

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, January 6, 2016 held in the City Council Chambers, 88 E. Chicago Street.

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

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

Absent and Excused:

Chairman Matthew Pridemore
Commissioner Katy Cunningham

Also present:

Mr. Kevin Mayo, Planning Manager
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 WASTCHK to approve the minutes of the December 16, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Donaldson abstained, since he was absent on Dec 16. Chairman Pridemore and Commissioner Cunningham, absent)
5. ACTION AGENDA ITEMS
VICE CHAIRMAN BARON informed the audience prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion.
 - A. APL15-0006 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0027 CANAL VIEW HOMES

Approved. (CONTINUED TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING)

Request Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential, along with rezoning from Agricultural to Planned Area Development for single-family residential and Preliminary Development Plan approval for subdivision layout and housing product for an 8-lot single-family residential subdivision. The subject site is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment. **(REQUEST CONTINUANCE TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING.)**

The applicant requests a continuance to the February 3, 2016, Planning Commission hearing in order to further discuss the development with the adjacent residents. Accordingly, Planning Staff recommends a continuance to the February 3, 2016, Planning Commission hearing.

B. APL15-0008 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0031 VILLAS AT CHANDLER AIRPARK

Approved.

Request Area Plan Amendment to the Chandler Airpark Area Plan from Special Use Commercial to High Density Residential, along with rezoning from Planned Area Development (PAD) for multi-family residential and commercial to PAD for multi-family residential, and Preliminary Development Plan approval for site layout and building architecture. The subject site is located east of the southeast corner of Germann and McQueen roads.

Area Plan Amendment

Planning Staff recommends Planning Commission motion to recommend approval of APL15-0008 CHANDLER AIRPARK AREA PLAN.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Villas at Chandler Airpark", kept on file in the City of Chandler Planning Division, in File No. DVR15-0031, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. 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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
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. The multi-family apartment manager shall display, in a conspicuous place within the rental office, a map illustrating the location of the Villas at Chandler Airpark Multi-Family Apartments in the context of the Chandler Airpark Area Plan. The map shall identify the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by Chandler City Council (Resolution No. 2590, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan. Such map or aerial photo shall be a minimum size of 24" x 36". Compliance with this condition shall be demonstrated by the property owner or multifamily apartment manager submitting to the Zoning Administrator of a signed affidavit and photograph that acknowledges such map is on display prior to beginning any rental activity.
9. Prior to execution of any lease, prospective apartment tenants shall be given written disclosure in their lease and in a separately signed disclosure statement acknowledging that this apartment community is located proximate to the Chandler Municipal Airport that includes a heliport, aircraft engine testing facility, and an aircraft storage facility, that an avigational easement exists on the property, the property lies within the Chandler Municipal Airport Impact Overlay District, and that the property is subject to aircraft noise and over flight activity. The requirement for such disclosure shall be confirmed in an avigation notice covenant that runs with the land and is recorded with the Maricopa County Recorder prior to issuance of the first Building Permit for this development.
10. The developer shall provide the city within an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
11. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.
12. 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."
13. The development shall not be subdivided to allow individual dwelling unit ownership.
14. All leases at the Villas at Chandler Airpark multi-family apartments shall provide that all questions, concerns, or complaints any tenant may have about the Chandler Municipal Airport of the operation of aircraft landing at, taking off from, or operating at or on Chandler Municipal Airport shall be directed solely to the manager of the Villas at Chandler Airpark development and not to the Chandler municipal Airport, the city of Chandler, the FAA, any aircraft owner, or any pilot. All leases shall also provide that it shall be within the sole and absolute discretion of the manager of Villas at Chandler

Airpark (and not the tenant) to determine (after the manager's due consideration of all airport related acknowledgments and disclosures that are required by the Zoning Stipulations and consideration of all information known to Villas at Chandler Airpark Manager) whether or not, when, and how to communicate any tenants question, concern, or complain to the manager of the Chandler Municipal Airport.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Villas at Chandler Airpark", kept on file in the City of Chandler Planning Division, in File No. DVR15-0031, except as modified by condition herein.
2. 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.
3. **The applicant shall work with Planning Staff to incorporate airport observation areas within the development.**

C. DVR15-0032/ PPT15-0014 PARKVIEW PLACE

Approved.

Request rezoning from Agricultural to Planned Area Development for single-family residential with Preliminary Development Plan approval for subdivision layout and housing product and Preliminary Plat approval for a 50-lot single-family residential subdivision. The subject site is located approximately one-half mile south of the southeast corner of Ocotillo and Basha roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Parkview Place", kept on file in the City of Chandler Planning Division, in File No. DVR15-0032, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
5. 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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

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. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
9. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Parkview Place", kept on file in the City of Chandler Planning Division, in File No. DVR15-0032, except as modified by condition herein.
2. 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.
3. The same elevation shall not be built side-by-side or directly across the street from one another.
4. The perimeter wall along the north property boundary shall be painted to be consistent with the color scheme of the community.
5. The applicant shall work with Planning Staff to provide additional pavement enhancements along the drive corridors between the residential blocks.

Preliminary Plat

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

D. DVR15-0034 THE ENCLAVE

Approved. (ITEM WITHDRAWN)

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 Conceptual Planned Area Development (PAD) for commercial with a transit-oriented multi-family residential overlay. The existing PAD zoning designation is for multi-family residential on an approximate 21.7-acre site. The property is located at the southeast corner of Arizona Avenue and Chandler Heights Road.

Planning Staff recommends a withdrawal of this item. The property has been issued building permits to commence construction, therefore, the PAD zoning is vested and this case no longer requires a zoning time extension.

E. PDP15-0006 SAN TAN PLAZA

Approved.

Request Preliminary Development Plan (PDP) approval to allow additional freestanding multi-tenant monument signs for an existing development located at the northwest corner of Arizona Avenue and Willis Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "San Tan Plaza", kept on file in the City of Chandler Planning Division, in File No. PDP15-0006, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3396 in case DVR02-0017 KOHL'S CENTER, except as modified by condition herein.
3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
6. **The applicant shall work with Planning Staff to relocate the solar panel associated with the northernmost Sign A. The solar panel shall be relocated north of the adjacent retail buildings.**

F. PDP15-0010 SAN TAN SUPER STORAGE & INDUSTRIAL

Approved.

Request Preliminary Development Plan (PDP) approval for building design and site layout of recreational vehicle (RV) storage buildings and a multi-tenant light industrial building. The property is located approximately one-quarter of a mile east of the northeast corner of Arizona Avenue and Willis Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "San Tan Super Storage & Industrial", kept on file in the City of Chandler Planning Division, in File No. PDP15-0010, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 1644 in case Z86-25 LARRY S. LAZARUS, except as modified by condition herein.
3. The site shall be maintained in a clean and orderly manner.
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. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

G. PDP15-0017 FIRST CREDIT UNION PLAZA

Approved. (CONTINUED TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING)

Request Preliminary Development Plan approval for building mounted signage. The subject site is located at 25 S. Arizona Place, east of the northeast corner of Arizona Avenue and Boston Street.

The applicant requests a continuance to the February 3, 2016, Planning Commission hearing in order to finalize design details. Accordingly, Planning Staff recommends a continuance to the February 3, 2016, Planning Commission hearing.

H. LUP15-0021 PAYLESS MARKET

Approved.

Request Liquor Use Permit approval to sell beer and wine for off-premise consumption only under a Series 10 Beer and Wine Store License. The new convenience store is located at 405 South Arizona Avenue, south of the southeast corner of Arizona Avenue and Frye Road.

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 10 Beer and Wine Store license, 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.

VICE CHAIRMAN BARON stated there was a comment card from a Chris for Item E, and wanted to note that he is in favor of the item but did not wish to speak.

VICE CHAIRMAN BARON 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.

VICE CHAIRMAN BARON abstained from voting on Item B, since his firm provided design services for the project.

COMMISSIONER WASTCHAK abstained from voting on Item B, since he worked on the project.

MOVED BY VICE CHAIRMAN DONALDSON seconded by **COMMISSIONER RYAN** to approve the Consent Agenda and the modified stipulation No. 3 for Item B and added stipulation No. 6 for Item E as read in by Staff. The Consent Agenda passed 5-0.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated he wanted to advise Vice Chairman and Commissioners that they are well underway with the 60-day review period with the General Plan update. March will be the month when they will be coming to Planning Commission which state required hearings. They have to be at separate places so they can't use a regular Planning Commission hearing and then two weeks later another regular Planning Commission hearing. At this point, they are targeting Wednesday, March 9th and the then normal Planning Commission hearing the second one, the week after that. March 9th, they are looking into having the meeting in West Chandler, most likely at the Sunset Library that has a good media room at a probable time of 5:30pm. He thanked them in advance for their time.

VICE CHAIRMAN BARON asked what the purposes were for the two meetings.

Kevin Mayo stated it was to gather input from Planning Commission and also provide two separate public forms for the final comments prior to sending the draft forward to Council. He will try to target the first hearing on March 19th, which will take public testimony and that will result in some levels of changes to the plan or recommendations coming forward, then the second hearing, all of that will be packaged up as an item. That is the approach.

7. CHAIRMAN'S ANNOUNCEMENTS

VICE CHAIRMAN BARON stated the next regular meeting is January 20, 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 5:39 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary