

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 5, 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 Donaldson.
3. The following Commissioners answered Roll Call:

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

Absent and excused:
Commissioner Katy Cunningham
Commissioner Ryan Foley

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Lauren Schumann, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER RYAN, seconded by COMMISSIONER WASTCHAK to approve the minutes of the July 15, 2015 Planning Commission Hearing. The motion passed 3-0. (Commissioner Donaldson and Vice Chairman Baron abstained since they were not present July 15, 2015. Commissioner Cunningham and Commissioner Foley, 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. LUP15-0013 THE LOCAL PLAY YARD BAR & GRILL

Approved.

Request 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 business is located at 3002 N. Arizona Ave., Suite 1, west of the northwest corner of Elliot Road and Arizona Avenue.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
5. The site and patio shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Commissioner Cunningham and Commissioner Foley, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is August 19, 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 5:35 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 19, 2015 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Pridemore called the meeting to order at 5:30 p.m.
2. Pledge of Allegiance led by Commissioner Wastchak.
3. The following Commissioners answered Roll Call:

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

Absent and excused:
Commissioner Katy Cunningham
Commissioner Ryan Foley
Commissioner Phil Ryan

Also present:

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

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER DONALDSON to approve the minutes of the August 5, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Cunningham, Foley and 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. DVR15-0010 RMB BUSINESS PARK

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial, and Preliminary Development Plan (PDP) for site layout and building architecture. The 15-acre site is located north of the northeast corner of Ryan Road and Arizona Avenue.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “RMB BUSINESS PARK”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0010, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City’s adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “RMB BUSINESS PARK”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0010, except as modified by condition herein.
2. Cross access agreements and/or other agreements between the property owner/developer of the business park and the land owners to the north and south, regarding the Arizona Avenue driveways, shall be recorded with Maricopa County prior to the issuance of the Certificate of Occupancy.
3. The monument sign’s sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. The site shall be maintained in a clean and orderly manner.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Raceway signage shall be prohibited within the development.
8. Signage shall comply with the City of Chandler Sign Code.
9. 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.

10. 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.

B. DVR15-0021 HABITAT FOR HUMANITY

Approved.

Request rezoning from Medium Density Residential (MF-1) to Planned Area Development (PAD) for single-family residential with Preliminary Development Plan (PDP). The property is located at 334 South Dakota Street.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Habitat for Humanity Central Arizona, 334 South Dakota Street" kept on file in the City of Chandler Planning Division, in File No. DVR15-0021, 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.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Habitat for Humanity Central Arizona, 334 South Dakota Street" kept on file in the City of Chandler Planning Division, in File No. DVR15-0021, except as modified by conditions herein.
2. Building setbacks shall be a minimum of 10 ft. front yard, 20 ft. side yards, and 10 ft. rear yard.
3. A 6 ft. tall concrete masonry wall is permitted along the front yard, extending from the concrete patio to the north property line.

C. LUP15-0014 MOD SUPER FAST PIZZA

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 and within an outdoor patio for a new restaurant in the Paseo Lindo development. The property is located at 3977 S. Arizona Avenue, Suite 4.

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 and patio shall be maintained in a clean and orderly manner.

D. ZUP15-0008 VERIZON WIRELESS – NWC ARIZONA AND WARNER

Approved.

Request Use Permit approval to install a monopalm wireless communication facility located at 70 West Warner Road.

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.
3. All trees and shrubs removed shall be relocated or replaced with similar plant species.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 4-0 (Commissioner Cunningham, Foley and Ryan, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is September 2, 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 5:34 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, September 2, 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 Foley.
3. The following Commissioners answered Roll Call:

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

Absent and excused:
Commissioner Katy Cunningham

Also present:

Mr. Kevin Mayo, Planning Manager
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 VICE CHAIRMAN BARON, seconded by COMMISSIONER WASTCHAK to approve the minutes of the August 19, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Foley and Ryan abstained; they were not present on August 19. Cunningham, 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. DVR15-0013/PPT15-0006 AVALON

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a 14-lot custom single-family residential subdivision with Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for subdivision layout and development standards on approximately 12.23 acres located ¼-mile south of the southeast corner of McQueen and Germann roads.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled “Avalon at Chandler Airpark” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
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.
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 or as otherwise approved in a development agreement.
5. Unless otherwise included as part of the City’s Capital Improvement Program, 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.
6. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorders Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled *Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area)*, as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24” x 36”.

- c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
 - d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
 - e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
 - f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
 - g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

“This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler.”
7. 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 heliport at the Chandler Municipal Airport 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 heliport, 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.
 8. 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 an aircraft engine repair and testing facility 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 an aircraft engine repair and testing 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 with the Development Booklet, entitled “Avalon at Chandler Airpark” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. No more than two, two-story homes may be built side-by-side within the development.
3. Lot 1 along McQueen Road is restricted to a single-story home only
4. An 8-foot tall engineered sound wall shall be constructed along the eastern property line of Lot 14.
5. A roadway-style sign shall be placed near the entrance along Kingbird Place identifying the presence of aircraft.
6. Future custom homes will be reviewed and approved Administratively.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

Preliminary Plat

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

B. DVR15-0015 WELLS FARGO CHANDLER CAMPUS

Approved.

Request rezoning from Planned Area Development (PAD) for office, retail and data center uses, to Planned Commercial Office (PCO) with a PAD Overlay on approximately 15.5 acres of the approximate 68-acre Wells Fargo Chandler campus. In addition, request PAD Mid-Rise Overlay amendment for buildings up to 200 feet in height, with Preliminary Development Plan (PDP) approval for the site layout, building architecture, and comprehensive sign package for the future phases of the Wells Fargo Chandler campus on approximately 68 acres located at the northwest corner of Price and Queen Creek roads.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled “Wells Fargo Chandler Campus” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0015, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with the following original stipulations adopted by the City Council as Ordinance No. 3389, case DVR02-0021 WELLS FARGO OCOTILLO CORPORATE CAMPUS. Any stipulation originally adopted with Ordinance No. 3389 not specifically referenced below is hereby deleted.

A. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).

B. 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.

C. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled Wells Fargo Ocotillo Corporate Center, kept on file in the City of Chandler Planning Services Division, in File No. DVR02-0021, except as modified by condition herein.

D. The landscaping, exclusive of the medians, in all site open-spaces and adjacent rights-of-way shall be maintained by the property owner.

E. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Wells Fargo Ocotillo Corporate Center development shall use treated effluent to maintain open space, common areas, and landscape tracts.

F. The landscaping design shall include turf in areas visible from the adjacent streets, such as along the frontages or on berms or slopes. Along the 50-foot setback for the Queen Creek Road street frontage there shall be 100 percent turf.

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. 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 or as otherwise approved in a development agreement.
5. Unless otherwise included as part of the City's Capital Improvement Program, 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.
6. Building heights shall be limited to a maximum of 200-feet in height.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled “Wells Fargo Chandler Campus” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0015, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3389, case DVR02-0021 WELLS FARGO OCOTILLO CORPORATE CAMPUS, except as modified by condition herein.
3. Compliance with the original stipulations adopted by City Council in case PDP02-0025 WELLS FARGO OCOTILLO CENTER, except as modified by condition herein.
4. Compliance with the original stipulations adopted by City Council in case PDP13-0015 WELLS FARGO CHANDLER CAMPUS PHASE II, except as modified by condition herein.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. 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.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. Future buildings will be reviewed and approved administratively.

C. DVR15-0020 GILA SPRINGS

Approved.

Request rezoning from Planned Area Development (PAD) for mini-storage to PAD for light industrial and office with a Preliminary Development Plan (PDP) for site layout and building architecture. The 4-acre site is located west of the intersection of Kyrene Road and Gila Springs Place.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “GILA SPRINGS”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0020, 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. 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.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “GILA SPRINGS”, kept on file in the City of Chandler Planning Division, in File

No. DVR15-0020, except as modified by condition herein. The Development Booklet provides that building layout, architecture, and design for future development, and related onsite site layout related to such future development, will be reviewed and approved administratively.

2. The site shall be maintained in a clean and orderly manner.
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 owners' association.
5. Raceway signage shall be prohibited within the development.
6. Signage shall comply with the City of Chandler Sign Code.
7. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation, and the like as established in the attached Development Booklet.
8. Building architecture shall promote consistent architectural character and detail on all sides of the structure.
9. 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. LUP14-0021 THE PERCH

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquors as permitted under a Series 6 Bar License, operate the microbrewery under a Series 3 Domestic Microbrewery License, and have live entertainment indoors and outdoors for the expansion of the premise area to include a new roof-top area, the Hair Salon, and Covo. The site is located at 232 South Wall Street, north and west of the northwest corner of Arizona Avenue and Frye Road.

1. The Liquor Use Permit granted is for a Series 6 Bar License and a Series 3 Domestic Microbrewery License, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music and entertainment shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live music and entertainment occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. No live entertainment shall occur after 11 p.m. on Friday and Saturday.
7. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. The site shall be maintained in a clean and orderly manner.

E. LUP15-0010 VINTAGE 95

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License and Series 7 Beer and Wine Bar License for on-premise consumption indoors and outdoor consumption on an enlarged outdoor patio at an existing restaurant located at 95 W. Boston Street.

1. The Use Permit is granted for a Series 12 Restaurant and Series 7 Beer and Wine Bar license only, and any change of licenses shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
4. Liquor 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 Liquor Use Permit shall apply.
5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. persons with disabilities shall have direct access to all indoor and outdoor pedestrian spaces).
6. The outdoor patio shall be maintained in a clean and orderly manner.
7. Music shall be controlled so as to not unreasonably disturb area residents.
8. The restaurant shall provide contact information for a responsible person (restaurant owner and/or manager) to interested neighbors that will allow music complaints to be resolved quickly and directly.

F. LUP15-0015 SIDELINES GRILL AND TAVERN

Approved.

Request Liquor Use Permit extension approval to allow liquor sales as permitted under a Series 12 Restaurant License for on-premise consumption indoors and on an outdoor patio at an existing restaurant located at 2980 S. Alma School Road, Suite 2.

1. The Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. Expansion beyond the approved Floor Plan shall void the Use Permit and require new Use Permit application and approval.
3. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication of the Use Permit.
4. The Use Permit is non-transferable to any other store location.
5. The patio and area adjacent to the restaurant entrance shall be maintained in a clean and orderly manner.

G. ZUP15-0010 CHANDLER COMMONS

Approved.

Request Use Permit approval to allow an indoor self-storage facility to locate within a Planned Area Development (PAD) district. The site is located at 1919 East Ray Road, southwest corner of Cooper and Ray roads.

1. Expansion or modification of the self-storage use and building beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The 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 owners' association.
5. **Moving trucks shall be limited to two trucks and parked in the west parking lot when not in use for loading and unloading by customers.**
6. Outdoor storage of recreational vehicles, trailers, and personal automobiles shall not be permitted.

H. PPT15-0011 RAY ROAD APARTMENT HOMES (BRIO APARTMENTS)

Approved.

Request Preliminary Plat approval for a multi-family residential development located east of the northeast corner of Arizona Avenue and Ray Road.

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

I. CANCELLATION OF THE SEPTEMBER 16, 2015 PLANNING COMMISSION HEARING.

Approved.

CHAIRMAN PRIDEMORE stated he had a speaker card for item D that is in opposition.

RICK SCOTT, 241 S. OREGON ST, he stated he owns the restaurant at Yoli's café, he also stated he was representing his father which also owns the restaurant. He apologized to staff for not making the neighborhood meeting that took place for case LUP14-0021. His father lives in a remote island in Michigan and only gets the mail every couple months. He stated one of the issues opening up the liquor permit is that there's been fence built between an easement between their properties that have been there for more than 30 years prior to the other owner of the property. Which has greatly impacted their business since their customer cannot enter their property since approx. 125 ft. of metal fence was put in place by The Perch owner. There was not a gate or any other access made available to their business to continue to do business. They had to rent the property next door to get access to their property. There was no notice from that owner. They basically said it was a retribution for then calling the police on them.

CHAIRMAN PRIDEMORE stated unfortunately they are were only looking at the Use Permit at meeting. He stated that he is not saying there are no issues around their property but he stated that their hands are tied because the preview of the meeting was their liquor use permit only. He asked staff for direction regarding his concerns that are not liquor related.

KEVIN MAYO, PLANNER MANAGER, stated he did not know but will have to dig into what they are dealing with, if it is simply just always being and access that has been or not been recorded. Also mitigate conversations if it is something that the City can be involved with. He does not know but will get his contact information to figure out the issues.

MR. SCOTT stated he appreciated the answer however another objection he has is the noise complaint with the live music. He knows that it is within reason at the property line but doesn't measure decibel level; he said he will have to find out decibel level and how that can be kept. He said in better times there was never a worry or complaint to the police department but did have issues with the noise level with their patrons sitting within 5ft. of a speaker. They were addressed at that time but it is a future thing.

CHAIRMAN PRIDEMORE stated that was duly noted.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was one person

FRED WALKER, 12137 E. BLUEBIRD DR., stated there is a 14 unit PAD that is converting from an AG-1 to PAD, Avolon project. There is a right away that Avolon has on the west corner that is part of their housing development. 2 of the three lots are from his subdivision. When the City wanted to inject water from their sewage facility in to the ground, they said they didn't know we had a well there. The City found the original owners who still had the well right because they hadn't done the paperwork correctly, several years ago the City broke off the road Bluebird from what it was to a road that is now taxable. They bought the well and now the City provides water and also lets them use the garbage however still considered county. The Avolon, legally should have a portion of 4.6 percent of their road and no one is caring for maintaining of their road. And they now have a district form to support and provide for their road. The subdivision will create another layer for him to fix the problem that exist the orphan parcel that is his road. If the Avolon project is allowed to come in, that the parcel was once a part of his community, it will add another level of complexity trying to figure out the road issue.

When the City put in the road, they convince the owners to sign the paperwork and made everything legit in 2007 but Randy which will come to the next meeting has been there since 1971 and the parcels were supposed to be different. His deed stated he is supposed to have 2 full acres but he only has 1.87 because of the easement was stripped off. He objects to the Avolon project because 4.6 of the road were stripped off, while their road will be left in a county island. It sounds like a long tail. But they look at Aerial; their property line goes up to their property lines. Steven Jeffery did all this with the parcel and also wrote the deed. He stated the Avolon project will cause a lot of headaches for him.

MR. MAYO stated that the road he was referring to is Bluebird drive, when you dig into the county parcels maps, it is not listed as a drive or access way. It is just a parcel. Mr. Jeffery that did all the subdividing, that parcel was created, from my best record Bluebird drive has a parcel and it touches McQueen drive all the way to the canal and was created on June 4, 1974. That is when it comes in existence with that parcel number. The majority of the parcels that are on both

sides of it from a City coming in and forcing the creation of Bluebird it already existed as a parcel. They came in with the last conversations that started in the 90's, but when they came in the City had worked with them since he was the property owner of Bluebird and worked to service the County Island. They had injection wells coming from bluebird from the City reclaim system. They got them on City water and City trash. It wasn't quiet two acres; maybe it was back in the day when McQueen got widen. On the vicinity map you can see the two parcels. It took about 2 acres to 1.6, cumulative what they are today. In terms of City Vs. county, the two pieces that are on McQueen that were once a piece of the two acre piece of this subdivision, they have been annex into the City and their property line goes up to Bluebird as would be expected because Bluebird is a separate parcel. At the time, I am sure it was done of best of interest when it was created in the 70's. Nothing has come into the surface. Mr. Jeffrey has passed away, it has been rolled off to two of the family members that are not sure where they reside but can't find them. They are on the Bluebird parcel that has back taxes form the county. There has been no tie.

CHAIRMAN PRIDEMORE stated that their scope of what they are able to look at is very narrow. And unfortunately it does not encompass his concern. He stated they are only a recommended body; it will be going to Council September 24th.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff with the noted abstention on Item H and modified Stip #5 on Item G and opposition on item G. The Consent Agenda passed 6-0 (Commissioner Ryan abstained on voting on Item H, he provided consulting services, Commissioner Wastchak opposing on Item G).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is October 7, 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 5:54 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary