

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, March 26, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

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

INVOCATION: Chaplain Frankie Broome – American Legion Post 91

PLEDGE OF ALLEGIANCE: Councilmember Terry Roe led the Pledge of Allegiance.

CONSENT:

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

VICE MAYOR DECLARED A CONFLICT OF INTEREST ON ITEM 17 (DEVAU HUMAN RESOURCES).

MOTION CARRIED UNANIMOUSLY (7-0) with the exception noted.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting (Manager Recruitment) of March 9, 2015.
- 1b. Study Session of March 9, 2015.
- 1c. Special Meeting (Manager Recruitment) of March 12, 2015.
- 1d. Budget Workshop of March 12, 2015.
- 1e. Regular Meeting of March 12, 2015.

2. PRE-ANNEXATION DEVELOPMENT AGREEMENT: YEG Developments Res. #4853

ADOPTED Resolution No. 4853 authorizing the execution of the Pre-Annexation Development Agreement with YEG Developments, Inc., for Mission Estates Lift Station for property located at the NWC of McQueen Road and Sunnydale Drive.

BACKGROUND/DISCUSSION

YEG Developments, Inc., has requested the City annex ten acres located at the northwest corner of McQueen Road and Sunnydale Drive, approximately one quarter mile north of Hunt Highway. Along with the City initial zoning of the parcel, a request for rezoning to PAD for single-family residential is forthcoming. Currently, the City's sewer main in McQueen Road cannot support the development. In order to provide wastewater service to facilitate the development of the property, the design, installation and construction of additional public wastewater transmission facilities are necessary.

The developer has requested a Pre-Annexation Development Agreement to address the wastewater service issues prior to annexation. The developer has agreed to pay the entire cost associated with the design, construction and installation of the wastewater public infrastructure identified as the Mission Estates Lift Station, per the plans, including oversizing the lift station to accommodate future development in the area. Exhibit C states the lift station will serve the project's 26 lots and an additional 245 lots for future development. The developer will convey ownership to the City in land area identified on the wastewater infrastructure plans and a one-time lump sum payment of \$41,805.00, which estimates the City's cost to operate and maintain the infrastructure for three years.

FINANCIAL IMPLICATIONS

In exchange for the Developer's payment, the City shall be responsible for all costs associated with the operation and maintenance of the wastewater infrastructure and releases the Developer from future operation and maintenance.

3. ANNEXATION: McQueen Road and Hunt Highway Ord. #4611

ADOPTED Ordinance No. 4611, annexation of approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway.

4. NO-COST POWER EASEMENT: Salt River Project Ord. #4583

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4583 granting a no-cost power easement to Salt River Project (SRP), for electrical facilities relocation as part of the Ocotillo Road Improvements, from Arizona Avenue to McQueen Road.

BACKGROUND/DISCUSSION

As part of the Ocotillo Road Improvements from Arizona Avenue to McQueen Road, it is necessary to relocate existing SRP electrical facilities. As a result, SRP requires a new easement to cover the relocated power facilities. The easement will be at no cost to SRP as the project requires the relocation of these electrical facilities and Staff confirmed that SRP has prior rights.

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Artesian Place Ord. #4618

INTRODUCED AND TENTATIVELY APPROVED ordinance No. 4618, DVR15-0004 Artesian Place, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential. (Applicant: Mike Withey, Withey Morris PLC.)

APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product guidelines on approximately 2 acres located south of the SEC of Ocotillo Road and Norman Way, west of Gilbert Road.

BACKGROUND

The approximately 2-acre subject site is an undeveloped property located south of the southeast corner of Ocotillo Road and Norman Way, west of Gilbert Road. This parcel is immediately south of a recently approved commercial shopping center that wraps around the north and east sides. This property was originally intended to be a City utilities treatment facility; however, it has been determined that there are properties more suitable to accommodate this function. Therefore, the City determined this property could be available for sale and, in March 2014, Council authorized the sale of the property for development as a mix of commercial and residential uses.

The property is bordered on the west by a partially developed collector street, Norman Way, and the Fonte Al Sole single-family residential subdivision. South of the property are the Intel Brine Ponds which are part of a groundwater recharge facility. To the east and north is property included in a planned commercial shopping center.

The request is to rezone from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing product guidelines for a single-family residential subdivision.

PRELIMINARY DEVELOPMENT PLAN

The proposed development is a single-family subdivision which includes 4 lots. The request does not include housing product and instead has development guidelines in the Development Booklet to establish a level of design quality for the future homes. The minimum home size is 2,500 square feet for a one-story and 2,000 ground floor area for a two-story.

The lot sizes range from approximately 17,279 to 18,843 square feet. The minimum building setbacks include a front yard setback of 20 feet to face of garage or 15 feet to livable/side entry garage, side yard setbacks of 10 feet on each side and rear yard setbacks of 20 feet with patios at 10 feet. The maximum lot coverage is 45%.

The Development Booklet represents, and is also included in the zoning conditions, that rear yard covered patios shall occur on all homes, a box-on-box two-story home design is not permitted and a combination one-story and two-story home shall have the two-story portion not encompassing more than 75% of the building footprint and located on the lot's interior side yard. Also, the same housing plan and elevation shall not be built side-by-side or across the street from one another, homes shall provide four-sided architecture, window mullion/muntin patterns shall remain consistent on all sides of the homes and window pop-out treatments shall remain consistent on all sides of the homes.

Perimeter block walls will have a maximum of 6.5 feet in the side and rear yards except for the two lots backing up to the commercial center in which the side and rear walls can be up to 8 feet. A subdivision name sign plaque is integrated with the main entrance wall system. Landscaping is required in all front yards in accordance with the landscape standards represented in the

Development Booklet. The subdivision is surrounded by a significant landscape buffer adjacent to the commercial center. There are retention basins and rows of trees provided as part of the commercial center's development.

The Development Booklet includes additional details regarding the development standards and site design. Planning Staff will administratively review the housing plan designs and setbacks for each lot.

DISCUSSION

Planning Staff finds the proposed request to be complimentary to the surrounding area and planned commercial center. The applicant has worked with the adjacent residential neighbors and the Fonte Al Sole Homeowners Association (HOA) for many months to address their concerns and design comments.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting notice and/or notice was waived due to the recently approved commercial center zoning case which had included this residential component and was subsequently not included in that action and conditioned to come back as a separate zoning case. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTIONS

Rezoning

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ARTESIAN PLACE" kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. The covenants, conditions and restrictions (CC&R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
 8. Rear yard covered patio required on all homes.
 9. A box-on-box two-story home design is not permitted.
 10. A combination one-story and two-story home shall have the two-story portion not encompassing more than 75% of the building footprint and located on the lot's interior side yard.
 11. The same housing plan and elevation shall not be built side-by-side from one another.
 12. Homes shall provide four-sided architecture.
 13. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
 14. Window pop-out treatments shall remain consistent on all sides of the homes.
6. INITIAL CITY ZONING: SWC McQueen and Ocotillo Roads Ord. # 4619

INTRODUCED AND TENTATIVELY APPROVED Ordinance no. 4619, DVR15-0005, South of the Southwest Corner of McQueen and Ocotillo Roads, establishment of initial City zoning of Agriculture (AG-1) on approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads. (Applicant: City Initiative.)

BACKGROUND

The undeveloped subject parcel is bordered by County land zoned Rural-43 (RU-43) to the west and north. McQueen Road is located to the east and the subdivision Estates at McQueen is located to the south.

The City Council tentatively adopted an ordinance to annex the subject parcel on February 12, 2015, and adopted the second reading of the ordinance on February 26, 2015. Planning Staff has not received any comments from residents or other members of the public regarding the annexation or the establishment of initial City zoning.

A rezoning and preliminary development plan application has been submitted for the development of a church on the subject site. 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.

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the County. Arizona Revised Statutes §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

Planning Staff supports the land use that is requested with the pending development applications, the annexation, and establishment of initial City zoning of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

7. **INITIAL CITY ZONING:** NWC of Gilbert and Brooks Farm Roads Ord. #4620

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4620, DVR15-0006, NWC of Gilbert and Brooks Farm Roads, establishment of initial City zoning of Agriculture (AG-1) on approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads. (Applicant: City Initiative.)

BACKGROUND

The subject site is an approximately 5-acre parcel 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 Rural-43 (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.

The City Council held a public hearing for the annexation of the subject site on January 22, 2015, and subsequently adopted an ordinance annexing the subject site on February 26, 2015.

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the County. Arizona Revised Statutes §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 7-0.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

8. **ANNEXATION:** NWC of Cedar Place and Riggs Ranch Road Ord. #4621

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4621, Annexation of approximately 1.25 acres located north of the NWC of Cedar Place and Riggs Ranch Road. (Applicant: Michael Cronin, Terra West Communities.)

BACKGROUND

The subject site is currently undeveloped vacant land zoned Rural-43 (RU-43) in the County. The site is bordered by rural residential properties zoned Agricultural District (AG-1) to the west and north. Circle G at Riggs Homestead Ranch subdivision is adjacent to the east and south. 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.

The requested annexation will be the final remaining property assembled as part of a larger single-family development. In the past two years, the City approved the annexation of 34.53 acres abutting the north and west sides of the property. The applicant intends to develop a low-density residential neighborhood on the subject property together with the previously annexed 34.53 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forth coming to Mayor and Council.

UTILITY SERVICES

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

STAFF COMMENTS

A public hearing for this annexation was held at the February 26, 2015, City Council meeting. Planning Staff has not received any comments from residents or other members of the public regarding this annexation. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

9. On Action

10. DRAINAGE EASEMENT EXTINGUISHMENT: Fire Rock Ranch Res. #4842

ADOPTED Resolution No. 4842 authorizing the extinguishment of a temporary drainage easement no longer needed for public use at the Fire Rock Ranch development located at the NWC of Gilbert Road and Chandler Boulevard.

BACKGROUND/DISCUSSION

The City obtained a temporary drainage easement on a parcel of land located at the northwest corner of Gilbert Road and Chandler Boulevard to accommodate road improvements to Chandler Boulevard. Subsequently, the Fire Rock Ranch development built and incorporated the required retention provided by this easement into their development. As a result, the drainage easement is no longer required and can be extinguished. The property owner has requested that the City extinguish this easement in order to clear up their title.

11. ASSESSMENTS: Downtown Chandler Enhanced Municipal Services Dist. Res. #4846

ADOPTED Resolution No. 4846 authorizing the modification of the assessment diagram; making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District; completing the assessment; setting the date for the hearing on the assessment and ordering the giving of notice of such hearing.

BACKGROUND

On May 25, 2006, City Council adopted Resolution No. 3971 creating the Downtown Chandler Enhanced Municipal Services District with the mission to provide marketing, promotion, security,

enhanced beautification and district management. The City subsequently executed a master contract with the Downtown Chandler Community Partnership (DCCP) to perform such services for a period of 10 years. Fiscal Year 2015-16 represents the 10th operating year of the District.

As part of the annual assessment procedures, each year the Assessment Diagram and Assessment Roll needs to be updated due to changes in ownership, plats and land uses. Additionally, a public hearing must be held along with the opportunity for District property owners to file objections.

DISCUSSION

As required by Resolution No. 3971, which created the District, the following documents are submitted with this report: 1) Resolution No. 4846; 2) Notice of Hearing on Assessments; 3) Boundary Map; 4) Statement and Estimate of Expenses for the District; 5) Assessment Roll; and 6) Assessment Diagram.

The purpose of Resolution No. 4846 is to set the Public Hearing to notify property owners of the intent to modify the Assessments for property in the District, a required formal step. This Resolution also authorizes the City Council to make an estimate of the expenses for the District for 2015-16, to set the date for the hearing on the Assessment and to give the Public Notice of the hearing date.

As a result of Resolution No. 4846, the hearing for the setting of the Assessments will be held April 30, 2015, a 7:00 p.m. in the City Council Chambers. DCCP Staff will appropriately notify all property owners within the District boundary and the City will publish the notice of the hearing in a daily newspaper for five days as required by state statute.

Assessments in the District will be based on three weighted factors including assessed value, building square footage and land square footage. All properties will be assessed at the same rate with the exception of the buildings along the Historic Square, which will be assessed double the building square footage rate.

In May, Staff will return with a resolution to approve the Annual Assessment Roll, which will memorialize the amount assessed to each parcel and property owner. After City Council approval, the roll is sent to the Maricopa County Assessor for inclusion on the fall property tax bills. In June, Staff will present the Chandler Enhanced Municipal Services Agreement with the DCCP for Fiscal Year 2015-16, which includes an Operating Plan and District Budget.

FINANCIAL IMPLICATIONS

The total assessments for Fiscal Year 2015-16, including the City's voluntary contribution, are \$263,967.00. This is an increase of \$20,173.00 from the prior year, driven by changes in assessed valuations. Given the success of the DCCP in building profitable events, the FY 2015-16 operating budget for the District may exceed this amount to stay in compliance with the contract reserve policy. The final amount will be presented to the City Council in June as part of the DCCP contract with the City for District management services.

As a public entity, the City is not required to pay into the District assessment, but has done so since the District's inception on a voluntary basis. As the largest single property owner in the Downtown, the City has taken a leadership role in supporting the District both financially and operationally. As in prior years, the City has elected to cap its voluntary contribution at the level contributed in the prior year. This means the City's maximum contribution is \$118,804.00, which represents 45% of the total assessment budget. Funds to provide the City's voluntary

contribution are provided in the Downtown Redevelopment budget request for Fiscal Year 2015-16.

12. AMENDED AND RESTATED PLAN ADOPTION AGREEMENTS Res. #4849

ADOPTED Resolution No. 4849 authorizing the adoption and execution of Amended and Restated Plan Adoption Agreements for the Retirement Health Savings Plan benefit for employees (Plan No. 8011217) and elected officials (Plan No. 8011218) to add a minimum age for retirement benefit eligibility, change the annual limit for mandatory contributions of employees' excess accrued vacation leave and make minor corrections to the plan documents.

BACKGROUND/DISCUSSION

In December 2007, the Chandler City Council approved Resolution No. 4141 which authorized the execution of three Retirement Health Savings (RHS) Plan Adoption Agreements applicable to employees, elected officials and individuals in the former Medical Expense Reimbursement Plan (MERP), respectively. The RHS has proved to be a valuable tool in assisting employees in saving for healthcare costs in retirement.

The proposed amendment adds a minimum age of 50 for retirement benefit eligibility which will apply to those employees or elected officials who are vested in the Plan and separate from City service (without retiring) into one of the Arizona public sector retirement systems. This change is intended to clarify the status of the RHS Plan as a retirement health reimbursement arrangement (HRA) under the Internal Revenue Code and is necessary to be compatible with the Health Savings Accounts (HAS) which was introduced this year as part of the "White Plan" health insurance option.

The amendment also increases the amount of excess vacation leave that may be deposited to an employee's RHS account. As of January 1, 2015, employees who have in excess of 240 hours of vacation as of the last full pay period with a pay day in January, are now eligible to deposit up to 60 hours into the Retirement Health Savings Account. The increase from 40 hours to 60 hours was agreed upon as part of last year's negotiations with the bargaining groups.

Additionally, the reference to IRS Revenue Ruling 2006-36 was removed from the Agreements because the current status of the law regarding the individuals eligible to use the funds in an HRA for eligible medical expenses is already reflected in the standard terms of the Agreements.

No changes are required to the Adoption Agreement applicable to the former members of the MERP (Plan No. 801427) because all members of that plan are retirees or the surviving spouses or surviving eligible dependents of retirees.

13. No item.

14. PRELIMINARY DEVELOPMENT PLAN: Layton Lakes Parcel 21

APPROVED Preliminary Development Plan, PDP14-0015 Layton Lakes Parcel 21, for housing product on approximately 33.4 acres located south and west of the SWC of Queen Creek Road and Layton Lakes Boulevard. (Applicant: Brennan Ray, Burch & Cracchiolo, PA.)

BACKGROUND

The approximate 832-acre Layton Lakes Master Planned development received PAD zoning in March 2001. Of the 832 acres, approximately 373 acres are within the City of Chandler with the

majority of Phase I occurring in the Town of Gilbert. In December 2003, a PDP was approved for the 21.6-acre Community Recreation Center as the part of Phase I within the City of Chandler. In February 2004, Council approved a Preliminary Development Plan (PDP) and Preliminary Plat involving the subdivision layout and landscape plans for Phases 2, 3 and 4 of the master planned community; the subject Parcel 21 was part of this PDP approval. Most recently, Parcel 21 was amended to include 114 lots with a standard lot size of 70' x 110' (7,700 square feet), while including Lots 1 & 2 as 50' x 110' (5,500 square feet), intended for model homes for housing product approved elsewhere within Layton Lakes. Each of the 7 residential subdivisions within the Chandler portion of Layton Lakes were required to process future PDP's for the housing product.

The subject Parcel 21 is bordered to the north by a portion of the Layton Lakes lake system and open space, with Parcel 22 located south of the subject site. Layton Lakes Boulevard abuts the site's east side, with additional Layton Lakes open space and the Eastern Canal abutting the site's western side. The Appleby Road alignment borders Parcel 22's south side with existing rural residential properties within Maricopa County located south of the Appleby Road alignment.

The request is for PDP approval of housing product. The proposed housing product by Lennar includes 4 single-story plans ranging in size from 2,856 square feet to 3,173 square feet, as well as 2 two-story plans ranging in size from 3,786 square feet to 4,108 square feet. Three to four distinct architectural styles are offered for each plan.

Included within the housing product series is Lennar's NEXT GEN concept for plans 5582 and 6081. The homes have been designed as a traditional single-family home that can accommodate multi-generational living. The homes have what can be referred to as a 'mother-in-law' suite that comes complete with a second kitchen and secondary exterior entrance yet remains completely connected with the balance of the home. Typically, secondary entrances and kitchens raise concerns for the potential that the 'suite' could be rented out creating a multi-family situation. This concern is mitigated since the entire home remains under one roof, maintains a single street address, has one electric meter and a single water meter. This new housing product series has been developed to meet the needs of many families throughout the country that now have children returning from college to live with their parents or families that now care for elderly family members at home in lieu of traditional retirement communities. From the exterior, the homes look the same as a traditional home, yet provide the interior flexibility to accommodate the evolving needs of today's family. Additional product details can be found within the Development Booklet.

DISCUSSION

Planning Staff supports the request finding the proposed housing product to represent another quality addition to the Layton Lakes community. The homes meet the intent of the Residential Development Standards by providing strong architectural design, while continuing to deliver upon the concept theme of Layton Lakes expanding the diversity of housing product offerings with the addition of the NEXT GEN multi-generational floor plans.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on February 26, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "LAYTON LAKES PARCEL 21" kept on file in the City of Chandler Planning Services Division in File No. PDP14-0015, except as modified by condition herein.
 2. Compliance with the original stipulations adopted by City Council as Ordinance 3250, case DVR00-0025 LAYTON LAKES, except as modified by condition herein.
 3. Compliance with the original stipulations adopted by the City Council as case PDP03-0038 LAYTON LAKES, except as modified by condition herein.
 4. The same elevation shall not be built side-by-side or directly across the street from one another.
 5. Window mullion/muntion patterns shall remain consistent on all sides of the homes.
 6. Corner lots shall be limited to single-story homes only.
 7. Window pop-out treatments shall remain consistent on all sides of the homes.
15. CONTINGENCY TRANSFER: Workers' Comp

APPROVED a contingency transfer of Workers' Compensation Fund Non-Departmental contingency to the Human Resources Workers' Compensation Liability cost center in the amount of \$300,000.00 for expenditures related to Workers' Compensation claims.

BACKGROUND

The City of Chandler Workers' Compensation Fund is responsible for paying claims resulting from job related injuries. The annual budget for claims expenditures is \$1,500,000.00, but claims expenses are more than \$1,400,000.00 as of mid-February. Contingency funds in the amount of \$500,000.00 are budgeted in the Non-Departmental cost center each year for Workers' Compensation claims, but per the annual Budget Resolution, Council approval is required to move the appropriation from contingency to the operating budget.

16. SUBORDINATION: Moderate Rehabilitation Program Lien

APPROVED the subordination of a Moderate Rehabilitation Program Lien on Project No. RH08-0016 located at 5633 W. Butler Drive in the amount of \$58,039.85. (Balken)

BACKGROUND/DISCUSSION

In 2008, the owner of a single-family, owner occupied home located at 5633 W. Butler Drive received a \$48,039.85 loan through the City's Moderate Rehabilitation Program. The City's lien against the property is for \$48,039.85. The City's loan is a 15-year forgivable loan secured by a Deed of Trust recorded as a lien against the home with a balance to be forgiven in 2023

The owner is requesting to refinance the home to lower the interest rate. The new loan of \$83,465.98 reduces the interest rate, lowers the mortgage payment and the owner will receive no cash out as required by the City's refinancing policy. In order to obtain the loan, a subordination of the City's lien is required by the lending institution and the City lien will remain in the same position.

FINANCIAL IMPLICATIONS

The City will not be prejudiced by the refinancing or the subordination. The City's lien is currently in second position and will remain in second position after the refinancing is complete. The City's lien will not be released until the loan term expires in 2023.

17. AGREEMENT AMENDMENT: Devau Human Resources

APPROVED Agreement No. CS4-964-3332, Amendment No. 1, with Devau Human Resources for Temporary Staffing Services in an amount not to exceed \$1,200,000.00 for a one-year term, April 1, 2015 through March 31,2016.

The City is charged a cost per hour per temporary staff person plus a markup for each temporary staff person used under the contract. The percentage is added to the cost per hour for the total number of hours the temporary staff person works. The markup percentage will vary depending on skill classification, with the client referral markup being 21.9% and the other skill classifications markup being 26.9%. The markup rate covers liabilities, check distribution, application process and federal tax reporting for the temporary staff. Human Resources reviews and approves the hourly wage prior to any temporary staff being used under the contract.

18. AGREEMENT AMENDMENT: Ancon Service Company

APPROVED Agreement No. MU3-962-3146, Amendment No. 1, with Ancon Service Company for hydrovac services, for a two-year term, in a total amount not to exceed \$466,000.00. This is the first and final optional renewal.

19. AGREEMENT AMENDMENT: Pipeline Services, Inc.

APPROVED Agreement No. WD3-910-3144, Amendment No. 1, with Pipeline Services, Inc., for emergency water main stop, for a two-year term, in a total amount not to exceed \$400,000.00. This is the first of two optional two-year extensions.

Staff had intended to replace this contract through the RFP process for a similar contract with additional services. No viable responses were received for the RFP; therefore, Staff is requesting an amendment to the current contract.

20. PROJECT AGREEMENT: Ritoch-Powell and Associates Consulting Engineers

APPROVED Project Agreement No. ST1406.451 with Ritoch-Powell and Associates Consulting Engineers for Civil Engineering Construction Management Services for South Washington Street, pursuant to On-Call Civil Engineering Services Contract No. EN1506.101, in an amount not to exceed \$75,585.00.

21. CONTRACT AMENDMENT: Ritoch-Powell and Associates Consulting Engineers

APPROVED Contract No. EN1506.101, Amendment No. 1, with Ritoch-Powell and Associates Consulting Engineers, increasing the annual limit for Civil Engineering Services by \$200,000.00, for a revised annual limit not to exceed \$500,000.00.

22. CONSTRUCTION CONTRACT: AJP Electric, Inc.

APPROVED Construction Contract No. ST1406.401 with AJP Electric, Inc., for South Washington Street Improvements, in an amount not to exceed \$2,051,294.75.

The recently approved Alta Chandler development, located along Frye Road and east of Washington Street, has brought forward the need to improve the street and utility infrastructure in the vicinity. This project includes streetscape improvements for Washington Street from Frye Road to Elgin Street. Washington Street improvements include wet and dry utility improvements in Washington Street, Frye Road and Elgin Street.

23. CONTRACT: SDB, Inc.

APPROVED Contract No. JOC1201.401, a one-year extension with SDB, Inc., for general construction services, in an amount not to exceed \$1,500,000.00. This is the third of four one-year optional renewals.

24. CONTRACT: Chasse Building Team, Inc.

APPROVED Contract No. JOC1202.401, a one-year extension with Chasse Building Team, Inc., for general construction services, in an amount not to exceed \$250,000.00. This is the third of four one-year optional renewals.

25. CONTRACT CHANGE ORDER: Blucor Contracting, Inc.

APPROVED Contract No. ST0808.401, Change Order No. 2, with Blucor Contracting, Inc., for a construction contract for Ocotillo Road Improvements (Arizona Avenue to McQueen Road), in an amount not to exceed \$171,720.54, for a revised contract amount of \$5,528,071.29.

As the City approaches build-out and open agricultural land is developed, the Municipal Utilities Department (MUD) identified the need for a permanent discharge pipe for an existing water transmission main necessary for routine maintenance or in the event of a main break. Current flushing practice for smaller water mains is to discharge to retention areas, agricultural land or sanitary sewer but these options are becoming limited to flush the large volume of water conveyed by the water main.

The ideal location was identified at SRP's Consolidated Canal along Ocotillo Road. MUD has recently completed negotiations with SRP for a license agreement to allow permanent discharge piping to the Consolidated Canal for potable waterline flushing. This will be the first discharge line of the type that SRP has allowed in their East Valley system. Installation of this flushing discharge pipe will be added to the project to avoid cutting new roadway pavement in the future.

Additionally, several minor unforeseen water and wastewater utility conflicts were identified during construction and will be corrected as part of this Change Order.

26. CONTRACT: Kimley-Horn and Associates, Inc.

APPROVED Contract No. ST1502.201 with Kimley-Horn and Associates, Inc., for Design Consultant Services for Chandler Heights Road, Arizona Avenue to McQueen Road, in an amount not to exceed \$1,183,843.00.

This project is to improve Chandler Heights Road from Arizona Avenue to McQueen Road. Chandler Heights Road will be improved to four traffic lanes. Portions of these roadways have been constructed by private developers. This project will also add or extend public systems to outside the new roadway to provide water, sewer and reclaimed lines to all undeveloped parcels. The project will include coordination with the Union Pacific Railroad and the Arizona Corporation Commission for widening the roadway at the railroad crossing to the ultimate six-lane configuration. This project will also include design and coordination with Salt River Project Irrigation for their Consolidated Canal structure widening to the ultimate six-lane configuration.

27. CONSTRUCTION CONTRACT: RK Sanders, Inc.

APPROVED Construction Contract No. WA1401.401 with RK Sanders, Inc., for the Erie, Hamilton and Price South Well Abandonment in an amount not to exceed \$106,507.00.

There are three well sites no longer in service that need to be abandoned. The well sites are: Erie Well located at the SEC of Erie and Nebraska streets; Hamilton Well located at the SEC of Erie and Hamilton streets; and Price South well located north of Continuum Street, east of Price Road. All equipment will be fully removed at each well site. Newer equipment within the well sites will be salvaged and re-used at other well sites through the City. The Erie and Hamilton well sites will be landscaped and incorporated into the adjacent City parks.

28. USE PERMIT: Verizon at St. Juan Diego Church

APPROVED Use Permit ZUP14-0034 Verizon at St. Juan Diego Church, to install a monopalm wireless communication facility located at 3200 S. Cooper Road, south of the SWC of Cooper and Queen Creek roads. (Applicant: Shaw & Associates, James Gardner.)

BACKGROUND

The proposed monopalm is 60 ft. measured to the top of antennas. The monopalm will be located along the north property line of the proposed Saint Juan Diego Church campus. The nearest residential are agricultural zoned properties, approximately 593 ft. south and Maderas, an undeveloped custom home subdivision, approximately 276 ft. west. The SRP Cooper Electrical Substation and Sienna single family residential subdivision are east, across Cooper Road.

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 design resembles a Date Palm, having a minimum of 65 fronds, with antennas painted to match the fronds. A state approved pre-fabricated equipment shelter would be installed adjacent to the monopalm with a 12-ft. high concrete masonry unit wall surrounding all sides. A 12-ft. wide access easement is proposed from Cooper Road that will follow the future driveway alignment of the proposed church. Two 25-ft. tall, live Date Palm trees and other landscape materials would be planted adjacent to the facility to match future landscape within the campus.

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. The locations were analyzed to determine the feasibility for collocation on utility poles, street and parking lot lights, monopoles, and other verticalities. None of the locations met the frequency requirements and locational service needs. Within the immediate area, no other suitable alternative for collocation of the wireless communication facility on existing poles or towers was found.

Photographic simulations of the wireless communication facility illustrating existing and proposed views were provided by the applicant.

DISCUSSION

Planning Staff supports the request. The proposed location is appropriate for a wireless communication facility in the form of a 60-ft. monopalm, measured to the top of antennas. The monopalm design is appropriate at this location with the addition of two 25-ft. tall live Date Palm trees. The separation from the single family residential zoned properties is greater than the 160 ft. separation of recently approved wireless communication facilities. Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

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 29, 2015. There were no neighbors in attendance. Planning Staff received one phone call with general inquiries and concerns about radiation. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7-0.

RECOMMENDED ACTION

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

1. 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 25-ft. live Date Palms and landscape shall be maintained at a level consistent with or better than at the time of planting.

29. USE PERMIT: Smashburger

APPROVED Use Permit LUP14-0024, Smashburger, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption indoors and within a patio at a new restaurant located at 2925 S. Alma School Road, Suite 8, in Las Tiendas Village. (Applicant: LiquorLicense.com, Cindy Block.)

BACKGROUND

Smashburger is a new restaurant located at 2925 S. Alma School Road, Suite 8, in the Las Tiendas Village shopping center. The tenant space is a portion of the former Ace Hardware. The request is for Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within a patio at a new restaurant.

The tenant space and covered patio are undergoing renovation. Total floor area is approximately 2,200 sq. ft. with 64 indoor seats and 24 outdoor patio seats. Staff is estimated at 25 team members including full-time and part-time. Hours of operation will be seven days a week from 10 a.m. until 10 p.m. An indoor house speaker system will provide background music provided by Muzak. There will not be any outdoor music. Liquor consumption within the patio is included as part of the request.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 11, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

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

1. The Liquor Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
 2. The 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 a new Liquor Use Permit application and approval.
 4. The site shall be maintained in a clean and orderly manner.
 5. The patio shall be maintained in a clean and orderly manner.
30. **USE PERMIT:** Crust Simply Italian

APPROVED Use Permit LUP15-0001 Crust Simply Italian, Series 12 Restaurant License, to allow liquor sales as permitted along with an extension of premises for outdoor patios to sell and serve liquor for on-site consumption indoors and within outside patios and live entertainment at a new restaurant and bar located in downtown Chandler at 10 N. San Marcos Place, west of Arizona Avenue and south of Buffalo Street. (Applicant: David Ross, Ross Design Group LLC.)

BACKGROUND

This restaurant will be located within the inline retail shops space of the Crowne Plaza San Marcos Golf Resort. The shop space is at the resort’s southeast corner off of San Marcos Place and Commonwealth Avenue. The restaurant and bar is a two-floor business; restaurant on the ground floor and a bar in the basement. The ground floor is an Italian and pizza restaurant. The restaurant is approximately 4,128 sq. ft. with outdoor dining patios along both street frontages. The basement bar is approximately 2,810 sq. ft. The outdoor dining patios with liquor are part of the City Center District (CCD) zoning extension of premises within the City’s right-of-way. The patios have been designed to meet the CCD zoning standards including location, distance from public infrastructure, passing space and fence height. The bar is designed as a speakeasy lounge. The request includes live music/entertainment occurring in the speakeasy or the restaurant. The live music may be a small group, acoustic, non-amplified and singing.

Hours of operation intend to be from 11 a.m. until 1 a.m. Sunday through Thursday; 11 a.m. until 2 a.m. on Friday and Saturday. The restaurant will be open seven days a week. A one-year time limit condition is recommended for the live music/entertainment.

In February 2015, the Architectural Review Committee (ARC) met to review the application for façade renovations. The ARC request was approved and the building is currently undergoing renovations. The restaurant’s two patios will include indoor/outdoor seating and counter tops.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed to area property owners and City Registered Neighborhood Organization contacts. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak 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.

31. LIQUOR LICENSE: Crust Simply Italian

APPROVED a Series 12 Restaurant Liquor License (Chandler #157009L12) for Michael Merendino, Agent, Crust Management LLC, dba Crust Simply Italian, 10 N. San Marcos Place. A recommendation for approval of State Liquor License #1207A143 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

32. LIQUOR LICENSE: Ocotillo Village Health Club & Spa

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #155384L7) for Carol Ann Nalevanko, Agent, DMB Sports Clubs Limited Partnership, dba Ocotillo Village Health Club & Spa, 4200 N. Alma School Road. A recommendation for approval of State Liquor License #07073506 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

33. LIQUOR LICENSE: Carlo & Emilie's Gourmet Deli

APPROVED a Series 12 Restaurant Liquor License (Chandler #155042L12) for Carlo Ventura, Agent, Carlo & Emilie's Cantine LLC, dba Carlo & Emilie's Gourmet Deli, 2040 S. Alma School

Road, Suite 12. A recommendation for approval of State Liquor License #1207A160 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Hope and Brenna LLC, dba Chandler BBQ Company.

34. LIQUOR LICENSE: Si Senior Restaurant

APPROVED a Series 12 Restaurant Liquor License (Chandler #157293L12) for Irene Castillo, Agent, Si Senior Restaurant of Arizona LLC, dba Si Senior Restaurant, 600 N. Alma School Road. A recommendation for approval of State Liquor License #1207A144 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Si Senior Restaurant LLC, dba Si Senior Restaurant.

35. CONTINUED LIQUOR LICENSE: Chennai Fusion Grill

CONTINUED TO APRIL 16, 2015, Liquor License, Series 12, for Arvinder Kaur, Agent, Chennai Fusion Café LLC, dba Chennai Fusion Grill, 4929 W. Chandler Boulevard, Suite 1, to allow the applicant time to complete the requirements for a new Use Permit. This Item was also continued from February 26, 2015, to March 26, 2015.

36. CONTINUED LIQUOR LICENSE: Dirty Blonde Tavern

CONTINUED TO APRIL 30, 2015, Liquor License, Series 6, for Amy S. Nations, Agent, Stapleton Entertainment LLC, dba Dirty Blonde Tavern, 4929 W. Chandler Boulevard, Suite 12, to allow the applicant time to complete the requirements for a new Use Permit.

37. No item.

38. SPECIAL EVENT LIQUOR LICENSE: Chandler Valley Unitarian Universalist Church

APPROVED a Special Event Liquor License for the Chandler Valley Unitarian Universalist Church for the Pacific Southwest District Assembly of Unitarian Universalist Event on April 24, 2015, at the Chandler Valley Unitarian Universalist Church, 6400 W. Del Rio Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department 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.

39. PRELIMINARY PLAT: Noria Mixed Use

APPROVED Preliminary Plat PPT13-0022 Noria Mixed Use, for a multi-family residential and commercial mixed-use development located at the SEC of McQueen and Germann roads. (Applicant: David Soltysik; Terrascope Consulting.)

BACKGROUND

This Preliminary Plat is for a multi-family residential and commercial mixed-use development located at the southeast corner of McQueen and Germann roads that was approved by Council in late 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT

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

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

40. THIRD AMENDMENT: COR Arizona Avenue Company, LLC Res. #4856

ADOPTED Resolution No. 4856 authorizing the Third Amendment to the Restated Development and Disposition Agreement with COR Arizona Avenue Company, LLC, for Site 7 at the NEC of Arizona Avenue & Buffalo Street.

BACKGROUND

In November 2003, The City and Benton-Robb Development Associates, LLP, entered into the Amended and Restated Development and Disposition Agreement (DDA) relating to the development of the Chandler City Center (Site 7) which is comprised of slightly less than two square blocks in downtown Chandler. Among other things, the DDA addressed the timing and phasing of development of the site, the acquisition and disposition of and by the City of certain privately owned properties contemplated for inclusion into the Site 7 development plan and details relating to the developer's eligibility for participation in a government property lease excise tax (GPLET).

In 2004, the First Amendment to the DDA was approved by Council. The First Amendment to the DDA addressed development contingencies relating to the relocation of the QWEST Corporations fiberoptic line located on and within the Site 7 site.

In 2008, COR Arizona Avenue Company, LLC, succeeded to the interest of Benton-Robb under the DDA and an Assignment and Assumption of Rights Under Amended and Restated Development and Disposition Agreement was approved.

In 2010, the Second Amendment to the DDA was approved by Council. Among other issues, the Second Amendment to the DDA extended the time period for the applicability of the GPLET program, provided for the termination of the GPLET program in the event leases were not timely executed and *otherwise detailed the ownership and lease structure as required by the state laws governing GPLET.*

This Third Amendment to the DDA amends the DDA to extend the deadlines for which the developer must enter into the GPLET leases and establishes a revised development schedule that requires vertical construction to commence on Site 7 no later than twenty-one (21) months from the date the Third Amendment is approved by the City Council. Failure to commence

development of the site within the twenty-one (21) month deadline, automatically terminates the DDA. Additionally, the Third Amendment to the DDA amends the DDA to eliminate the requirement of the City to acquire the Jack in the Box site and transfer certain parcels to the developer once the Jack in the Box site had been acquired.

41. LICENSE AGREEMENT: COR Development Company, LLC

APPROVED a license agreement with COR Development Company, LLC, consistent in all material respects with the license agreement.

BACKGROUND

In March 2010, the City Council approved a License Agreement with COR Development Company, LLC, that granted a license to COR to conduct environmental testing of property located at the northeast corner of Buffalo Street and Arizona Avenue owned by the City of Chandler known to have previously been potentially exposed to environmental contaminants by virtue of the site's former use as a gasoline fueling and service station. The 2010 License Agreement expired in 2013 without COR having conducted its environmental site assessment as authorized under the terms of the License Agreement.

The proposed License Agreement is nearly identical in all respects to the March 2010 agreement previously approved by City Council. The License Agreement contemplates the installation of monitoring wells to be located on City property and also provides:

1. Indemnification provisions that cover any liability associated with the monitoring wells, unless such liability arises out of the sole negligence of the City; and
2. Insurance coverage wherein the City is named as an additional insured; and
3. Provisions specifying the limited nature of the license and when activities associated with the well (monitoring, maintenance, etc.) will be conducted; and
4. Provisions relating to the City's ability to terminate the license and require closure of the monitoring well(s); and
5. The requirements of the posting of a bond to satisfy any liens and to ensure adequate funds for the closure of the well(s); and
6. Provisions relating to the City's access to information derived from the sampling of the well(s); and
7. The termination of the License on December 31, 2016.

ACTION

9. CITY FEE SCHEDULE AMENDMENTS

Res. #4839

ADOPTED Resolution No. 4839 amending the City Fee Schedule relating to Airport, Administration and Management Services, Municipal Utilities, Parks and Recreation, Police, Transportation and Development and adding Section 10, Cultural Affairs.

BACKGROUND/DISCUSSION

MANAGEMENT SERVICES DIRECTOR DAWN LANG explained each year, departments review their fees to determine if any updates are necessary that require changing, eliminating or adding a new fee. In 2013, the City Code was amended to add several new requirements to establish or change City fees. The proposed fee changes were posted on the City's web site on January 23, 2015, in accordance with requirements of the City Code and Arizona Revised Statutes, and a

Notice of Intention to Amend the Citywide Fee Schedule has been published in the Arizona Republic as well as through social media to alert the public of the proposed changes. Additionally, the City Code now requires that the resolution to revise the Citywide Fee Schedule be an action item on the date specified on the Notice of Intention to allow for Council discussion and public comment.

COUNCILMEMBER HEUMANN said this is just an example of the transparency led by good government by the city.

The proposed changes to the Citywide Fee Schedule include:

- Revisions to the following Management Services Department Fees to provide for consistency among the specialty licenses and/or reflect Model City Tax Code revisions brought forward due to legislation change in HB2111:
 - Auctioneers and Pawnbrokers Permits Change of Location Fee;
 - Escort and/or Introductory Service Change of Location Permit;
 - Transaction Privilege Tax License Application Fee;
 - Transaction Privilege Tax License Transient Application/License Fee;
 - Transaction Privilege Tax License Wastewater Removal Services;
- Increases to the following Airport fees to adjust for Consumer Price index (CPI) increases:
 - Airport Hangar Large Unit Storage Monthly Fee;
 - Airport T-Hangar Large Unit Monthly Fee;
 - Airport Tie Down Spaces – Single Engine & Helicopter Less Than 2,500 lbs. Unit Monthly Fee;
 - Airport Hangar Small Unit Storage Monthly Fee;
 - Airport T-Hangar Small Unit Storage Monthly Fee;
 - Airport T-Shade Monthly Fee;
 - Airport Tie Down Spaces – Turbine Engine & Helicopter 7,000+ lbs. Monthly Fee; and
 - Airport Tie Down Spaces – Twin Engine & Helicopter 2,500-7,000 lbs. Monthly Fee.
- Increase the Transportation & Development Square Foot Construction Costs per the International Code Council and change the fee schedule to refer to the most recent version of this table rather than reprinting the entire table on the fee schedule.
- Establishment of the following new and revised fees for Community and Neighborhood Services:
 - Establish a Paseo Vista Dog Park Rental Fee;
 - Establish a Downtown East Event Area Fee;
 - Establish a Downtown Library Plaza Fee;
 - Increase the Trash Can Rental fee; and
 - Establish a Nonprofit Group Rate for the Special Recreation Sites Fee.

These fees were recommended for approval by the Parks and Recreation Board at the meeting on March 3, 2015.

In addition, the following administrative edits are being made to the Fee Schedule to capture fees already being charged but not listed in the Fee Schedule or to clarify the description:

- Solid Waste – City Services (adds existing fee to schedule).
- Police – Block Watch Signs (adds existing fee to schedule).
- Police – Extra Duty Fees (eliminates specific dollar amount).
- Transportation and Development – Administration Buy In and Inspection of Breathing Air Replenishment System (adds existing fee to schedule).
- Move Museum Fees currently listed in Section 5, Parks and Recreation, to a new Section 10, Cultural Affairs (no change to any fees).
- Parks and Recreation – Department Registration Based Class, Program and Activity Fees (removes statement regarding the authority of the Community and Neighborhood Services Director, which is already stated in the code).

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE MAYOR HARTKE TO APPROVE RESOLUTION NO. 4839. THE MOTION CARRIED UNANIMOUSLY (7-0).

42. AIRPARK AREA PLAN AMENDMENT / REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Enclave at Hamilton Ranch Res. #4848 & Ord. #4616

Resolution No. 4848, APL14-0007 Airpark Area Plan Amendment, to the Airpark Area Plan from Neighborhood commercial and Commercial/Office/Business Park with a Light Rail corridor Overlay to Low-Medium Density Residential.

Ordinance No. 4616, DVR14-0019 Enclave at Hamilton Ranch, rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for offices to PAD for Residential.

Preliminary Development Plan for subdivision layout and housing product.

Preliminary Plat PPT14-0012 Enclave at Hamilton Ranch, for a single-family subdivision located south and east of the SEC of Arizona Avenue and Queen Creek Road. (Applicant: Adam Baugh / Mike Withey, Withey Morris PLC)

MEMO BACKGROUND:

PLANNING COMMISSION RECOMMENDATION

Upon finding the Area Plan amendment to be consistent with the General Plan, the Planning Commission recommends approval. Upon finding the Rezoning request to be consistent with the General Plan and Chandler Airpark Area Plan (CAAP), the Planning Commission recommends approval. Therefore, the Planning Commission also recommends approval of the Preliminary Development Plan (PDP) and Preliminary Plat.

PLANNING STAFF RECOMMENDATION

Upon finding the Area Plan amendment to be inconsistent with the General Plan, Planning Staff recommends denial. Upon finding the Rezoning request to be inconsistent with the General Plan and CAAP, Planning Staff recommends denial. Therefore, Planning Staff also recommends denial of the Preliminary Development Plan (PDP) and Preliminary Plat.

The approximately 28-acre site is located south and east of the southeast corner of Arizona Avenue and Queen Creek Road. A portion of the subject site was annexed in February 2015 and given initial City zoning of Agricultural District (AG-1). The balance of the site received PAD zoning for office in 2006 on 9 acres which never commenced. The PAD zoning was extended for an additional 3 years expiring in 2012.

The subject property primarily surrounds an undeveloped 8-acre parcel located at the immediate intersection corner of Arizona Avenue and Queen Creek Road. This parcel is zoned C-3 (General Commercial) and RU-43 (Rural Residential) in the County. East of the site is the Union Pacific Railroad tracks and land zoned PAD for office/warehouse/industrial type uses. To the south is vacant land zoned Neighborhood Commercial (C-1) and developed land zoned PAD for a veterinary office/pet resort and a church along with 30 acres of undeveloped land owned by the church. North of the site is Queen Creek Road. North of Queen Creek Road is land recently zoned PAD for a single-family residential and a multi-family residential development under construction. To the west is Arizona Avenue, vacant land zoned PAD for commercial and a multi-family residential development.

GENERAL PLAN CONFORMANCE / AREA PLAN BACKGROUND

The General Plan designates this property as Employment and a Commercial Node, as within the CAAP and as a Large Tract Growth Area. The General Plan's Employment designation includes light industrial parks, corporate offices, manufacturing, knowledge-intensive employers, and a compatible mix of industrial support uses and residential densities as an integral component of a planned mixed-use development. The Commercial Nodes category denotes intersections appropriate for neighborhood or community commercial retail, office, commercial services and institutional uses, as well as residential or employment where appropriate when allowed by the underlying land use, in this case Employment.

The CAAP denotes the parcel as Commercial/Office/Business Park for major, campus-like employment centers including retail services, research and development, or office/showroom development type uses. In addition, the entire parcel is within the Light Rail Corridor Overlay allowing the development of residential densities of 12.1 to 18.0 dwelling units per acre. The CAAP also identifies Neighborhood Commercial at the intersection corner for neighborhood-based commercial uses such as retail, personal services, restaurants, and the like. The subject site is not part of a larger single-family residential neighborhood. Under the guidelines of the General Plan and CAAP, single-family residential is not a land use recognized in the Employment, Neighborhood Commercial, or Commercial/Office/Business Park categories.

AREA PLAN AMENDMENT

The request is to amend the Chandler Airpark Area Plan from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. The single-family residential use is not part of the current land use categories and is incompatible with planned commercial/office/business park development including industrial uses to the east and planned commercial/office/business park uses to the south.

REZONING

The request is to rezone approximately 28 acres from Agricultural District (AG-1) and Planned Area Development (PAD) for offices to PAD for Residential (Low-Medium Density). The Enclave at Hamilton Ranch zoning case is the first development request for this site. The property has been farmed for many years. Mattamy Homes proposes to develop a single-family residential community that includes 132 single-family residential units at approximately 4.76 du/ac.

SUBDIVISION DIVERSITY

The rezoning request includes PDP approval for a single-family subdivision layout with one- and two-story housing products. The gated development also includes private streets. The subdivision abuts a vacant parcel planned for neighborhood commercial. There is a full-movement entry/exit off of both arterial streets which will be shared with adjacent parcels when developed. The Arizona Avenue entry includes a landscape median and a row of Date Palm

trees leading to the community's gates. A central curvilinear street meanders north connecting to the Queen Creek Road entry/exit gate. The entries are designed with an agrarian accent including gates with decorative metal and faux roughhewn wood accent. The main entry off of Arizona Avenue is further enhanced with a stone veneer pier with lighting and faux wood light poles.

The lots are designed as a traditional subdivision layout for individual detached homes. Lot sizes are a minimum 52'x97' (5,044 sq. ft.) providing minimum front yard setbacks of 18 feet and/or 10 feet, rear yard setbacks of 10 feet, and side yard setbacks of 7 feet and 5 feet. Front yard setbacks will be staggered to enhance the streetscape. It is important to note there is no restriction for corner lots being limited to 1-story homes or a limit on the number of 2-story homes along arterial streets.

Since all of the lots are less than 7,000 sq. ft., all of the Residential Development Standards (RDS) for subdivision diversity would be required. However, it is realized that this type of subdivision cannot meet all of the subdivision diversity standards due to the parcel's configuration. The conventional lot layout incorporates diversity elements such as curvilinear streets, looped streets, a cul-de-sac, and open spaces. A centralized active open space and playground area includes custom amenities integrated amongst shade trees and ramadas. Unique features are a tree house platform, play stream with bridge, a tunnel, climbing rope ladder and climbing blocks. Perimeter walls for backing up to the arterial streets are staggered. The subdivision design meets the intent of the RDS subdivision diversity elements as outlined in the Development Booklet.

HOUSING PRODUCT

The housing plans include two 1-story and three 2-story homes ranging in size from 1,916 to 2,827 livable square feet with a variety of architectural styles. Each housing plan includes 3 elevation styles providing a total of 12 housing plan options.

Since all of the lots are less than 7,000 square feet, all of the RDS for architectural diversity would be required as well. However, it is realized that a subdivision of this type cannot meet all of the diversity standards as outlined in the RDS. The lot sizes are not practical for deeper rear yard setbacks and rear yard vehicle access. The homes have forward facing garages both recessed and at livable space. The housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet.

AIRPORT RECOMMENDATION

The Airport Commission reviewed the Area Plan amendment and Rezoning request in accordance with the Airport Conflicts Evaluation Process. A conflicts evaluation report was issued indicating that the Airport Commission determined the proposed development does constitute a conflict with existing or planned airport uses. Conflicts cited include that the change in land use to single-family residential is incompatible with the City's guiding documents that are designed to preserve the long-term viability of the airport and surrounding area. Additionally, there is great likelihood that residents will be negatively impacted by noise created by over flight or traffic pattern aircraft.

Planning Staff finds the proposed development is not in conformance with the General Plan and Chandler Airpark Area Plan. The single-family residential use is incompatible with planned industrial and commercial surrounding the subject parcel including future industrial and light industrial development to the east as a part of the Airpark Area Plan. Land uses as identified within the CAAP are more appropriate including commercial, office, flex industrial, warehouse,

business park and like uses. These uses are compatible and provide a transition into commercial/office/business park and industrial uses planned for the area. Residential land uses can be considered; however, the CAAP identifies the need for higher density multi-family residential to support the CAAP in addition to commercial, office and business park type uses.

Additionally, the intersection is a designated Commercial Node and currently the northwest and southwest corners are zoned PAD for commercial use, and the northeast corner is zoned and developing with multi-family residential and single-family residential. An evaluation of this intersection and surrounding area from a land use and economic development standpoint considered the potential growth at this intersection and what is sustainable for the future. Planning Staff concluded that the subject site remains viable for neighborhood commercial and commercial/office/business park uses.

While Planning Staff does not support the requested Area Plan amendment and Rezoning, the PDP for subdivision layout and housing product are consistent with the intent of the RDS. The curvilinear street system and unique recreational amenity creates a pedestrian-oriented neighborhood environment amongst 132 homes.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 23, 2014. There were three joint owners of the commercial parcel adjacent to the subject site in attendance. Staff received several emails in support of the project. Planning Staff is not aware of any other opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 2 with Commissioners Cunningham and Donaldson opposed.

The Planning Commission stated support for the proposed residential use finding it compatible with other approved residential in the immediate area. Commission's comments included that the railroad track serves as a boundary from the airpark area, there is a demand to live in this area, and other corners have residential wrapping commercial corners. Furthermore, the Commission commented that this area is developing differently but it works for this area, the development is attractive, and keeping an 8-acre commercial corner is okay since there is a market for offices in this area. The Commission also commented that the commercial corner will not work but finds the residential a good project.

Commissioners opposed stated this residential project would be an island surrounded by industrial and commercial type uses adjacent to a railroad track, it is best to wait for employment/commercial to develop as planned, the City has done a great job planning employment corridors and it is not sensible to build residential when jobs do not exist yet.

The Commission recommended standard zoning conditions for the residential development with an additional condition requiring the total side yard setback between two, two-story homes to be 14 feet.

Planning Staff has included four additional standard PDP zoning case conditions, conditions 7 through 10, to the Planning Commission recommended action that were inadvertently omitted. The conditions are regarding the Development Booklet, landscaping and signage.

PLANNING COMMISSION RECOMMENDED ACTIONS

Area Plan

Upon finding consistency with the General Plan, the Planning Commission recommends approval.

Rezoning

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

Preliminary Development Plan

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission recommends approval subject to the following conditions:

1. The same elevation shall not be built side-by-side or directly across the street from one another.
2. Corner lots shall be limited to single-story homes only.
3. For lots adjacent to an arterial street, two-story homes are limited to every third lot, with no more than two, two-story homes built side-by-side.
4. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
5. Window pop-out treatments shall remain consistent on all sides of the homes.
6. The total side yard setback between two, 2-story homes shall be 14 feet.
7. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ENCLAVE AT HAMILTON RANCH" kept on file in the City of Chandler Planning Services Division, in File No. APL14-0007/DVR14-0019, except as modified by condition herein.
8. Landscaping shall be maintained at a level consistent with or better than at the time of planting.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
10. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscaping 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.

Preliminary Plat

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission recommends approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

DISCUSSION:

MS. JODIE NOVAK, SENIOR PLANNER provided a summary of the case.

MR. ADAM BAUGH, Withey Morris PLC, representing the applicant. Mr. Baugh commented that this area was referred to as the "chaos corridor". He stated in reviewing the area, they looked at what the City Council has approved for the area to see if there was a character or a pattern. He said while there are a few plans – the Airpark Area Plan and the Southeast Chandler Area Plan – that had recommended employment, office and commercial type uses, clearly the pattern established by Council has gone contrary to that vision. He noticed what has happened on the east side of Arizona Avenue is a reflection of what has happened on the west side.

He displayed an exhibit that showed the existing commercial inventory for the corridor from the freeway down to Riggs Road and reported it contained 1.7 million square feet of built commercial. He characterized these centers as large power centers anchored by large anchors and gave a few examples such as Sam's Club, Lowes, Target, etc. He said these large multi-functional stores essentially absorb the necessity of more commercial in this area. He noted the parcels that are vacant but have approved commercial zoning of about 500,000 square feet that lie in the city and the county in the same corridor.

Mr. Baugh then discussed the merits of office use. In the last 30 years, there have been 25,000 – 30,000 square feet of office built in the corridor. He argued there is clearly not a demand or necessity for that type of use in the area. He said the Airpark Area Plan has been directing employment to occur near the airport, near the Price Road Corridor, and near the major transportation corridors. He said there are about 1700 acres of available employment/office in the Airpark Area. There is about 800 acres of land that is approved, with infrastructure in place, also available. He noted a map on the Economic Development page of the City that highlights areas where they want to attract industrial, retail and employment. There also indications of office. The office uses are along the 101/202, Airpark Area and the Price Road Corridor. He commented that large 30 acres sites will locate along these areas.

He also argued against the uses of apartments and industrial. He argued that whether by design or default this council has made the determination that employment and industrial uses are better located on the east side of the train tracks.

Mr. Baugh then displayed a map showing the DNL noise contours for the airport. Your zoning ordinance allows residential to be built within the 55 and some of the 60 areas. Mr. Baugh noted that if the proposed development was 100 feet to the west on the opposite side of Arizona Avenue, this would be appropriate. He reviewed the noise complaints received by the City from 2012-2015 to identify where the complaints were coming from. He explained the complaints have not been from the area of the proposed project, but from the areas affected by the helicopter pattern.

He noted the Queen Creek Commerce Center developing to the east of the proposed project. It is zoned PAD for light industrial but primarily a business park. A large retention area serves as an adequate buffer between the projects. He noted the other surrounding areas uses.

He said the last time the Planning Commission saw this case, they voted against it. This time they supported it. He remarked the Airpark Area Plan is a great plan, but felt the area has changed.

COUNCILMEMBER HEUMANN asked if there was a defined border for the Airpark Area Plan. He also asked why the 8 acres is not integrated into the site.

Mr. Baugh said he believed the boundary line was drawn along the section block, although he said the boundary line in effect has been the railroad. He stated in regards to the corner, they don't own the corner. He noted the common entry drive features that will benefit some surrounding developments.

COUNCILMEMBER ROE asked about the compatibility with the railroad tracks. Mr. Baugh said they have visited with most people in the area and there have not been an outcry of complaints about noise. He said there are disclosures that come with that. There will be noise attenuation to help offset.

COUNCILMEMBER ROE asked if there were any other measures taken for noise abatement issues. Mr. Baugh said a noise study has not been performed. The setup backs, allotting and street configuration is natural construction of the homes.

COUNCILMEMBER SELLERS said his biggest concern was he did not want anything to jeopardize the airport. He said he has been convinced this would not jeopardize the operation of the airport.

COUNCILMEMBER HEUMANN asked if he was aware this was a potential commuter rail line under the MAG study. Mr. Baugh said he was and while there was not a stipulation to that, he would be happy to make that as a stipulation to disclosure.

COUNCILMEMBER HEUMANN asked the Economic Development Director his opinion. Mr. Miranda replied as a guiding principal within economic development, like to preserve as much land use for employment purposes.

MR. SCHUYLER MCCORKLE, 1105 W. Shawnee Drive, Chandler, said he is mostly opposed to the development due to the encroachment on the Airpark and the Airport. He agreed that the General Plan changes over time. The FAA noise study plan is basically obsolete as most of the noise complaints fall outside of the noise decibel level and contour lines. Last month there were 2 or 3 complaints around Arizona Avenue and Queen Creek area. He said there are many metrics that can be used for noise, but it is more the frequency. He gave the opinion the development could be placed somewhere else.

MR. BAUGH responded that if the City had enforced its plan since the day it passed it, he wouldn't be here today. Cases have not been consistently denied along this corridor. He stated this project is appropriate as it is the character of the area. He noted that Council had approved a project approximately 8 months ago to the north, but argued this project was a far superior product and design. He argued this project does not impact the airpark area and would actually allow the other commercial and office sites to succeed as it removes a site that could have actually competed. He urged the council to approve the request.

CONCILMEMBER ELLEN asked if this project could go elsewhere in the city. Ms. Novak said there are other properties in the city where a quality development like this would be appropriate and can locate. This is not the only location for this, although it is unknown if there is an exact 20 acre piece in the city limits, but perhaps the county.

JESSICA PIERCE, 695 W. Hemlock Way, Chandler stated her support for the project. She stated that she lives in Fox Crossing Development and has never heard a plane.

KATHRYN PARKER, 381 W. Hackberry Drive, Chandler stated her support for the project for homes. She expressed her disappointment that two apartment complexes have been built near their home. They have experienced renters come into their community to use their playground amenities and she expressed concern about their behavior.

COUNCILMEMBER LOPEZ said he also wants to ensure the airport is successful, but can see a precedent that has been set in allowing other projects like this.

MOVED BY COUNCILMEMBER SELLERS TO APPROVE RESOLUTION. NO. 4848 AIRPARK AREA PLAN AMENDMENT; ORDINANCE NO. 4616, PRELIMINARY DEVELOPMENT PLAN

AND PRELIMINARY PLAT (ENCLAVE AT HAMILTON RANCH). THE MOTION WAS SECONDED BY COUNCILMEMBER LOPEZ.

COUNCILMEMBER ELLEN said she agrees the project is a nice product; however, she has many concerns with the project. She has concern giving up more employment to residential, with a loss of revenue. She commented on the public report available to homebuyers who often times, she reported, don't read it. She said the residents rely on the Councilmembers, staff and city leaders that would only approve areas that are beneficial and not problematic. She stated her concern about the frequency of flights in the area.

COUNCILMEMBER HARTKE commented he is voting no on the project as he feels that in the long term preserving the economic base and employment corridor is crucial in approaching build-out.

THE MOTION FAILED FOR LACK OF MAJORITY (3-4 Vice Mayor Hartke, Councilmembers Heumann, Ellen and Roe voting nay).

PUBLIC HEARING

PH1. ANNEXATION of three parcels totaling approximately 9.99 acres located north of the NWC of Arizona Avenue and Riggs Road

The Mayor opened the public hearing at 7:58 p.m.

MS. LAUREN SCHUMANN provided the overview for the annexation.

The subject site is currently zoned intermediate (C-2) and general (C-3) commercial within the County. It contains an existing U-Haul self-storage facility. The facility has exterior storage units, covered RV parking, and a warehouse with indoor storage. The site is bordered to the north and west by County land zoned R1-35, which are single-family lots averaging 35,000 square feet. Riggs Road abuts the property's south side with Arizona Avenue adjacent on the east. The immediate northwest corner of the intersection contains a gas station, which is not included in the annexation and will remain in the County. The Chandler Land Use Element of the General Plan designates the site as Residential, as a Commercial Node and within a Large Tract Growth Area. Existing municipal water service is available in Riggs Road. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

COUNCILMEMBER HEUMANN asked if they wanted to access into the city to access the water. Ms. Schumann stated that was correct. COUNCILMEMBER HEUMANN asked if there were plans to redevelop this land. Ms. Schumann stated it would remain a self-storage and they are in the process of adding more and needed water service. He asked if this meets our codes. Mr. Kevin Mayo replied what is built today would have been built under current county standards. Mr. Mayo said there are no streets as part of this project.

The Mayor closed the public hearing at 8:02 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

Mr. Moe Wakefield, 797 W. Germann Road, Chandler said he is opposed to a rezoning in his neighborhood. He expressed his concern with receiving a notice of a meeting regarding APL14-0009 Carino Estates Area Plan Amendment & DVR14-0029 Serenade development, but questioned how to receive information on what it is. He stated at a neighborhood meeting last year, the developer offered an invitation to see site similar to the proposed project, but Mr. Wakefield said he never was contacted to follow-up. In addition, Mr. Wakefield said he would like to see the noise study or abatement plan completed by the applicant.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced the following:

The Chandler Christian Community Center dedication was held prior to the council meeting. He noted this facility has been serving the Chandler Community for 50 years.

Retirement of Mark Eynatten, the City's Community Services director. Mark has served in local government for more than 40 years.

The Jazz Festival will occur in downtown Chandler this weekend.

The family Easter Celebration happens on April 4 at Snedigar Sportsplex.

Nominations for Celebration Plaza honorees are being solicited. Forms are available on the City's website and also available at all Chandler libraries, community centers, recreation facilities, Chandler Museum and City Hall.

Mayor Tibshraeny said the State Legislature did adopt a budget and almost \$21 million from cities and counties was taken in order for the State to balance their budget. He said Chandler's portion will be approximately \$600,000 - \$700,000.

B. Councilmembers' Announcements

VICE MAYOR HARTKE extended his well wishes for those celebrating Passover and Easter. He said on April 7, the East Valley Prayer Breakfast will be held. He announced the Fire Department is looking for volunteers to help handout flyers on water safety, and volunteers are also being sought for "Let's Pull Together" month. Mr. Hartke said he read Maricopa County is the second most growing county in the U.S. In addition, Chandler was rated as one of the top two places for millennials seeking jobs.

COUNCILMEMBER HEUMANN wished all a Happy Easter and Passover. He announced the Desert Cancer Foundation Annual Wine tasting fundraiser on April 19, and on April 25 the City's Bike Ride will happen.

COUNCILMEMBER ELLEN wished all a Happy Easter and Passover. She welcomed the new Airport Administrator Chris Andres.

