

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, January 21, 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 Wastchak.
3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore  
Commissioner Katy Cunningham – Via Telephone  
Commissioner Phil Ryan  
Commissioner Devan Wastchak

Absent and excused:

Vice Chairman Andrew Baron  
Commissioner Bill Donaldson  
Commissioner Ryan Foley

Also present:

Ms. Jodie Novak, Senior City Planner  
Ms. Susan Fiala, City Planner  
Mr. Scott McCoy, Asst. City Attorney  
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES  
MOVED BY COMMISSIONER WASTCHAK, seconded by CHAIRMAN PRIDEMORE to approve the minutes of the January, 7 2015 Planning Commission Hearing. The motion passed 3-0. (Commissioner Ryan abstained since he was not present January 7, 2015)
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 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. There was one action item – Item A.

B. LUP14-0020 AMERICA’S TACO SHOP  
**Approved.**

Request Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within the patio, and continue occasional live music indoors and within the patio at an existing restaurant. The property is located at 3235 West Ray Road, Suite 1, southwest corner of Ray Road and the Loop 101.

1. The Liquor Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor 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 new Liquor Use Permit application and approval.
4. The patio shall be maintained in a clean and orderly manner.
5. Live music within the outdoor patio area shall not occur past 8 p.m. and shall be limited to acoustic music without amplification.
6. The house speaker system shall not be utilized to amplify live music.
7. 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.
8. No noise shall be emitted from the live music occurring outdoors 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.
9. The site shall be maintained in a clean and orderly manner.
10. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

C. ZUP14-0020 VERIZON WIRELESS – ALMA SCHOOL AND GERMANN

**Approved.**

Request Use Permit approval to install a monopalm wireless communication facility located at 964 W. Germann Rd., east of the northeast corner of Alma School and Germann roads.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The two live palms shall be maintained at a level consistent with or better than at the time of planting.

**CHAIRMAN PRIDEMORE** stated items B and C 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 COMMISSIONER RYAN**, seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 4-0 (Vice Chairman Baron, Commissioner Donaldson and Commissioner Foley, absent).

**ACTION:**

A. DVR14-0023 FIRST ELECTRONICS

**Approved.**

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for office/industrial along with Preliminary Development Plan (PDP) for site layout and building design for an electronics manufacturer on property located north of the northwest corner of Price and Willis roads.

**Rezoning**

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "FIRST ELECTRONICS", kept on file in the City of Chandler Planning Division, in File No. DVR14-0023, except as modified by condition 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. 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.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "FIRST ELECTRONICS", kept on file in the City of Chandler Planning Division, in File No. DVR14-0023, except as modified by condition herein.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
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.

**MS. JODIE NOVAK, SENIOR CITY PLANNER** stated the request is to rezone land that is currently zoned Agriculture District to Planned Area Development to allow an office in an industrial development. It also includes the Preliminary Development Plan for both site layout and building design component. This is an electronics manufacturing facility that assembles circuit boards, cable wire harnesses and computer type components. The development would be building the property for a Phase one which they will have their facility and corporate offices. The property is designed to conform to the site development standards, including setbacks and landscaping as well as incorporating large landscape setback of at least one-hundred feet along Price Road. The western portion of the property is for storm water retention above ground and would be a Phase two if it were ever to develop. The building is located on the southern portion of this particular property, south of it are existing developments for wedding/reception event facility and north of it is a small vacant lot as well as a developed corporate office development.

This project went through the design review committee and made small suggestions regarding the seam joints on the grid design. They have been applied and are represented in the development booklet. Under the land-use category First Electronics is permitted and is designated as an employment corridor for this particular area. This property is located north of Willis Road and in accordance with the General Plan those properties located north of Willis Road tend to have a mix of office/hotel as well as retail oriented support type uses to larger business parks that happen to be in that area.

Staff is of the opinion to recommend approval of this development. The land use is consistent and compatible with the General Plan and the corridor. The architecture and site design are compatible with the commercial development standards, industrial development standards and the expectations along the Price corridor. A neighborhood meeting was held at the end of October, no one attended except the applicant. As of the date of the report and hearing we received information regarding concerns of the proposed development from property owner to the north and may be here to speak. Attached to the staff report was a letter of opposition and concern from a property owner that owns a 0.10 acre sliver of land that is at the northwest corner of the subject property. Staff is recommending approval for both the Rezoning and Preliminary Development Plan with conditions that are included. She would be happy to answer any questions.

**CHAIRMAN PRIDEMORE** stated if there were no questions on action Item A, it would be turned over to the applicant. No questions were asked.

**MR. ANDY PULSIPHER, 7045 N. 23<sup>RD</sup> WAY, PHOENIX**, stated he is the project architect and wanted to compliment the staff and DRC for quite a diligent review of the project to this point. They made a few changes to the design and the plan, which resulted in a better project from where it started. If there were any comments or concerns he would be happy to answer those.

**CHAIRMAN PRIDEMORE** stated he had a speaker card for Item A.

**MR. GARRY HAYS, 1702 E. HIGHLAND AVE, PHOENIX**, stated he represented Delta Echelon which is the four story office building north of the parcel and the tenant is Ebay/Paypal. He stated there was a neighborhood meeting his client did attend but there was some confusion with that. He met with the architect. His client has concerns but is not in opposition at this point. His concerns are regarding the use and the amount of the utilization of the parcel. There is not much left on Price Road and we have to be cognizant of what gets placed, where we put it and how much they utilize the parcels available to them.

**CHAIRMAN PRIDEMORE** stated if there were no questions for Mr. Hays, it would be turned back over to the applicant. No questions were asked.

**MR. PULSIPHER** stated he did meet with Mr. Hays and made changes after that meeting to the advantage of the neighboring properties. Changes for the design review process were also made. He believes that the project is very consistent with the usage of the Price Road corridor and explains that it is an employer that will have up to seventy employees on a 3 1/2-acre parcel. The building looks like an office building and will fit into this project.

**COMMISSIONER WASTCHAK** wanted to confirm when they had the DRC meeting, the architecture indicated that the building originally was oriented with the parking on the south side and he flipped the building to the north and asked if it was the property to the north requesting that change.

**MR. PULSIPHER** confirmed they did flip the property, however, they did not request the change. Their concern was that the building was too close to their property line so based on their concern they did flip the property.

**COMMISSIONER RYAN** asked if the Phase two on the west-end of the site has any potential for additional building or expansion.

**MR. PULSIPHER** stated it is a small parcel being used for retention at this time and the client has no intentions of expanding the building. However, if they did, they would expand the end of the rear of the building and make the retention underground.

**COMMISSIONER WASTCHAK** said as a follow-up to that, if they did expand, would they need to come through the PDP process or will be held at staff level.

**MS. NOVAK** stated they have spoken to them about how it would normally come through a Preliminary Plan Development process, depending on what they are doing. They have mentioned a possible Phase two. As long as it matches the look of what they already have. Evaluation will occur at that time.

**CHAIRMAN PRIDEMORE** welcomed First Electronics to Chandler. He knows they are in Tempe and thrilled they want to move and bring their business to Chandler. He believes the use is appropriate, considering that they have heavier manufacturing to the south. The light industrial

does not bother him. In regards to the architecture, he thinks it a perfectly reasonable building and fits just fine. If no questions, he will look for a motion regarding item A.

**MOVED BY COMMISSIONER WASTCHAK**, seconded by **COMMISSIONER RYAN** to approve action item A. DVR14-0023 FIRST ELECTRONICS. The motion passed 4-0 (Vice Chairman Baron, Commissioner Donaldson and Commissioner Foley absent).

6. DIRECTOR'S REPORT

Ms. Jodie Novak, Senior City Planner had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE said the next regular meeting is February 4, 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 5:45 p.m.

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Matthew Pridemore, Chairman

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Jeffrey A. Kurtz, Secretary