home with ancillary buildings used for agriculture. The site is bordered by County land zoned RU-43 to the west and north with McQueen Village Square commercial plaza north of the County land. McQueen Road is located to the east, and south of the property is the subdivision Estates at McQueen. The Chandler Land Use Element of the General Plan designates the site as Residential and the southeast Chandler Area Plan designates a more specific land use category

of Rural / Agrarian Character. The property owner will submit a rezoning application and preliminary development plans to allow the development of a church on the subject site.

Existing municipal water service, wastewater service and reclaimed water are available in McQueen Road.

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

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

DISCUSSION:

Lauren Schumann, City Planner, briefly summarized the Staff memo addressing the 4.18 acre parcel. The property owner has submitted a rezoning application that is currently under review by Staff.

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

THE VICE MAYOR CLOSED THE PUBLIC HEARING AT 7:13 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

B. Councilmembers' Announcements

Vice Mayor Hartke announced the following:

Chandler will be kicking off the 2015 Listening Tour on February 10<sup>th</sup> with a Mini HOA Summit. This is a popular event covering new legislation being discussed relating to HOA's. The event is free and begins at 7 p.m. at Tumbleweed Recreation Center. Register is required and information is available on the City's Website at [www.chandleraz.gov](http://www.chandleraz.gov)

The Annual Chandler Sports Hall of Fame Induction will be held on February 7<sup>th</sup>. This event recognizes those Chandler athletes that have excelled in their fields. The event will be held at the Chandler Center for the Arts starting at 11 a.m.

A Naturalization Ceremony was held in Chandler on Saturday, January 17<sup>th</sup>. Mayor Tibshraeny spoke at the event and Councilmember Sellers and he was also in attendance. More than 200 people became citizens of the United States that morning.

