

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 18, 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 Cunningham.
3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan

Absent and excused:

Vice Chairman Andrew Baron
Commissioner Devan Wastchak

Also present:

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

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by COMMISSIONER DONALDSON to approve the minutes of the March 4, 2015 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron and Commissioner Wastchak, absent)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion.

A. DVR15-0004 ARTESIAN PLACE

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing

product guidelines on approximately 2 acres located south of the southeast corner of Ocotillo Road and Norman Way, west of Gilbert Road.

Rezoning

1. Development shall be in substantial conformance 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. 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. 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.
5. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
6. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a City treatment facility adjacent to Artesian Place that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a City treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

1. Development shall be in substantial conformance 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 homes 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.

B. DVR15-0007 SOUTH OF THE SOUTHEAST CORNER CHANDLER HEIGHTS AND COOPER ROADS

Approved.

Request to establish the initial City zoning of Agriculture (AG-1) on approximately 10.78 acres located south of the southeast corner of Chandler Heights and Cooper roads.

Upon finding consistency with Arizona Revised Statutes, Planning Staff recommends approval of establishing the initial City zoning of AG-1 following the annexation of the subject site.

C. DVR15-0009 NORTH OF THE NORTHWEST CORNER MCQUEEN ROAD AND HUNT HIGHWAY

Approved.

Request to establish the initial City zoning of Agriculture (AG-1) on approximately 10 acres located north of the northwest corner of McQueen Road and Hunt Highway.

Upon finding consistency with Arizona Revised Statutes, Planning Staff recommends approval of establishing the initial City Zoning of AG-1 following the annexation of the subject site.

D. DVR14-0028/PPT14-0016 MISSION ESTATES

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing products along with Preliminary Plat (PPT) approval on approximately 10 acres located north of Hunt Highway and west of McQueen Road.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MISSION ESTATES" kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0028, 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. 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.
7. 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.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
9. 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
10. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
11. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
12. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a wastewater treatment facility adjacent to Mission Estates that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a wastewater treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be

presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

13. The Developer shall be in compliance with the Pre-Annexation Development Agreement.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MISSION ESTATES" kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0028, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. The same housing plan and elevation shall not be built side-by-side or directly across the street from one another.
6. All lots within the subdivision shall be limited to single-story homes only.
7. Window mullion/muntin patterns shall be provided and remain consistent on all sides of the homes.
8. Window pop-out treatments shall be provided and remain consistent on all sides of the homes.

Preliminary Plat

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

E. PDP14-0014 KYRENE 202 BUSINESS PARK

Approved.

Request Preliminary Development Plan approval for a comprehensive sign package as part of the Kyrene 202 Business Park development. The subject site is located at the northwest corner of Kyrene and Frye roads.

1. Development shall be in substantial conformance with the attached exhibits, and kept on file in the City of Chandler Planning Services Division, in File No. PDP14-014, except as modified by condition herein.
2. Raceway signage shall be prohibited within the development.
3. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

F. PDP14-0018 CHANDLER EXPRESS CAR WASH

Approved.

Request Preliminary Development Plan (PDP) approval for site and building design of a new car wash facility located south of the southwest corner of Arizona Avenue and Germann Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CHANDLER EXPRESS CAR WASH FACILITY", kept on file in the City of Chandler Planning Division, in File No. PDP14-0018, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 2980 in case PL98-173 Olive Grove Apartments, except as modified by condition herein.
3. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The 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.
7. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
8. The site shall be maintained in a clean and orderly manner.
9. **The applicant shall work with staff to increase the screen wall height along Arizona Avenue to screen car wash exit.**

G. LUP15-0001 CRUST SIMPLY ITALIAN

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License 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 in downtown Chandler. The property is located at 10 N. San Marcos Place, west of Arizona Avenue and south of Buffalo Street.

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.

H. ZUP14-0036 EUROPEAN MOTOR STUDIO

Approved.

Request Use Permit approval to allow online sales of motor vehicles with incidental repairs within a Planned Industrial (I-1) Zoning District. The business is located at 501 E. Chicago Cr., Suite A, west of the southwest corner of Chicago Circle and Hamilton Street.

1. All vehicle work including repair, servicing, engine testing, and the like shall occur only within the building. Any overnight storage of vehicles shall occur inside the building. No work or storage of vehicles shall be performed outside of the building.
2. The Use Permit is non-transferable to any other property or other suites/tenant spaces on the subject property.
3. Any substantial change in the floor plan, including but not limited to expansion, addition of uses, and the like, shall require re-application and approval of a Use Permit.
4. The site shall be maintained in a clean and orderly manner.
5. All building signage or freestanding signage shall be in conformance with the Chandler Sign Code and be issued a City Sign Permit.
6. The Use Permit is effective for a period of three (3) years from the date of City Council approval. Operation of the business beyond three-years time period shall require re-application and approval by the City of a new Use Permit.

**I. ZUP14-0037 VERIZON WIRELESS – SWC RIGGS AND GILBERT
Approved.**

Request Use Permit approval to install a monopalm wireless communication facility located at 2945 East Riggs Road in the Albertson's shopping center.

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. Landscape shall be maintained at a level consistent with or better than at the time of planting.

**J. CANCELLATION OF THE APRIL 1, 2015 PLANNING COMMISSION
HEARING.**

Approved.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to make a statement on the consent agenda. There was one.

STEVE STEWERT, 156 S. ASPEN DR, Regarding item E PDP14-0014 KYRENE 202 BUSINESS PARK stated he lives across the green belt from the new buildings. His concern is where the lights will be placed. He states there are questions in the neighborhood as to the size of the banner sign. He asked if it was going to be a large banner sign that will change often or will it be the lighting on the building behind his home which recently was placed.

MR. ERIK SWANSON, SENIOR CITY PLANNER responded that the signage is going to be building mounted signage. So if anyone were to drive to the intersection of Chandler Blvd and Kyrene Road, it will be similar to what the shopping centers have where it is building mounted and tells who the user is going to be. That is all that is being requested at this time. They are not looking to do billboards or anything like that.

STEVE STEWERT he states he has been there for 32 years and has fought all kinds of development behind him. Now they have place Stone Creek and court furniture buildings there. The lights light up his back yard. He requested to keep the lights at a ground level so it doesn't

encroach over and doesn't want the mass amount of light to infiltrate his back yard. That is his big concern. He state the buildings are up and the white lights for the parking lot light up his backyard. But if they are going to keep lighting on the building facing out on street Kyrene facing east, that is his biggest concern.

MR. ERIK SWANSON stated he will do two things, speak to the applicant about the illumination levels and also work with the parks department. The big retention basin is one that the City owns and some of the trees out there are scarce so he will work with them to see if they can get additional trees in there to help screen.

STEVE STEWERT stated the neighborhood has changed from dead-ends streets on Chandler Blvd and the only freeway access is off of Price and actually all the way around the corner. He states there is a lot more traffic now and all this other stuff. He just doesn't want more lights and states the trees might help with the noise as well. He doesn't want this to be washed and okay'd. He said his wife did not run around to get all the neighbors going and none of them attended but there are a lot of long term residents there. He states Change is good but change with lights is not so good.

MR. ERIK SWANSON stated after the meeting he will provide him with his contact information.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions for the speaker or would like to make a statement on the consent agenda. There was none.

MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER RYAN** to approve the Consent Agenda as read in by Staff with the noted stipulations. The Consent Agenda passed 5-0 (Vice Chairman Baron and Commissioner Wastchak, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

VICE CHAIRMAN BARON stated the next regular meeting is April 15, 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 5:40 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary