

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

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

Absent and excused:
Vice Chairman Andrew Baron

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Mr. Susan Fiala, City Planner
Mr. Glenn Brockman, 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 November 4, 2015 Planning Commission Hearing. The motion passed 6-0. (Vice Chairman Baron, 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. DVR15-0023 BOGLE HOUSE

Approved.

Request rezoning from Single-Family District (SF-10) to Planned Area Development (PAD) for single-family residential with a bed and breakfast, and a Preliminary Development Plan (PDP) for site layout and building architecture. The property is located at 275 West San Marcos Drive, south and west of the southwest corner of Arizona Avenue and Chandler Boulevard.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “BOGLE HOUSE”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0023, except as modified by condition herein.
2. Building setbacks shall be a minimum of 7 feet on San Marcos Drive, 12 feet on south, 25 feet on east, and 25 feet on north.
3. Utility easements, including but not limited to water and/or sewer, shall be dedicated to achieve conformance with City codes, standard details, and technical design manuals.
4. Permitted uses shall be those allowed in Article VI.1 Section 35.601.1 Single Family District (SF-10), as well as, a bed and breakfast with ancillary events including but not limited to weddings, baby showers, birthday parties.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “BOGLE HOUSE”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0023, 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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
3. Building architecture shall promote consistent architectural character and detail on all sides of the structure.
4. 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.
5. All outdoor events shall end no later than 11 p.m.
6. The Applicant shall work with Planning Staff to insure adequate parking is provided during each project phase including new construction, altering an existing floor plan, additions to existing structures, and wedding and special events. When parking demands exceed available on-site parking as phases and/or modifications occur, off-site parking shall be provided through a parking agreement with the San Marcos Hotel. Details of the parking agreement shall be developed by the property owners in consultation with Staff.
7. The property shall be maintained in a clean and orderly manner.

B. DVR15-0036 ALLRED CHANDLER AIRPORT CENTER

Approved.

Request to amend Planned Area Development (PAD) zoning Stipulation No. 3 to allow athletic training facilities and/or recreation/instructional uses to locate within Building B and modify Stipulation No. 4 for adjacency of uses in suites where “H” occupancy rated businesses locate. The existing development is located at the northeast corner of Germann Road and Piper Drive, east of Cooper Road and south of the Loop 202 Santan Freeway.

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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
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. 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. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Airport Center Zoning Application", kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0037 Chandler Airport Center, except as modified by condition herein.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a Chandler Airpark Center 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.
9. 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, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. 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 limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to

provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the development shall use treated effluent to maintain open space, common areas, and landscape tracts.

10. The development shall provide sound attenuation measures in accordance with ADOT standard details and requirements excepting any decibel reductions or sound attenuation credits for the use of a rubberized asphalt-paving surface. Any noise mitigation if required is the responsibility of the development.
11. No television, communication towers or stand-alone antennas shall be constructed on the property. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and detailed in the Airport Layout Plans.
12. All development shall comply with the approved FAR Part 150 Noise Compatibility Study and specifically sound proofing the buildings to achieve a 25- to 30-db reduction within the applicable noise contours.
13. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Hewson Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0026, except as modified by condition herein.
14. There shall be no general automotive engine repair/auto mechanical work, auto body and paint work, auto detailing, or washing of vehicles. There may be alignment and fluid removal occurring due to accessory parts installation only. Retail sales of accessories and products are permitted as long as the installation takes place on-site and within the principal building.
15. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR10-0005, except as modified by condition herein.
16. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR15-0036, except as modified by condition herein.
17. 'Athletic training facilities' and/or 'family recreational/instructional' uses such as basketball, volleyball, gymnastics, rock climbing, cheer leading, bounce facilities, toddler gyms, and other uses of this nature shall be permitted.
18. Businesses rated as 'H' occupancies shall not locate in adjacent suites where an 'Athletic training facilities' and/or 'family recreational/instructional' use is located. Conversely, 'Athletic training facilities' and/or 'family recreational/instructional' uses shall not locate in suites adjacent to where an 'H' occupancy rated business is located.
19. There shall be no competitions held Monday through Friday between the hours of 8 a.m. to 4 p.m., holidays excluded.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Airport Center Zoning Application", kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0037 Chandler Airport Center, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Hewson Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0026, except as modified by condition herein.

3. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR10-0005, except as modified by condition herein.
4. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR15-0036, except as modified by condition herein.
5. The development shall provide additional landscaping to include one (1) 24-inch box tree and three (3) 5-gallon shrubs for every 20 feet of freeway frontage to be installed in the freeway right-of-way.
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. Monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
8. The landscaping shall be maintained at a level consistent with at the time of planting.

D. PDP15-0013 ARIZONA AVENUE AND QUEEN CREEK ROAD

Approved.

Request Preliminary Development Plan approval for housing product within a single-family residential subdivision on approximately 13 acres located at the northeast corner of Arizona Avenue and Queen Creek Road.

1. Development shall be in substantial conformance with the Development Booklet, entitled "ARIZONA AVENUE AND QUEEN CREEK ROAD", kept on file in the City of Chandler Planning Division, in File No. PDP15-0013, except as modified by condition herein.
2. One-story housing plans 1483 and 1626 are approved for lots 22, 27, and 34 (along Queen Creek Road); lots 60, 61, 66, 67, 72, 73, 78, 79, 84, 85, and 90 (along the interior open space area), and lots 39, 40, 45, 46, 51, 52, and 57 (abutting the east property line).
3. No more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.
4. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.

E. LUP15-0019 HOT WOK FENG

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption in an existing restaurant. The business is located at 1050 East Ray Road, Suite 6, northeast corner of McQueen and Ray roads.

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

F. ZUP15-0007 VERIZON AT LAGUNA VILLAGE

Approved.

Request Use Permit approval to install a monopine wireless communication facility on property located at 5865 West Ray Road, east of the southeast corner of Kyrene and Ray roads.

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. 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.
3. The existing T-Mobile canister monopole shall be removed and the antennas shall be relocated to the new monopine.
4. The monopine branch density shall be no less than three branches per foot with antenna socks to camouflage the antennas.

G. ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE

Approved. CONTINUED

Request Use Permit approval for an indoor mini-storage facility located within a Planned Area Development zoning district, along with Preliminary Development Plan approval for site layout and building architecture. The subject site is located south of the southwest corner of Dobson and Germann roads. **(REQUEST CONTINUANCE TO THE DECEMBER 16, 2015 PLANNING COMMISSION HEARING.)**

H. CANCELLATION OF THE DECEMBER 2, 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.

CHAIRMAN PRIDEMORE stated a speaker card for Item F ZUP15-0007 VERIZON AT LAGUNA VILLAGE.

MR. ISAAC BLAKE, PO BOX 12555 TEMPE, AZ 85284, thanked Commissioners for their attention and time. He stated he is the original owner of the home for the past 23 years. He stated, whether it is pine vs. palm and the aesthetics, everyone can agree to disagree. He wanted to mention something that was not mentioned in the study session. There is a large pole that has been on the east side for few years. He stated he would take a palm or pine solution rather than a vertical pipe that has been there for few years. He stated that there is an increase in land lines

turning to wireless, he stated wireless is becoming critical for the environment. He stated we should be able to meet and address the wireless demand. Whether it may be thru Wi-Fi or wireless technology, but there needs to be something there. He stated he is a Verizon wireless customer, he stated, walking outside to get signal is not ideal. He stated there is an increasing demand for wireless. Unfortunately, the intersection of Kyrene and Ray is known for accidents and not having coverage of wireless service is not good. He stated his security system was installed and couldn't connect it because there was no wireless signal. Chandler Police department also need it for their mobile computers and phones use wireless to send information back and forth. He asked if we would want to delay the officer's response time. He stated his wife cannot get her kindle updates because she does not have connection. He stated he does not care of aesthetics of the wireless connection. He stated that there needs to be some time of service in the area. He thanked the commissioners.

MOVED BY COMMISSIONER RYAN seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 7-0.

ACTION ITEM

C. ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE

Approved

Request Preliminary Development Plan approval for site layout and building modifications including additional parking, shade canopies, monument signage, and building color. The subject site is located at the southeast corner of Alma School and Germann roads.

Preliminary Development Plan

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3313, case DVR01-0010 COBBLESTONE AUTO SPA, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Cobblestone Auto Spa", kept on file in the City of Chandler Planning Division, in File No. PDP15-0011, except as modified by condition herein.
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. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
7. The site shall be maintained in a clean and orderly manner.
8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
9. The color shade canopies shall be tan in color.
10. Stone accent material shall be installed on the support columns of the shade canopies to a height consistent with the existing steel support structures

11. No detailing or cleaning activities shall occur beneath the proposed shade canopies along Alma School and Germann roads.
12. The applicant shall work with Planning Staff to incorporate design elements such as, but not limited to, architectural integration, adding three-dimensional lettering, and enhancing landscaping around the sign for the monument signs along Alma School Road.
13. The proposed V-shaped Germann Road monument sign is denied.

MR. ERIK SWANSON, CITY SENIOR PLANNER, stated there was a supplemental memo that was handed out before the meeting that included emails that outlined the concerns of the neighbors to the east, to his understanding the neighbor does not want to speak. The PDP, the site layout and building modifications, was originally zoned in 2001 for the carwash; following up there has been additional items that have been through modifications, some relating to the enterprise, also coming to ask for shade canopies along Germann road. In the staff memo, you can see the existing site plan and proposed site plan with those site modifications. It is interesting because staff is recommending approval; however, the primary concerns are the colors of the canopies and the monument signage. The existing site plan, the carwash is in the east side of the building which comes out to be a vacuuming area. What they want to do is have parking spaces on the east site and create stalls on the west side of the little island, in addition they want to add canopies to the area and Planning staff does not have a problem with that. The intersection corner, they have existing parking along Germann and Alma school frontage. On the existing plan they already have shaded out parking shape canopies. They would like to take those down, modify the design and expand those along Alma school. It has been looked at in a design stand point. It does meet the intent of design, there is an arch on the canopies and the building does have arches. The concern is the color scheme they are presenting.

When the initial request in 2006 was presented for the canopies, there was a stipulation that the color of the canopies needed to be tan and also they needed to add stacked stone to the column for those canopies, to tie it into the rest of the center because the building had a lot of stone element and a lot of tan on there. At that point in time it was recommended for approval and received approval. They only reason why they got approved for that is because they went through the process and added stone and making the tan colors. They are ok with the additional canopies however, they need to keep it that theme, tan and stacked stone element. Over the years they have made modification to their signs, which we have been able to make it administratively. What they are requesting tonight is modifications to the two signs along Alma School road by adding a third tenant panel and taking down the existing sign on Germann road and building a V shaped sign. We are supportive of the modification of the two signs on Alma school road with the condition requirement to to add some integration and some architectural interest that is outlined in the zoning code that allows for the modification.

The monument sign along Germann road is the one that there are concerns with as a V- shaped sign. When it came to initial approval it was approved 6ft high with a little architectural embellishment. What is now being presented is an 8 ft. high sign with addition 20 inches on top of the 8ft. so about 9 ft. On top of that it is a V-shape sign which is something it is unprecedented from a design stand point for a commercial center. They sat down with the development team and struggled with it. Staff is willing to work with them on the monument sign. However, it has to be within the perimeter with what the code allows. This doesn't allow any of that. Where to

find the language in the subchapter in the code is for billboard. It is not a sign for a billboard consideration. A condition number 13 has been added, monument sign along Germann Road to be denied. Those are really the primary concerns. Staff is recommending approval with those stipulations addressing our concerns with canopy colors and the monument sign. He stated he went to the neighborhood meeting, there were several people there, there wasn't any opposition expressed with the exception with the sound from the carwash.

COMMISSIONER RYAN asked with the removal of the sidewalk along Germann road, if there was still going to be accessibility from the street into the development.

MR. SWANSON responded that it was one of the concerns they had when they looked at the site plan. They looked at the pedestrian area where vacuuming area occurs and there is pedestrian activity along that. What they are proposing to eliminate that and reroute it to an access point along Alma School Rd. So if he looked at the proposed site plan, just in between the fuel pump canopy and the parking stalls that run adjacent to Alma School, there is a connection there. He sat down with the Site Development team that reviewed the plans after it goes through the zoning process and got their feedback as to if this created an ADA issues and there were none. What we have directed the applicant to do if they are going to eliminate that access point across the parking lot that they are going to have to reconstruct that side walk and the curbing so nobody goes that route thinking that have that access across so they are going to eliminate all that together and the routing of pedestrians will be all the way up to Alma School Road.

MR. JESSE MACIAS, 1425 N 1ST ST, PHOENIX AZ, he thanked staff for their attention. He stated he appreciated Planning Staff. He stated he had no issues with the stipulations except for three. He stated he wanted to give a little bit of history. In 2001 they went before commission and City Council to rezone the property with a PAD with a PDP. He stated the project turned out to be one of the premier car wash facilities and he feels it has set the bar for any type of facility that is not only in the City of Chandler but around the valley. They are very happy about it, in 2003 they received an Architectural Excellence Award and they also came in second, nationally for the architectural design. He has worked for Cobble Stone over 16 years now. They have a retail owner and they really take pride in all their facilities. He has been involved with 12 of the 14 locations they have and since remodeled the 2 original ones.

PowerPoint went up. The original color pallet was tan; the tower had neutral tan colors, but if you look at the PowerPoint, the tower color pallet now is what we are proposing for the additional canopies. We wanted to bring this facility with a new color pallet. We worked with Cobblestone about 6 months and paint companies that can come up with this specific and unique blue. This is the pallet with our proposal based on the vacuums canopies by the existing car wash. And two structures outside for covered parking. The existing tan canopies that were presented in 2006, is because that was the old color pallet and it matched then. What they are proposing now, is that new design that matches the building arches. He feels strongly that it is a very uniform design that has the tan and fabric deep blue color pallet that is on the building.

The rendering of the two proposed structures, one of them being the vacuum and the other one being the cover parking. We have two actual photos that were installed in two other facilities. He wants to make it appoint that the proposed design has a very small angle and arch to it. It is not

something that they are trying to propose something that will be overbearing for the customers. He stated him and staff have agreed to disagree. He feels very strongly that the color they are proposing is classy and complements the building. He stated it is not something that will detract from the overall design. He stated that previous cases such as the Hog Wash carwash on McClintock that was approved with approval of the blue canopies and blue towers of the building. He described the color pallet of the Hog Wash Car wash and also mentioned that it was approved by City Council 6-1. He stated that their canopies are visually impactful compared to the ones they are proposing with the subtle arch. He also showed their site and elevation plans. He also mentioned the Clean Freak Carwash that is in existing carwash that has the blue canopies. He stated they love competition because they feel like they are the best retail in the valley. He stated he does not agree with their color pallet compared to what they have done to their own building.

He stated they don't agree with Stipulation No. 9. They feel that the two carwash facilities that were approved with blue shaped canopies. He also mentioned Stipulation No. 10, cooperating stone on the columns; He stated they is not in opposition in spending the money to and do it a quality job because he feels they set the bar. But they don't agree with the stone because the way that the column is incorporated into the parking space, adding stone to it, would create a conflict with the vehicle. They would be happy to accentuate the base with a darker tan, or something that matches the stone with the building. But not install the stone.

He stated he Condition No. 11 was a surprise to see because they have not discussed this with staff. The canopies out front are not vacuum canopies and are not proposing that, however they don't agree with Stipulation No. 11 that dictates that the operations of this facility can never happen. So respectfully he disagrees with that Stip. Condition No. 13 is another item they have proposed, the V-shape monument sign. They understand the V-shape is has no precedent and something staff feels they can support. He stated he went through the sign code and he couldn't find anything that prohibited that type of sign. He mentioned that staff said something regarding billboards; however, it has no relation to what they are proposing. He explained that the reason they are proposing that type of sign is because their sign is very long and very narrow and at the time when the PDP, rezoning and sign Package was a part of the application. They were allowed to have two signs one Alma School and one along Germann. He stated they don't the ability to put the sign on Germann where it is visible and he explained he drove to the site before the meeting and he stated the sign is parallel to the street and the southbound traffic cannot see it because of the height. The middle sign does not have the price Id sign only has the tenants names was going to be modified but they decided to remove it. He stated the other sign that has the price Id sign that they have is the southern one but he thinks that by the time they pass the median curb cut, people won't be able to see the price Id sign. The people going north, there is an existing wells site with an enclosure that blocks the first sign that is on their property and the only reason why they installed the sign is because it was the only location they were allowed at the time with the PDP, which have to be every 300 ft. So they didn't have a choice as to where to place the sign. It is not visible because of the enclosure, and people cannot see the price Id sign. In the corner, the sign on Germann is parallel to Alma School; no one can see it either. He stated he knows it seems unorthodox to what they are proposing.

He stated they can locate the price Id sign on the bottom of the sign and they are not opposed to that. But if staff has an issue with the sign, the only reason why the sign is 9 ft. is because the corneous matches to what it the building has. But they are willing to reduce it and bring down the height. They feel it is a quality design and he thinks they shouldn't be penalized just because no one has proposed it. He stated that was his first choice. But if it doesn't pass, He stated they are willing to work with staff and sign department so they can be allowed to build a new 8ft height sign that is perpendicular to Alma School in the same location to have the visibility, south and northbound. He stated if commissioners had any question Tuck Bentin was present to speak about operations. He stated they had a neighborhood meeting that 3 neighbors attended, one of was Moe that was in support, however, no opposition.

CHAIRMAN PRIDEMORE stated his understanding is that he has been a part of this project from its inception. He asked Mr. Jesse if he understood the process of the DRC meetings and why they were meeting at Planning Commission. He stated the blue on the building that he worked with his client for 6 months is already on the building. He asked Mr. Macias if at any point he mentioned to his client that the project has certain stipulation and requirement that are held to a certain standard that they can't be changed when they want however; need to go through public process. He stated he is not a big fan of doing something and asking for forgiveness later. He stated he does not have an issue with it, and he knows that staff is working with him; however, there is a history that has been lost over that is important to the case and is surprise they have gotten to that point.

MR. MACIAS stated it was probably something as a maintenance upgrade with the repaint and it was on another project in Gilbert and Surprise. Not also did the building get repainted but the blue was established and he felt it was a pallet was very strong so as part of maintenance the blue was painted on the three towers. He stated it was not just a "go ahead and do it". It was just part of maintenance. He understands where Mr. Chairman is coming from but explained they didn't have the malicious intent that no one was going to know.

CHAIRMAN PRIDEMORE stated he is surprised given the past history of the project and amount of steps they had to go through to get to where they are now, he is surprised that the comment wasn't made somewhere along the road that "Hey to make some exceptions" in that nature would require public process or at least a conversation with the City before you move forward with it.

COMMISSIONER DONALDSON asked that the tunnel showed in the aerial photo is blue; he asked Mr. Macias if that was something that was changed since it was built or something that was approved as blue at its inception?

MR. MACIAS responded that it was built blue at the beginning of the inception of the project. He stated normally these carwashes get built with partial roof at the tower with canvas. He stated it was built with canvas and left it open because people tend to get claustrophobic, but he said it was not something that was changed.

COMMISSIONER DONALDSON asked if it was a part of the approval.

MR. MACIAS stated he does not remember if it was, however he knows it was discussed.

MR. SWANSON stated when it originally came through, those canopies were allowed that way for the simple fact they you couldn't see them. When the awnings came into play in 2001, a specific condition that prohibited any certain awning, when it came back in 2006 the condition was removed. With that exception they allowed it to do it on that back side because it was not visible.

COMMISSIONER DONALDSON asked staff if there was a benefit to it being blue as opposed to tan matching the other.

MR. SWANSON stated they were not sure.

MR. RYAN stated he is not opposed and think it looks well with the tan. However, the canopies that are on the east side of the proposed new canopies, they are tan. He was thinking a tan would be better instead of having an accent because it will visually read better. As far as the sign, he is not in favor of an 8ft sign that close to the street but if they work with staff so the sign can be read in all directions that would be his suggestion on that.

COMMISSIONER MACIAS stated as long as they are able to work with staff on the orientation for better visibility and not looking for any advantages of anybody else. He mentioned the canopy because they selected that particular shade of blue because it matched the color pallet and feel like it is well designed with the tans and blues. He stated he is not thinking it detracts or they are not asking for a red or yellow. He feels strongly that is it a nice deep see blue and it matches to the facility. He stated if you compare those other carwashes to his carwash, they are not at the same level and is very proud of the facility.

COMMISSIONER CUNNINGHAM stated that her understanding about the carwashes Mr. Macias mentioned with the blue and yellow was approved because they were grandfathered in because there were already 2 businesses in the plaza with the bright yellow and blue canopies for the daycare facility. She stated that this project is in an area that the residential area is yet to build around the business like the gentlemen in the letter points out. The blue on the canopies is going to be conducive to a tranquil setting nearby. However, the noise is going to be more of an issue. She asked Mr. Macias that he discussed 2 blues but is saying that his canopy specifically matches the blue, not the color of his shirt but the blue that is on the building. Is it not the exact color? She stated they might as well leave it tan to keep it from being obtrusive to the rest of the surrounding area.

MR. MACIAS stated he respect her opinion, but explained that it might not be the same blue on their building but it will be something that will complement the over all. He stated the Ray and McClintock carwash with the blue and yellow, on the reports it says it matches the center; however, he was out there last week and said there is no blue or yellow. He stated he does not know how it got approved with those colors. He feels that his proposal and his building don't come close to what other carwashes do. He stated they are not asking for something that detracts from the neighborhood and they have never had any noise complaints and they are not adding any noise. He hopes the commission sees the quality of the building.

MR. TUCK BENTIN, 3739 E BELL RD, PHOENIX AZ, stated he is the General Manager and one of the partners of the company of this location. He stated he was also present in 2001 as they worked through the community and City Council. He stated the City did a great job holding them in a high standard. He stated he is extremely proud of what they built and maintained in the community in Chandler. In the past, 7 or 8 years the City of Chandler has changed and some of the additional businesses whether it's gas stations or carwashes have also changed. They don't mind competition because they understand that the world is very competitive. However, what they ask for is a level of fairness. There were some concerns with what he heard from the City. They understood where they were coming from and their response was that the Chevron a mile north were going to be built with different new design standards and they were welcomed if they chose to take the time, effort and money to evolve but welcomed to change the architecture and signage. That is the purpose of the proposal. He explained their business is doing well and are not going to go bankrupt, but it is not what it was 8 years ago. The Quicktrip down the street can do whatever they want with their facility. But he only has 1 building that is limited as to what he can do. He stated if the project is approved it would be a great investment with zero profit because it is just for the consumer. However, they are willing to keep the business to a level and standard to welcome residents of Chandler the way it was when they first opened. He stated Mr. Macias is not the bad guy, he has help them a lot and to create the great rich blue color. They felt it was about time to make the building look nice and for the building not to fall apart. He was the one that paid the painter. He apologized for the oversight. He stated his last comment will be regarding the V- shaped sign. He mentioned all of the research they made it not really precluded. He stated in other City's they operate in, that type of sign is an alternative with the straight panel sign orient it one way or the other doesn't accomplish traffic needs of visibility at a facility. Tempe is extremely difficult on sign standards and guidelines but a V-shape sign was ok and approved because it needed two way traffic addressing the visibility. He stated is not a money factor, it is just a way to better communicate with the customers. He is just trying to restore the image appearance and customer friendliness of the facility and also to be competitive. He stated he could guarantee in the years they have been there they have had a noise complaint. He stated it is not like the vacuum is outside, it is contained inside the building and for sure 10 to 15ft you cannot hear it. Lastly, he explained that it is impossible to match the paint color since it is fabric but it is very similar and it is hard to tell there is a difference. The only reason why they wanted the two tone look is so they can have a differential tone look in aesthetic. Tan on tan tends to look bland.

COMMISSIONER WASTCHAK stated he lived in the neighborhood next to the facility and drives by it every day. He complimented Mr. Macias and Mr. Bentin because it is a great looking facility and is not surprised they did awards. He noticed the blue and like the blue but didn't know they didn't get approval. The canopies being out on the corner, there is a different between facilities on Ray on McClintock being midline. The location of the project is a prominent corner with tons of traffic. He stated he would want the tan canopies and thinks it will look good with the building and blue should not be the main color. He is not opposing to blue or adding canopies but he thinks the color should be tan.

He stated he notices the signs from the freeway and anyone that lives around there and the amount of traffic that goes on Alma School Road will see the sign. He mentioned even though

the sign is blocked by the pump people are still going to see them. Most of the customers are the ones that live around there. He has been there as well and waits for a spot to open. He stated the fact that they need to have an 8ft sign is not necessary because anybody that needs to know they are there, knows they are there. If there is an issue with anybody seeing the sign that's behind the pump station, can the sign with gas pricing be swapped out to the center one, therefor; you can see it going north and south. The perpendicular to Germann you will see it going east and west. If you are sitting at the intersection to make a left going southbound from Alma School unto Germann you see that sign. So, there is visibility and if those signs can be swapped.

MR. MACIAS thanked his for his comments and being a customer. He understood the canopy comment but look at it in a monochromatic with tan. He states he understands that the blue was approved at the McClintock and is going to be seen from the rest of the center; however, they are not a part of a center. He would request that they don't have a condition that color would be tan. He would like to be able to work with staff to come up with another color, even a terracotta color that would match the barn, if they feel much better to approve and not get stuck with the tan color. He understands Mr. Wastchak's opinion on signage and he knows that the customers know who they are. It is the customer that is coming down and looking at gas prices, those are the customers that are comparing gas prices and cannot see their signage. The first sign going 50mph, you cannot see because one has already passed it and with the median cut, no one is going to take the time to make a U-turn. He explained the only reason they installed the last sign is because they were mandated by the distance requirements but willing to completely remove the last sign which is blocked by the enclosure with the opportunity to do what they are proposing. They are willing to do it at 6ft.

COMMISSIONER WASTCHAK asked if the price signage can be swapped with the center.

MR. MACIAS responded yes there is nothing that says they cannot do that.

MR. BENTIN stated it would provide north and south visibility; the problem is that it is 300 ft. south and the customers approaching the intersection are not going to see it in time. What Mr. Macias was suggesting is part of the consideration would be having improved signage at the corner and giving up the sign at the south. The problem with swapping the signs is that there are other users like Dunkin Donuts that he doesn't think they would appreciate it if it were him.

COMMISSIONER WASTCHAK asked staff if there is a limit of the size of the sign to the mid sign with the new sign code.

MR. SWANSON stated it depends on what the sign become, if it becomes a fuel station showing gas station, it is limited to 6ft. They were all approved at 6ft when they came through the development booklet. Another option they can look at, maybe through a condition, reviewing the complete sign layout and are willing to give up the south, he doesn't think there's anything that is prohibiting them from shifting the one in the middle to the south and gain the 300ft from the one closer to the intersection. Staff can look at it and if that is the case they can continue this and come back with a much more of a complete package.

COMMISSIONER WASTCHAK stated he understand the applicant but does not think it is appropriate to have a huge sign in the corner. He mentioned he lives in the area and doesn't have an issue with seeing the signage and agrees with Mr. Swanson.

MR. MACIAS stated they are willing to remove the last sign and willing to lower the proposed sign to 6ft. He mentioned if the V-shaped sign is not going to get approved, they request that to build a new sign perpendicular to Alma School for visibility. The middle sign is not a good idea and if there is no price Id sign, the ordinance allows them to raise that to 10ft. That is not the proposed but they want to work with staff and get approval today to have a new sign 6ft perpendicular.

MR. BROCKMAN stated the legal department generally is not in favor deferring all the criteria to working with staff. Based on the discussion it makes more sense to continue the matter and have them touch up the proposal.

COMMISSIONER DONALDSON stated on the stack stone, how wide are the poles themselves.

MR. MACIAS responded 6"

COMMISSIONER DONALDSON stated by looking at the visual there are a lot of poles and seeing them covered in stacked stone it is going to look more mass. It feels to him like a lot of poles that will be placed on the atrial and doesn't sound attractive.

MR. MACIAS stated it's not a matter of cost; they look at it from a functionality stand point. By the time the stone is on, it will look about mass about 16" and will burden them and it will impact the access of a car trying to park. They are willing to paint it to match the stone. He stated the last thing they want is a continuance.

COMMISSIONER WASTCHAK stated he agreed with the applicant and does think it will be a problem with parking. If they can enhance the pole another way, he encourages staff to look at that again.

MR. SWANSON mentioned it would probably be better to go through design review.

MR. MACIAS stated they don't see the need to go to design review and feel it would be a waste of time, if the very least they can work together to come up with a color for the canopies and to have a perpendicular signage.

MR. BENTIN stated if commission doesn't want the blue they can stipulate it however, provide approval. If it is tan, they will live it that. If the V-shape does not work, they can stipulate that and as long as they have a perpendicular sign and give them an approval, that would be fine.

CHAIRMAN PRIDEMORE stated that they look at the project case by case and this project has a long history and think the tan canopies is the way to go. Regarding the V-shape sign, he is not comfortable with letting a V-shaped sign be built and has not heard a compelling argument

for it to be included. He stated he is going to rely on sign code for what is allowed, however in terms of the V-shaped sign; he is not in support of that. He is in mind that staff has worked with the applicant and reached agreement on certain things, obviously there are certain conditions that the applicant has not agreed with. But, from his point of view there is nothing that is a burden. He knows that Cobble Stone is a unique site that has packed a lot of stuff in there and it still looks nice. Kudos to them. However, because of the size and shape it comes with certain restrictions that to him were obvious from day one and that they are still trying to work with. Some of them will or might not go away. It is just a burden of that particular site. The other carwashes that were mentioned, he stated he likes to look at them as case by case bases and that is a good enough argument for the blue canopies. He would like to see a motion from a staff recommendation before they start changing it. The stone, He could see this argument but everyone is trying to move forward and he appreciate Mr. Brockman's comment, leaving it too open and letting it fall back on staff. He would be concerned about what he would see at the end. He is in support of what staff has recommended but can be convinced otherwise.

COMMISSIONER WASTCHAK asked staff if they were approve, will it the stipulated of the V-shaped sign to work with staff according to sign code.

MR. SWANSON responded that is correct.

COMMISSIONER CUNNINGHAM stated she agrees with the applicant on the stone accent, even though she is a great fan of the way Cobble stone look with the stone accent. If they are going to add 8 pillars along Alma School, that is going to detract from the business rather than enhancing it. She agrees it will also be an issue with parking.

COMMISSIONER DONALDSON stated he counted 14 poles on the arterial streets, 7 on each side and he does believe there will be functional issues. He stated he is not trying to take it Design Review, however, when you look at 7 poles with canopies above. He is trying to picture how it is going to look, probably a narrow look. He thinks they should soften the stipulation.

MR. SWANSON stated there seems to be a little confusion with the stacked stone. The stack stone element that they are looking at is consistent to the ones they have already. This places it to 24" to 36" inches. They were not looking at having the stone all the way to the top because that would change visibility. The other option for softening could be groupings of them so 3 and space than 3 again. They're also going to be inside canopy area when you pull into vacuum that will also have the poles, so it will not just be the 14 but inside the carwash as well. He is not sure how to soften it.

COMMISSIONER DONALDSON he stated he would be ok with the stipulations that were proposed by staff. He also mentioned they are great business and have good improvements, so the stipulations will not be burdensome.

CHAIRMAN PRIDEMORE asked staff if there are aware of any noise complaints.

MR. SWANSON stated he is unaware of any phone calls regarding noise issues. With property to the east and starting their zoning process and being proposed as single-family residential the noise issue has come about that process. He has not received a direct phone call.

MOVED BY COMMISSIONER DONALDSON seconded by **COMMISSIONER WASTCHAK** to approve the ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE with the stipulation recommended by staff. The Consent Agenda passed 6-0.

6. DIRECTOR'S REPORT

Mrs. Jodie Novak, Senior City Planner had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is December 16, 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 7:00 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, December 16, 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 Katy Cunningham
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and excused:
Commissioner Bill Donaldson

Also present:

Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Mr. Susan Fiala, 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 November 18, 2015 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron, Abstained, not present that meeting and Commissioner Donaldson, 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.

B. DVR15-0025 PARKLAND MEMORY CARE

Approved.

Request rezoning from Planned Area Development (PAD) for Office to PAD (Office/Medical Related Uses) with Preliminary Development Plan (PDP) approval for a memory care facility and other associated uses on approximately 4.5 acres located at the northwest corner of Arizona Avenue and Appleby Road

Rezoning

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0025 PARKLAND MEMORY CARE, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "PARKLAND MEMORY CARE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0025, 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.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0025 PARKLAND MEMORY CARE, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "PARKLAND MEMORY CARE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0025, except as modified by condition herein.
2. The site shall be maintained in a clean and orderly manner.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. 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.
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. 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. 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.

C. DVR15-0035/PPT15-0015 MAINSTREET TRANSITIONAL CARE FACILITY

Approved. CONTINUED

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Commercial/Medical Related Uses with Preliminary Development Plan (PDP) approval for a transitional health care facility and other associated uses with Preliminary Plat approval on approximately 8 acres located at the southeast corner of Arizona Avenue and Queen Creek Road. **(REQUEST CONTINUANCE TO THE JANUARY 20, 2016 PLANNING COMMISSION HEARING.)**

D. DVR15-0040 POLLACK BUSINESS PARK SOUTH

Approved.

Request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former zoning district of I-1/PAD, along with Preliminary Development Plan approval for site layout and building architecture for an office building. The existing PAD zoning designation is for commercial retail, office, industrial, and showroom uses for an approximate 13-acre site located at the southeast corner of Arizona Avenue and Elliot Road.

Zoning Time Extension

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0040 POLLACK BUSINESS PARK SOUTH, extending the timing condition for an additional three (3) years, with all of the conditions in the original approval remaining in effect.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend approval of DVR15-0040 POLLACK BUSINESS PARK SOUTH, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pollack Business Park South" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0040, or in substantial conformance with the Development Booklet entitled "Pollack Business Park South" and kept on file in the City of Chandler Planning Division in File No. DVR05-0057, except as modified by condition herein.
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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

E. ZUP15-0011/PDP15-0008 EXTRA SPACE STORAGE

Approved.

Request Use Permit approval for an indoor mini-storage facility located within a Planned Area Development zoning district, along with Preliminary Development Plan approval for site layout and building architecture. The subject site is located south of the southwest corner of Dobson and Germann roads.

Use Permit

Planning Staff recommends Planning Commission motion to recommend approval of ZUP15-0011 EXTRA SPACE STORAGE, subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3472, case DVR02-0026 CHUPAROSAS, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Extra Space Storage", kept on file in the City of Chandler Planning Division, in File No. PDP15-0008, except as modified by condition herein.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend approval of PDP15-0008 EXTRA SPACE STORAGE, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Extra Space Storage", kept on file in the City of Chandler Planning Division, in File No. PDP15-0008, except as modified by condition herein.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The site shall be maintained in a clean and orderly manner.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
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.

F. ZUP15-0017 VERIZON – HUNT HIGHWAY

Approved. CONTINUED

Request Use Permit approval to install a monopalm wireless communication facility on property located east of the northeast corner of Cooper Road and Hunt Highway. **(REQUEST CONTINUANCE TO THE JANUARY 20, 2016 PLANNING COMMISSION HEARING.)**

G. 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.

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.

COMMISSIONER RYAN stated he will abstain from voting on Item B, due to conflict of interest.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 7-0.

ACTION ITEM

- A. APL15-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0028/PPT14-0012 ENCLAVE AT HAMILTON RANCH

Approved.

Request Chandler Airpark Area Plan amendment from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. Request rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for Offices to PAD for Residential with Preliminary Development Plan (PDP) approval for subdivision layout and housing product with Preliminary Plat (PPT) approval on approximately 28 acres located south and east of the southeast corner of Arizona Avenue and Queen Creek Road.

Area Plan

Planning Staff recommends Planning Commission motion to recommend denial of APL15-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT.

Rezoning

Planning Staff recommends Planning Commission motion to recommend denial of DVR15-0028 ENCLAVE AT HAMILTON RANCH.

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend denial of DVR15-0028 ENCLAVE AT HAMILTON RANCH.

Preliminary Plat

Planning Staff recommends Planning Commission motion to recommend denial of PPT14-0012 ENCLAVE AT HAMILTON RANCH.

Rezoning

- 1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Enclave at Hamilton Ranch, kept on file in the City of Chandler Planning Division, in File No. DVR15-0028, 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. 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. **Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.**
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. **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.**
8. **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.**
9. **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.**
10. **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.**
11. **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."
12. 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.
13. 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 existing railroad tracks and railroad right-of-way 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 existing railroad track and railroad right-of-way, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. 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.

- 14. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler 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.**

Preliminary Development Plan

- 1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Enclave at Hamilton Ranch, kept on file in the City of Chandler Planning Division, in File No. DVR15-0028, except as modified by condition herein.**
- 2. No more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.**
- 3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.**
- 4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.**
- 5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.**
- 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. 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.**

Preliminary Plat

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

MS. JODIE NOVAK, SENIOR PLANNER stated there are three components, Area Plan amendment requesting an amendment to the City's current adopted Chandler Airpark Area plan, changing land use from neighborhood commercial and commercial/office/business Park with a light medium corridor overlay to a low medium density residential. The second component is rezoning the last, if it were to be approved, from AG1 to PAD from offices to a new PAD for a single-family residential. The third is a PDP which is a subdivision layout and housing product design, as well as a PPT an engineering document.

The property is located south and east of the south east corner of Arizona Avenue and Queen Creek Rd. It is approximately 28 acres. The proposal includes 128 single-family residential units.

The case came before the planning commission. The request is coming back to be reconsidered, they have made minor changes to the development request and would like reproach the proposal and land use change.

Planning staff recommends denial of the application of the foundation that is inconsistent that currently adopted General Plan so there is fundamental principles of land use, what the City's vision is for the corridor and particular property. She stated the PDP and overall design is a really nice development proposal, it meets the development standards in terms of subdivision layout quality, housing product quality and amenities. She stated she staff had no concern with that, but due to the concern with the land use and the forth coming of rezoning with PDP and Plat would be recommended for denial.

In summary, is it the in the Airpark Area Plan, which has special land uses and not does consider single-family residential as a use for the particular parcel. As a part of the development, they did have to go through the Airport Commission. As a part of the Airport Commission which occurred in November, they reevaluated it and did recommend that the project would constitute a conflict with existing or a planned Airport uses. They do not prefer residential in that particular area. But if it were to be approved through the regular zoning case hearing processes, they did have some corrective actions. The Staff memo does go over some of them. One of them that she wanted to clarify, there was a request that they have been asking from subdivision that, if a development were to be approved and built within the Airpark Area, they would prefer the term Chandler Airpark put somewhere in the project subdivision name. She stated that the applicant might have concerns about trying to do that or substantially changing their name. She explained there was a prior case that had a zoning condition for that. She didn't proposed one with the optional conditions but she wanted to point that out for the record, maybe which is something they can discuss.

She stated that some of the other administrative corrective actions are being address by the stipulations that she handed out. Some may deal with noise attenuation with the home construction. Notifying homeowners about where they are that they are right next to an airport. She stated staff looked at the changes that they made in the proposal, such as going from 132 lots to 128, the four lots that they removed were at the very east end of the street, which allows them to add a little bit more open space. One of the key elements that they discussed that has been mingling in the development booklet, which they felt that compared to other developments along the corridor; they have substantially a larger amount of open space from the center line of the railroad. For clarification, staff measure all open space from where the actual railroad right-away starts which is the east property line of the subdivision. So they have a different option on that, it is not really substantial element but she just wanted to clarify that because it was pointed it out. Another item to make Commission aware of is that staff has not received any opposition or concerns to the particular project. She did receive a letter from the Council office from the Carino Estates Home owners Association which happens to be to the west, it stated they are fully aware of what is being proposed and are in full support of the zoning case and prefer residential subdivision use over any kind of multi-family or office/industrial at the location. In addition she stated that the applicant made them aware that they had over 250 petition signed in support of the case and wanted to get that on the record.

She stated in the packet there is a noise study that the applicant hired a professional to complete and also included documents regarding influence over the Airport area and included a letter and bound report. In addition to that, they have done an office market analysis. She clarified that the property is not planned just for office it could have the potential for commercial related type uses retail, restaurant and or office Business Park sort of light industrial business park type uses. Most of the documents were discussed at the Airport Commission and stated the applicant will address them at the meeting. She reiterated that they are recommending denial of all the different components that are requested fundamentally based on the General Plan. She then stated she would be happy to answer any questions.

MR. ADAM BAUGH, 2525 E. ARIZONA BILTMORE CIRCLE, SUITE A-212, PHOENIX, AZ 85016 stated Mr. Withey Morris is at City Council at Phoenix and will try to make the meeting on time. He thanked Commissioners for their time and reminded them that the case came forth to Planning Commission in February and they recommended approval, it went to City Council and it was denied and were given clear direction on things to get the approval. In the last nine months they have been actively working on addressing some of the specific comments they received and doing the things they were requested to do. It is a very similar case as last time, however, a new and improved version. He stated that everybody seemed to like the site plan and amenities and product from the prior case that came forward. They were really careful not to make too many of those changes, they made a few changes but some of the things that has changed since last time is the willingness to do a taller wall along the railroad track. They have also eliminated 4 lots which helped increased the setbacks both from the building and the landscape setback. There is a willingness to do additional landscape along the eastern boundary, where before they didn't have that. They are doing something's with the construction type two by six construction, rather than two by four, wet blown insulation, sound proofing, installing high air created STC windows to the homes next to the railroad. Those are the things that manifested both in site plan and construction type that has adjust from some of the comments they received from Council the last time.

He stated it is important to highlight that beyond those element, comments from the airport, noise and land use, were very clear directions given to them. So they reached out to some consultants to help prepare that study. They are grateful for the feedback that they provided and shared with staff. For the airport study, they retained Richard Crosman from Genesis Consulting Group, very reputable airport consultant and works for a number of municipalities in the valley and the Airport Commission recommended him as a good consultant and wrote good reports. He stated that the consultant's study specifically stated that the proposed subdivision was no detriment impact on the airport. As a point of highlight, the prior Avalon case that came forth before Commission not too long ago, which was on McQueen on Germann Rd, Planning Commission approved it. The Airport Commission gave them the exact same recommendation that they provided Avalon case and same stipulations which were fine with. The consultants compared their site the Avalon site and they are further away from that one and are not off the run way. There are more than thousand homes in closer proximity to the airport than this particular case. He stated the airport study is very clear and won't have any impact on the operations of the airport. The noise study was something they looked into as well; they have railroad track and an arterial street and flights from the airport. The noise study measured the noise and it maybe a shocker, but the report concluded that the noise from the arterial street was

by far the greatest noise generator than the railroad tracks or the airport because of the infrequency of those types of things. It also concluded that the Avalon site which the commission approved had much greater airport related noise than this site.

He stated they hired a land use consultant to prepare a study that helps analyze what the marketable barrier and there was a general consensus last time that there is an overabundance of commercial builds so the emphasize had been focused on more office employment type uses. Judy has prepared reports and recently in the Town of Queen Creek in analyzing the inventory of land uses that they have. She concluded that it is somewhat ludicrous to think that someone would build 400,000 sq ft of office on the corner. More importantly there are greater office opportunities at the Loop 202, Price Road Corridor, right near the airport, even on Rivulon, which is just on the other side of Gilbert Corridor. He appreciated what staff pointed out in their staff report; it was a comment that the market study said. "Office, Commercial, Industrial employment on the subject property would be a disruption to the emerging neighborhood that already occurring in the area. More importantly the presence of the existing proposed office developments in Chandler combined with the proposed residential developments and the lack of proximity to a freeway, make this property a residential site division." Lastly, he explained there was a big concern from both Planning Commission and City Council, what happens to the out parcel? He stated at the time, he did not have a good answer but now, that is a huge benefit to the case, 9 months later we all know what is happening and it is on the agenda called Mainstreet, case no C, Transitional Care Facility. The wildcard that existed has now been answered, and now they all know what the full 40 acre looks like and not just partial acres. He stated he liked that project because it is entirely compatible with his proposal; it is a short term kind of quasi residential use. People stay there up to 27 days as they go through rehab but it's a low traffic volume generator with very minimal noise which is a perfect complement to this type of subdivision and he is glad to hear that the case is being continued so they can modify the elevation from two story to single story which is even more optimal for this subdivision. But that solves that wildcard question that was out there before hand. Another thing that is important that has changed for this process is that the City has been going through the General Plan update and he stated he loved what David De La Torre mentioned in his presentation, said something like "originally this was planned for employment for some residential but the way it's develops is mostly residential with some employment" and he thinks they are starting to reflect that change most likely in the next General Plan cycle. It shows that a number of factors have evolved over the last 9 months that makes it appropriate to bring the case forward a second time. He stated he doesn't know how the General Plan language will eventually look at the end, although, from what it's trending today, it looks like it would be more favorable even for the optics of this case and thinks it gives the City Council greater flexibility when it gets adopted to prove that type of case. He stated it is a type of reflection of their recommendation that things have changed in the area.

He stated, lastly, they spent a lot of time doing community outreach that they also lacked in the prior case because they thought there was no necessity. He stated they received feedback from Council and realized they thought they should do neighborhood work. Exhibit was shared, a map of green plotting that are home owners that have signed a petition letter in support and green area represented HOA's that they have met with and signed in support. They have met with others in the area but have not had a chance to get to the HOA board and that is coming in January and he

suspects by January, all that area should be shaded in green. He enjoyed the support of the project and thinks they recognize that it is the most appropriate land use there. 250 plus letters, 4 HOA's and also letters in support from the adjacent Church property next to them. The Mainstreet people are expressing support that is the corner parcel and the veterinarian clinic just south that are also in support. He stated to wrap it up; they are ok with the same stipulations that they had last time. Also they are okay with the Airport mitigated factors. The only thing he would ask is the discussion about using the word Airpark Area Plan in the name of the subdivision. He believes that the airport is an important part but they don't want to miss brand it and sometimes throwing those names in the subdivisions that are not particularly close to the airport, you miss brand what the airport is all about. He is grateful to see that staff is recommending that not be included. He thinks it is essentially a similar case as last time just with better circumstances that help blend its support and appreciated the considerations.

CHAIRMAN PRIDEMORE stated he had a speaker card for Ralph Pew and wished to speak regarding Item A.

MR. RALPH PEW, 1744 S. VAL VISTA DR. SUITE 217, MESA, AZ 85204 thanked Commissioners for the opportunity to speak. He stated he represents Maintsteet, the project on the immediate south east corner of Queen Creek and Arizona Ave. The request was to continue the case. He just wanted make clear and be on the record that the project is a very unique in the medical industry that provides transitional care for those patients who have had acute operative care or acute incidents in the hospitals and need a few more weeks of time for full recovery. It is short term and it is post-operative care generally speaking. It is a very good fit for that commercial corner and is very supportive of the residential use being proposed next to them. Their experience in the industry across the country is that their use fits nicely with a joining residential uses. Their guest who are onsite, do enjoy going outside from time to time, recovering from surgery. He stated it is a very peaceful environment if residential is next to them. They are supportive and will see Commission next month with the revised plans.

VICE CHAIRMAN BARON asked Mr. Ralph if there is ambulance transport associated with the facility.

MR. PEW responded that they do arrive in multiple ways but yes there is transportation that arrives there from time to time.

VICE CHAIRMAN BARON stated if something went wrong is there transportation back to the hospital? He is curious of the frequency of the ambulance visits.

MR. PEW stated that the Chris Senior Development Director and Development Director for Mainstreet are present and could answer that but he believes the answer clearly is that there is nursing care onsite and if there is an emergency or a need, there will be transportation available.

VICE CHAIRMAN BARON stated so there is probably not transported there from the hospital with ambulance sirens up to the front door?

MR. PEW stated they are not doing that all and it is not an emergency care. He stated that everyone will need the service eventually.

CHAIRMAN PRIDEMORE turned to the audience for comments, questions for Mr. Pew. There were none.

COMMISSIONER WASTCHAK agreed with staff and the applicant that it is not necessary to have the Airpark in the name, he thinks it's confusing and he doesn't think it helps the intent of the Airpark which is "hey you live near an Airpark" but the project is so far away and it is not necessary. He stated he would not want it stipulated or required for the applicant.

CHAIRMAN PRIDEMORE agreed with Commissioner Wastchak's comments. He stated that he knows that the comment coming from Airport Commission was what suggested for Avalon, but as everyone is aware Avalon is a lot closer to the airport than this project. And agrees it will lead to unnecessary confusion, especially because all the other residential products along Arizona Ave do not have it. He stated he was in favor from the first time they saw it. He agreed with the applicant with the information that they have now and studies they have done, especially with what's going at the corner, even though it was continued, he still think it's an appropriate use. And does not have any issues with the proposed stips from Airport Commission and believes they are appropriate and does not think they are unnecessary burden to the developer.

COMMISSIONER CUNNINGHAM stated she was opposed to the case in the past because she felt it was not appropriate to take a commercial area and turn it into residential, however, with the residential across the street that was also opposed to, that condition no longer applies. She does like what is happening with the corner and based on what she sees coming in the future, she withdrawals any objections and will be voting yes.

CHAIRMAN PRIDEMORE stated looking at the proposed zoning conditions that came before them; he did not see one regarding the name. He asked staff if that one had already been struck.

MS. NOVAK responded yes.

CHAIRMAN PRIDEMORE stated there was a list of proposed conditions that are pretty standard and include the proposed ones from Airport minus the ones that had already been made. So everyone is clear.

COMMISSIONER WASTCHAK stated one of the concerns he had with it first came forth, was the proximity to the railroad and sound is going to be an issue and he did want to tell the applicant that he appreciated that they took that into account and adding a further separation that is going to make it a more livable community for those people along the railroad tracks. He wants to make sure if there are future residential that comes along, this would be an example of what is done to try to mitigate sound and what he will be looking for.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER WASTCHAK** to approve APL15-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT as read by staff. Passed 6-0 (Commissioner Donaldson, absent).

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER CUNNINGHAM** to approve DVR15-0028 ENCLAVE AT HAMILTON RANCH with the noted stipulations recommended and handed out by staff. Passed 6-0 (Commissioner Donaldson, absent).

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER WASTCHAK** PPT14-0012 ENCLAVE AT HAMILTON RANCH with the noted stipulations recommended and handed out by staff. Passed 6-0 (Commissioner Donaldson, absent).

6. DIRECTOR'S REPORT

Mr. Kevin thanked Commission for their efforts in 2015 and wished them a happy and safe Holiday season.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE also wished everyone a happy and safe holiday and stated the next regular meeting is January 6, 2016 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 6:02 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary