

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, October 7, 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  
Commissioner Katy Cunningham  
Commissioner Bill Donaldson  
Commissioner Phil Ryan  
Commissioner Devan Wastchak

Absent and excused:  
Vice Chairman Andrew Baron  
Commissioner Ryan Foley

Also present:

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

4. APPROVAL OF MINUTES  
MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER WASTCHAK to approve the minutes of the September 2, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Cunningham abstained; not present on September 2, 2015)
5. ACTION AGENDA ITEMS  
**CHAIRMAN PRIDEMORE** informed the audience prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion.

A. APL15-0003          SOUTHEAST          CHANDLER          AREA          PLAN  
AMENDMENT/DVR15-0022 DOLLAR SELF STORAGE

**Approved.**

Request Area Plan Amendment to the Southeast Chandler Area Plan from Envisioned Community / Regional Open Space to Traditional Suburban Character, along with rezoning from Agricultural to Planned Area Development for a mini-storage facility and Preliminary Development Plan approval for site layout and building architecture. The subject site is located at the northwest corner of Gilbert Road and the Brooks Farm Road alignment.

**Rezoning**

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. 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.
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. 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.
5. 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.
6. Development shall be in substantial conformance with the Development Booklet, entitled “DOLLAR SELF STORAGE” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0022, 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.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled “DOLLAR SELF STORAGE” and kept on file in the City of Chandler Planning Division, in File No. DVR15-0022, 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. The commercial development standards shall be in accordance with the requirements of the Southeast Chandler Area Plan.
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. Landscaping shall be in compliance with current Commercial Design Standards.
5. Raceway signage shall be prohibited within the development.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. 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.
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.
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.

**B. DVR15-0014 ARIZONA EYE CENTER**

**Approved.**

Request rezoning from Planned Area Development (PAD) for general office to PAD for medical and general office, and Preliminary Development Plan approval for site layout and building architecture. The 1.55-acre site is located at the northwest corner of Ray Road and Arrowhead Drive.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arizona Eye Center" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0014, 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.
5. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arizona Eye Center" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0014, 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. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. 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. 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 shall apply.

C. DVR15-0017 SOUTH OF THE SOUTHEAST CORNER OF ARIZONA AVENUE AND CHANDLER HEIGHTS ROAD

**Approved.**

Request to establish the initial City zoning of Industrial on approximately 11.56 acres located south of the southeast corner of Arizona Avenue and Chandler Heights Road.

1. The building setback along the north property line shall be reduced from fifty (50) feet to thirty (30) feet.

D. DVR15-0018 SPECTRUM ASSISTED LIVING COMMUNITY

**Approved.**

Request rezoning from Planned Area Development (PAD) for commercial uses to PAD for an assisted living facility along with Preliminary Development Plan approval for site layout and building architecture. The subject site is located at the northeast corner of Rural Road and Chandler Boulevard.

**Rezoning**

1. 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.
2. 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.
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. 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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with Exhibit No. 4, Development Booklet, entitled "SPECTRUM ASSISTED LIVING COMMUNITY", and kept on file in the City of Chandler Planning Division, in File No. DVR15-0018, 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 site shall be maintained in a clean and orderly manner.
4. The applicant shall work with Planning Staff to ensure that all parking along the site's south and west are screened from street view.
5. The applicant shall work with Planning Staff to ensure that the monument signs are commensurate with the Village at Wild Tree signage.
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 Director of Transportation and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.

E. DVR15-0029 SOUTHEAST CORNER OF ARIZONA AVENUE AND QUEEN CREEK ROAD

**Approved.**

Request to establish the initial City zoning of Regional Commercial (C-3) on approximately 7.83 acres located at the southeast corner of Arizona Avenue and Queen Creek Road. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

F. DVR15-0030 NORTHEAST CORNER OF 138TH STREET AND OCOTILLO ROAD

**Approved.**

Request to establish the initial City zoning of Agricultural (AG-1) on approximately 19 acres located at the northeast corner of 138th Street and Ocotillo Road.

Planning Staff recommends Planning Commission motion to recommend approval of the initial City zoning.

G. PDP15-0007 LAYTON LAKES PARCEL 28

**Approved.**

Request Preliminary Development Plan approval for housing product for a 17-lot single-family residential subdivision located east of the northeast corner of Gilbert and Ocotillo roads.

1. Compliance with original conditions adopted by the City Council in Ordinance Nos.3250 and 3987 in cases DVR00-0025 LAYTON LAKES and DVR07-0012 LAYTON LAKES, except as modified by condition herein.
2. Development shall be in substantial conformance with the Development Booklet, entitled "Layton Lakes Parcel 28" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0007, 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.
3. 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.
4. For lots 1-12, the same floor plan and elevation shall not be built side-by-side or across the street from each other.
5. For lots 1-12, the same color scheme shall not be used side-by-side or across the street from each other.
6. For lots 13-17, no more than two of the same floor plan shall be built side-by-side.
7. For lots 13-17, the same elevation and color scheme shall not be built side-by-side.

H. LUP15-0016 THE BRICKYARD DOWNTOWN

**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 outside patios along with an extension of premises for an outdoor patio along Boston Street and live entertainment indoors and outdoors at a new bar/restaurant in downtown Chandler. The property is located at 85 W. Boston 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. 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.

I. CANCELLATION OF THE OCTOBER 21, 2015 PLANNING COMMISSION HEARING.

**Approved.**

**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 COMMISSIONER DONALDSON** seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Vice Chairman Baron 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 November 4, 2015 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:39 p.m.

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Matthew Pridemore, Chairman

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Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 4, 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  
Vice Chairman Andrew Baron  
Commissioner Katy Cunningham  
Commissioner Bill Donaldson  
Commissioner Ryan Foley  
Commissioner Phil Ryan  
Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager  
Ms. Jodie Novak, Senior City Planner  
Mr. Susan Fiala, City Planner  
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 CUNNINGHAM to approve the minutes of the October 7, 2015 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron and Commissioner Foley abstained; not present on October 7, 2015)
5. ACTION AGENDA ITEMS  
**CHAIRMAN PRIDEMORE** informed the audience prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion.

A. PDP15-0005 SHARP CONTRACTING

**Approved.**

Request Preliminary Development Plan (PDP) approval for site layout and building design of a new light industrial building located on approximately 0.77 acres at the southeast corner of Corporate Place and Delaware Court, east of Arizona Avenue and north of Warner Road.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SHARP CONTRACTING", kept on file in the City of Chandler Planning Division, in File No. PDP15-0005, 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. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The site shall be maintained in a clean and orderly manner.
5. 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. LUP15-0017 EL HERRADERO LLC

**Approved.**

Request Liquor Use Permit approval to continue to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption in an existing restaurant and continue live entertainment indoors. The site is located at 474 West Ray Road, east of the northeast corner of Ray Road and Iowa Street.

1. 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.
2. The Liquor Use Permit is granted for a Series 12 Restaurant 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 any other location.
4. 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.
5. No noise shall be emitted from the live entertainment occurring indoors 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. The site shall be maintained in a clean and orderly manner.
7. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. **The Liquor Use Permit shall remain in effect for three (3) years 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.**

C. LUP15-0018 VINUM 55 CHANDLER

**Approved.**

Request Liquor Use Permit approval for liquor sampling under a Series 7 Beer and Wine Bar License and to sell liquor under a Series 10 Beer and Wine Store License in a new wine tasting and wine storage facility. The site is located at 2577 West Queen Creek Road, the southwest corner of Dobson and Queen Creek roads in Downtown Ocotillo.

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 7 Beer and Wine Bar license and a Series 10 Beer and Wine Store license, and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.

4. The site shall be maintained in a clean and orderly manner.

D. LUP15-0020 EKLECTIC PIE

**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 a new outside patio. The property is located at 2990 E. Germann Rd., Suite 1, the northwest corner of Gilbert and Germann roads.

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 addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
3. 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.
4. The Liquor Use Permit is non-transferable to other store location.
5. 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.
6. 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).
7. The site and patio shall be maintained in a clean and orderly manner.

E. ZUP15-0014 PALM PLAZA (HG THERAPIES, LLC)

**Approved.**

Request Use Permit approval to allow a therapeutic massage and aesthetics/skin care business within the Planned Industrial District (I-1) zoning with a Planned Area Development (PAD) overlay, I-1/PAD. The property is located at 3130 N. Arizona Avenue, Suite 108, west of Arizona Avenue and north of Elliot Road.

1. Expansion or modification 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 Use Permit is non-transferable to any other property.
4. 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.
5. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require Use Permit re-application to and approval by the City of Chandler.

F. ZCA15-0001 ADAPTIVE REUSE OVERLAY DISTRICT

**Approved.**

City initiative to adopt Article XXXIII A.R.O.D. - Adaptive Reuse Overlay District of Chapter 35 (Land Use and Zoning) of the Chandler City Code. **(REQUEST CONTINUANCE TO THE DECEMBER 16, 2015 PLANNING COMMISSION HEARING.)**

**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 and the modified stipulation for Item B, as read in by Staff. The Consent Agenda passed 7-0.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

**CHAIRMAN PRIDEMORE** stated the next regular meeting is November 18, 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 5:39 p.m.

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Matthew Pridemore, Chairman

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Jeffrey A. Kurtz, Secretary