

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 15, 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 Baron.
3. The following Commissioners answered Roll Call:

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

Absent and excused:

Commissioner Katy Cunningham
Commissioner Phil Ryan

Also present:

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

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER FOLEY to approve the minutes of the March 18, 2015 Planning Commission Hearing. The motion passed 3-0. (Vice Chairman Baron and Commissioner Wastchak abstained since they were absent March 18, 2015. Commissioner Cunningham and Commissioner Ryan, 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. APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029 SERENADE

Approved to continue to the June 17, 2015 Planning Commission Hearing.

Request Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Medium-Density Residential, and rezoning from Agricultural to Planned Area Development for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product for a 6.7-acre, 26-lot single-family residential subdivision located east of the SEC of Alma School and Germann roads. **(REQUEST CONTINUANCE TO THE JUNE 17, 2015 PLANNING COMMISSION HEARING.)**

B. DVR14-0043/PPT15-0001 COOPER AND CHANDLER HEIGHTS

Approved.

Request rezoning from Agricultural to Planned Area Development for a single-family residential subdivision, with Preliminary Development Plan approval for subdivision layout and Preliminary Plat approval of a 34.7-acre, 84-lot single-family residential subdivision located east of the SEC of Cooper and Chandler Heights roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Cooper and Chandler Heights", kept on file in the City of Chandler Planning Division, in File No. DVR14-0043, 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. 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.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. 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.
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. 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.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
9. Prior to the time of making any lot reservations or subsequent sales agreements, the 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

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 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 with Exhibit A, Development Booklet, entitled “Cooper and Chandler Heights”, kept on file in the City of Chandler Planning Division, in File No. DVR14-0043, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
3. Preliminary Development Plan approval is for subdivision layout only. Housing product approval shall require separate Preliminary Development Plan submittal and approval.
4. All homes within the development shall be single story, with a minimum lot size of 80 feet wide by 135 feet deep, corresponding to a minimum lot area of 10,800 feet.
5. The development will be a gated community.
6. The buffers adjacent to Circle G will be a minimum of 45 feet from the south property line and a minimum of 38 feet from the east property line and will have a minimum 6-foot high solid block wall, except for the area between lots 34 and 35, which shall be enclosed with a 6’ view fence.
7. The two open (green) spaces adjacent to Circle G will be constructed in the locations shown and as depicted in the PAD/PDP submitted to the City of Chandler, dated March 2, 2015.
8. The secondary access gate on Via de Palmas will be constructed in the location shown in the PAD/PDP submitted to the City of Chandler, dated March 2, 2015, and will be for emergency access and egress only, except modifications as warranted and necessitated by the City Engineer. In the event modifications to the proposed design are required, the adjacent property owners shall be notified as soon as possible prior to implementing said modifications, to allow them sufficient time to interpose any objections thereto by all means available.
9. There will be no improvements (e.g., lighting, sidewalks,) to Via de Palmas or 132nd Street adjacent to Circle G other than (a) improvements necessary for the secondary access gate, (b) installation of decomposed granite in conformance with all applicable City Codes, and (c) tiling of the canal in these areas, except as warranted and necessitated by the City Engineer. In the event modifications to the proposed design are required, the adjacent property owners shall be notified as soon as possible prior to implementing said modifications, to allow them sufficient time to interpose any objections thereto by all means available.
10. Grading on Via de Palmas and 132nd Street adjacent to Circle G, including the tiled canal portion and land adjacent to Circle G, will remain approximately as is, except as required to implement the approved grading plans per City standards. The City shall work with the developer, with the consultation of the adjacent homeowners, to minimize any potential increase in grade.

11. The private access way, adjacent to the Circle G residential subdivision on the east and south sides of the subject property, will be gated to minimize traffic, but allow for access by those with irrigation rights. The gate along the southern property line will be located east of the emergency access/egress drive. The gate on the eastern end will be located behind lot number 25, as identified in the PAD.
12. The existing trees on the north side of the wall adjacent to the Circle G lots, between the wall and the irrigation ditch will be removed in conjunction with the development of the property.
13. Upon direction from the City of Chandler and the Roosevelt Water Conservation District prior to second submittal of the improvement plans for the site, the developer shall include a “tee” for irrigation service to lot 133 of Circle G at Riggs Homestead Ranch Unit 4. The developer will only be responsible for installing the “tee” as part of the irrigation ditch tiling. It will be the homeowner’s responsibility to extend the line into their lot, pay all other costs including RWCD fees if any, and install a valve inside their wall.

Preliminary Plat

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

C. DVR15-0001 CENTURYLINK OFFICE ADDITION

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial along with Preliminary Development Plan (PDP) approval for a building expansion. The property is located at 7031 West Galveston Street, southwest corner of Galveston and 56th streets.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “CENTURYLINK OFFICE ADDITION”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0001, except as modified by conditions herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. 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.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled “CENTURYLINK OFFICE ADDITION”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0001, except as modified by conditions 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.
4. The site shall be maintained in a clean and orderly manner.
5. Building setbacks shall be a minimum of 30 ft. front yard, 12 ft. side yard, and 10 ft. rear yard.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

D. DVR15-0012 NORTH OF THE NORTHWEST CORNER ARIZONA AVENUE & RIGGS ROAD

Approved to withdrawal for the purpose of re-advertising.

Request to establish the initial City zoning of Community Commercial (C-2) on approximately 9.99 acres located north of the northwest corner of Arizona Avenue and Riggs Road. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

E. PDP14-0016 AVILLA CHANDLER HEIGHTS

Approved.

Request Preliminary Development Plan (PDP) approval for site and building design for a residential development located east of the southeast corner of Arizona Avenue and Chandler Heights Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "AVILLA CHANDLER HEIGHTS", kept on file in the City of Chandler Planning Division, in File No. PDP14-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 4386 in case DVR12-0003 THE ENCLAVE, except as modified by condition herein.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property/homeowners' association.
5. The parking space canopies shall incorporate building materials, forms, and colors to match the development.
6. 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.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

F. LUP15-0003 DIRTY BLONDE TAVERN

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 6 Bar License to sell and serve liquor for on-site consumption indoors and within an outside patio and

live entertainment indoors. The property is located at 4929 W. Chandler Blvd., Suite 12, the southeast corner of Chandler Blvd. and Rural Road.

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 6 (Bar 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 occur indoors only.
6. 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.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

G. LUP15-0004 CHENNAI FUSION GRILL

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors. The property is located at 4929 W. Chandler Blvd., Suite 1, the southeast corner of Chandler Blvd. and Rural Road.

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.

H. ZUP14-0035 GOLD TRUST REALTY

Approved.

Request Use Permit extension approval to allow for the continued use of a residential home as a commercial business. The subject site is located at 200 S. Dobson Road.

1. The Use Permit shall remain in effect for five (5) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. Any expansion or modifications beyond the approved exhibits shall void the Use Permit.
3. The Use Permit is non-transferable to any other location.
4. Increases in on-site employment over that represented (3), or the expansion of the home to provide additional office space, shall require Use Permit amendment and approval by the City of Chandler.
5. The site shall be maintained in a clean and orderly manner.
6. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

I. ZUP15- 0004 SAN TAN TECH CENTER

Approved.

Request Use Permit approval to allow Office uses within a Planned Industrial (I-1) zoning district for approximately 11.88 acres located at 145 S. 79th Street.

1. **Permitted office uses include professional business, administrative, executive, back-office and all other office uses except medical offices.**
2. The site shall be maintained in a clean and orderly manner.

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.

CHAIRMAN PRIDEMORE stated he had a speaker card for Item B.

MICHAEL SHUGG, 2495 E. CLOUD DR, stated he is the president of the Circle G HOA at Riggs Ranch Road. He wants to thank the Commissioners and the City's Employees for the time they have taken to look at the project. They are in full support of it. He appreciates Erik Swanson for addressing all of the stipulations and the plan.

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 FOLEY** to approve the Consent Agenda as read in by Staff with the noted stipulations. **VICE CHAIRMAN BARON** abstained from voting on Items A and B, provided consulting services. The Consent Agenda passed 4-0 (Commissioner Cunningham and Commissioner Ryan, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated he had anticipated having items for the May 6th 2015 meeting; however, the items were not ready. They are being scheduled for the May 20, 2015 agenda. This morning is when he found out so there was no motion to cancel the May 6th 2015. There will be a hearing that day but no agenda.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated he will announce on May 06, 2015 at the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona that there will be no quorum and let everyone know when the next regular meeting will be.

8. ADJOURNMENT

The meeting was adjourned at 5:42 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary