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MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, February 11, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Jack Sellers	Vice-Mayor
Nora Ellen	Councilmember
Kevin Hartke	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: The invocation was given by Rabbi Rimler of the Chabad of the East Valley

PLEDGE OF ALLEGIANCE: Councilmember Roe led the Pledge of Allegiance.

A request so speak on Agenda item 18 had been received. Discussion of that item is listed under item number 18.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR SELLERS, to approve the Consent Agenda as presented.

MOTION CARRIED UNANIMOUSLY (7-0).

MAYOR TIBSHRAENY announced there would be no Public Hearing; it was tied to Item number 24, which had been continued.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Regular Meeting of November 19, 2015.
- 1b. Special Meeting (Exec Session) of January 25, 2016.
- 1c. Study Session of January 25, 2016.
- 1d. Regular Meeting of January 28, 2016.

2. REZONING: Parkview Place Ord. #4688

ADOPTED Ordinance No. 4688, DVR15-0032 Parkview Place, rezoning from Agricultural to Planned Area Development for single-family residential.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Mainstreet Transitional Care Facility Ord. #4684

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4684, DVR15-0032 Mainstreet Transitional Care Facility, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Commercial/Medical Related Uses. (Applicant Ralph Pew, Pew & Lake, PLC.) APPROVED a Preliminary Development Plan (PDP) for a transitional health care facility and other associated uses. APPROVED Preliminary Plat (PPT), PPT15-0015 for approximately 8 acres located at the SEC of Arizona Avenue and Queen Creek Road.

BACKGROUND

The request was continued from the January 14, 2016, City Council meeting to the February 11, 2016, meeting to allow the applicant time to explore a one-story facility versus a proposed two-story building design.

The approximate 8-acre site is located at the immediate southeast corner of Arizona Avenue and Queen Creek Road, annexed in December along with initial City zoning of Agricultural District (AG-1). East and south of the site is property zoned AG-1 and Planned Area Development (PAD) for office use; however, on these parcels, a zoning case requesting single-family residential was approved by Council on January 14, 2016, Enclave at Hamilton Ranch. North of the site is Queen Creek Road and land zoned PAD for single-family residential and multi-family residential both under construction. To the west is Arizona Avenue and vacant land zoned PAD for commercial.

The request is for Rezoning from AG-1 to PAD for Commercial/Medical Related Uses with PDP approval for a transitional health care facility and other associated uses along with Preliminary Plat (PPT) approval. The proposed commercial uses include those permitted by right in the Community Commercial (C-2) zoning district. The PDP includes site layout and building design for the transitional care facility and future building pads. The proposed development includes a one-story, 48,000 square foot transitional health care facility with 70 beds and two 3,150 square foot office buildings. The two office buildings are an initial use concept. Planning Staff will work with the applicant administratively if any changes are proposed in substantial conformance with the Development Booklet and PDP Condition No. 9. The development will be phased with the transitional health care facility occurring first and the building pads in later phases.

The project is accessed from both Arizona Avenue and Queen Creek Road with the primary entrance and exit from Arizona Avenue. Both entrance/exit driveways will be built along adjacent parcels which will share an access easement at full-movement median breaks.

The transitional care building is sited to front Arizona Avenue. The main entrance is designed with a porte-cochere for an inviting sense of arrival. The building is surrounded by landscaping, a looped drive aisle and parking spaces. The building's undulation provides opportunities for outdoor usable spaces such as courtyards with gardens, a putting green, outdoor dining and wellness.

The one-story building's contemporary architecture includes building forms and materials creating a style that stands apart from traditional care facilities. The main entrance's porte-cochere roof and angled roof elements break up wall planes and parapet rooflines. Building accent materials include dark bronze window framing, a sand pebble fine texture EIFS, tile cladding around windows and significant use of accent stone in a horizontal wood plank pattern. Appropriate uses of vertical design elements minimize flat walls and building mass. The architectural materials, colors and forms along with four-sided architecture will be further replicated on the two office buildings as per PDP Condition No. 9.

A corner intersection campus identification sign and two freestanding monument signs are included in the proposal for the transitional care facility. The corner sign is a curved wall with the campus name. The wall is approximately 4 feet in height with individual reverse pan channel lettering. One monument sign, approximately 7 feet in height, is located at each of the main entrance drives. The signs incorporate an angled roofline and accent stone to match the building architecture. In addition, two signs are proposed for the office building pads, each approximately 5 feet in height. These signs are intended to be located on the site's interior adjacent to each building. The signs include two lines of copy with the intent to have two tenant names each. The campus identification sign and the monument signs each have individual reverse pan channel lettering.

AIRPORT RECOMMENDATION

The Airport Commission reviewed the Rezoning request in accordance with the Airport Conflicts Evaluation Process at their November 18, 2015, meeting. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission determined that the proposed development does not constitute a conflict with existing or planned airport uses.

DISCUSSION

Planning Staff finds the proposed development to be in conformance with the General Plan and Chandler Airpark Area Plan. The post-acute transitional health care facility use and associated medical related/commercial buildings are compatible with surrounding land uses including the recently approved single-family residential subdivision to the east and south. The project's site and building design are integrated well with the surrounding area and creates a design presence at this intersection corner.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 14, 2015. There were two citizens in attendance representing the adjacent, recently approved single-family residential development. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

The Commission recommended the addition of two zoning conditions addressing architectural design of the two future pads and the design of useable open space courtyard. Conditions 9 and 10 have been added to the PDP recommendation.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MAINSTREET TRANSITIONAL CARE FACILITY", kept on file in the City of Chandler Planning Division, in File No. DVR15-0035, 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 site shall be maintained in a clean and orderly manner.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter wall and the Transportation & Development Director for arterial street median landscaping.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. 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.
9. The applicant shall work with Staff to enhance the pad buildings' architecture to include adding materials, paint colors and forms to match the care facility as well as provide enhanced elevation design adjacent to residential lots.
10. The applicant shall design the four courtyard areas as useable opens space with turf and/or hardscape as represented in landscape plan L1.0 dated September 29, 2015, as submitted to Planning Staff.

PRELIMINARY PLAT

The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.
4. CONTINUED REZONING/PRELIMINARY DEVELOPMENT PLAN: Frye Road Business Park Ord. #4691

CONTINUED TO MARCH 17, 2016, introduction of Ordinance No. 4691, DVR15-0033 Frye Road Business Park (Santan Technology Park), rezoning from Planned Area Development (PAD for light industrial to PAD for light industrial and billboards. (Applicant: Adam Baugh, Withey Morris PLC.)

CONTINUED TO MARCH 17, 2016, Preliminary Development Plan (PDP) for two 70-foot tall digital billboards located at the NEC of 56th Street and Loop 2021 Santan Freeway.

The applicant requests further continuance to address business owner concerns.

5. EASEMENT EXTINGUISHMENT: Gilbert Road and 202 Freeway Res. #4927
ADOPTED Resolution No. 4927 authorizing the extinguishment of a temporary drainage easement no longer needed for public use at the northeast corner of Gilbert Road and the 202 Freeway.

BACKGROUND

In 2014, the owner of the Rivulon – Phase I development granted a temporary drainage easement to the City of Chandler. The easement was granted as part of the Gilbert Road improvements constructed by Rivulon from the 202 Freeway to Pecos Road. Rivulon subsequently incorporated the required retention provided by this easement into their development. As a result, the easement is no longer required and can be extinguished. Rivulon has requested that the City extinguish this easement in order to clear up their title. Staff reviewed the request and concurs that the easement can be extinguished.

6. GRANT AGREEMENT: Arizona Department of Public Safety Res. #4928
ADOPTED Resolution No. 4928 authorizing a Crime Victim Assistance Program Grant Agreement with the Arizona Department of Public Safety.

BACKGROUND/DISCUSSION

The Police Department has been awarded a Victim Assistance Grant through the Arizona Department of Public Safety as a pass-through grant from the Federal Government's Victims of Crime Act (VOCA). The Police Department has been the recipient of an award through this program since Fiscal Year 2007/08. The grant covers 80% of actual expenses for a Victim Services Specialist position. This position interacts with victims of actual or threatened crime in the Chandler community to assist in their recovery as quickly and fully as possible. This agreement is for \$65,183.00 for the period October 1, 2015, through September 30, 2016.

FINANCIAL IMPLICATIONS

This grant covers 80% of the position's expenses and a matching grant through the Arizona Criminal Justice Commission covers the remaining 20%.

7. INTERGOVERNMENTAL AGREEMENT: Arizona State University Res. #4930
ADOPTED Resolution No. 4930 authorizing an Intergovernmental Agreement (IGA) for data sharing with the Arizona Board of Regents for and on behalf of Arizona State University (ASU); authorizing the Mayor and Chief of Police to sign the agreement; and authorizing the Chief of Police to administer, execute and submit all documents and other necessary instruments in connection with such agreement.

DISCUSSION

ASU received a Federal grant to collect, analyze and disseminate data on violent deaths in Arizona. ASU created the Arizona Violent Death Reporting System which seeks to reduce the number of homicides and suicides in Arizona by understanding the facts behind these occurrences to help communities, policy makers and planners guide local decisions. ASU is partnering with Arizona agencies that track violent deaths, including suicides. Chandler would like to join other partnering police and government agencies to assist in the data collection efforts of the Arizona Violent Death Reporting System. The agreement is for a two-year period with an option to extend for an additional two-year period.

8. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Airport Commission
Chasey Tezak

Museums Advisory Board
Christine Halvorson

9. AGREEMENT AMENDMENT: Police Ammunition

APPROVED Agreement No. PD5-680-3472, Amendment No. 1, with San Diego Police Equipment Co., Inc., International Cartridge Corporation, Proforce Law Enforcement and Miwall Corporation for ammunition, in a total combined amount not to exceed \$125,829.85, for a one-year term, February 1, 2016, through January 31, 2017. This is the first of four optional one-year extensions.

10. AGREEMENT AMENDMENT: Laboratory Testing Services

APPROVED Agreement No. MU3-962-3169. Amendment No. 2, with TestAmerica Laboratories, Inc., Trans West Analytical Services, LLC dba Zenco Laboratories, Legend Technical Services of Arizona, Inc. and Eurofins Eaton Analytical, Inc., for laboratory testing services, for a one-year term, in a total combined amount not to exceed \$379,000.00. This is the second of four optional one-year extensions

11. AGREEMENT AMENDMENT: Southwest Slurry Seal, Inc.

APPROVED Agreement No. ST5-745-3500, Amendment No. 1, for slurry seal materials and installation with Southwest Slurry Seal, Inc., in an amount not to exceed \$1,200,000.00, for the term of one year, March 13, 2016, through March 12, 2017. This is the first of four optional one-year extensions.

12. AGREEMENT AMENDMENT: Cutler Repaving, Inc.

APPROVED Agreement No. ST4-745-3339, Amendment No. 2, with Cutler Repaving, Inc., for hot-in-place asphalt recycling in an amount not to exceed \$1,000,000.00 for a term of one year, March 2, 2016, through March 1, 2017. This is the second optional one-year extension.

13. PROJECT AGREEMENT: Wilson Engineers, LLC

APPROVED Project Agreement No. WA1506.451 with Wilson Engineers, LLC, for construction management services for the Riggs Road Well Equipping, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed \$157,265.00.

14. PROFESSIONAL SERVICES CONTRACT: Central Creative, LLC

APPROVED Professional Services Contract No. ST0810.104, with Central Creative, LLC, for Public Outreach Services for McQueen Road Improvements (Riggs Road to Chandler Heights Road), in an amount not to exceed \$46,130.00.

15. PROFESSIONAL SERVICES CONTRACT: Ritoch-Powell & Associates Consulting Engineers, Inc.

APPROVED Professional Services Contract No. ST0810.452 with Ritoch-Powell & Associates Consulting Engineers, Inc., for Construction Management Services for McQueen Road Improvements (Riggs Road to Chandler Heights Road), in an amount not to exceed \$542,044.00.

16. CONSTRUCTION CONTRACT: Grey Mountain, LLC

APPROVED Construction Contract No. ST0810.403 with Grey Mountain, LLC, for McQueen Road Improvements (Riggs Road to Chandler Heights Road), in an amount not to exceed \$4,040,044.00.

17. CONSTRUCTION CONTRACT: Weber Water Resources, LLC

APPROVED Construction Contract No. WA1506.401 with Weber Water Resources, LLC, for the Riggs Road Well Equipping in an amount not to exceed \$1,394,923.64.

18. USE PERMIT: Verizon at Congregational Church of the Valley

Ms. Monte Barnes, 4722 South Oleander Drive, Chandler gave her concerns for this use that is located near her other property at 220 South Cooper Road. The proposed placement of this monopalm would devalue the surrounding area and possibly cause unknown health risks due to the microwaves emitted from the tower. She felt it is the City's duty and responsibility to protect the residents with a safe and healthy environment. Ms. Barnes stated over the years, the City has taken significant frontage from her property to widen the road for a 4 lane divided road and SRP has also taken land at the rear of her property for a walking pathway. SRP has also buried irrigation lines on the south end of her property and have a 16 foot easement for servicing these pipes. With the addition of a cell tower, she believes she will have significant difficulty selling or renting her place much less to a family with children. A serious road condition exists in the front yard, and a serious water hazard in the back. With the addition of a cell tower, adds the increase exposure to microwaves and noise pollution from its operation.

COUNCILMEMBER ROE inquired whether the cell tower has a self-contained generator.

In response to questions from the City Council, CITY PLANNER SUSAN FIALA stated there is a backup generator for the tower, but it does not run 24 hours. The monopole was moved further south on the property and now sits 240 feet to the southwest from Ms. Barnes property line. The applicant has agreed to add two palm trees, which will require the installation of irrigation lines, to mitigate the visual impact. Currently, there is an additional AT&T tower on the site, it is 40 feet and has been there since 2006.

APPROVED Use Permit ZUP15-0006 Verizon at Congregational Church of the Valley, to install a 48-foot monopalm wireless communication facility at 240 South Cooper Road, south of the SWC of Cooper Road and Chandler Boulevard. (Applicant: Jason Sanks, Shaw & Associates.)

BACKGROUND

The proposed monopalm height is 48 feet measured to the top of antennas. Agricultural zoned property is approximately 204 feet north and contains a single-family residence. Hill Learning Academy is south, the Paseo Trail and canal is west and a Salt River Project (SRP) electric substation s southwest.

The nearest single-family residential subdivisions are Colonia Coronita and The Springs. Colonia Coronita is approximately 453 feet east, across Cooper Road and The Springs is approximately 189 feet west, across the canal.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

The monopalm design resembles a Date Palm having a minimum of 65 fronds with the antennas painted to match the fronds. An 8 ½-foot tall equipment enclosure, utilizing concrete masonry units painted to match the color of the adjacent building, will be constructed. A solid metal gate allows access for routine maintenance of the equipment within the new enclosure. Two 25-foot tall live Date Palms would be planted adjacent to the facility to create a palm grove effect.

Within the immediate area, there are no other suitable alternatives for collocation of the wireless communication facility on existing poles or towers. An inventory of existing wireless facilities vertical towers, and structures, located within an approximately one mile radius was prepared by the applicant to assess alternative locations. Each location was analyzed to determine feasibility for collocation on utility poles, street and parking lot lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs. An existing 40-foot tall AT&T canister monopole is located within the parking lot approximately 70 feet east of the subject monopalm. The AT&T canister monopole will remain as this design does not allow for collocation.

DISCUSSION

Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 48-foot monopalm, measured to the top of antennas. The monopalm design is appropriate at this location given the presence of palms in the area and the addition of two 25-foot tall live Date Palm trees. The separation from the single-family home on the agricultural property and from the single-family subdivisions is greater than the 160-foot distance of recently approved wireless communication facilities. Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

Following the neighborhood meeting, the applicant worked with the property owner of the abutting parcel to select a new location for the wireless facility in order to provide a greater separation from the single-family residence. Although the monopalm was relocated and the distance increased from approximately 116 feet to 204 feet from the north property line, the adjacent property owner remains opposed to any type of wireless communication facility on the church property, regardless of its placement.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 5, 2015. There were five property owners in attendance to obtain information and voice their opposition to the location as well as health concerns. Planning Staff received a phone call and a letter of opposition from the property owner of the abutting agricultural zoned parcel. The concerns voiced relate to reduced property values, visual impact, location and health.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

The property owner of the adjacent parcel spoke in opposition to the request. The property owner reiterated the content of the letter of opposition, including the property's history, health concerns, visual obtrusiveness and property values.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

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 two 25-foot tall live palms shall be maintained at a level consistent with or better than at the time of planting.

19. WITHDREW USE PERMIT: Verizon - Hunt Highway

WITHDREW Use Permit ZUP15-0017 Verizon – Hunt Highway, to install a monopalm wireless communication facility on property located east of the NEC of Cooper Road and Hunt Highway at the request of the applicant.

20. LIQUOR LICENSE: Payless Market

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #16143L10) for Jarjis Yousif Hallak, Agent, Hallak Enterprises LLC, dba Payless Market, 405 S. Arizona Avenue. A recommendation for approval of State Liquor License #10076729 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The applicant's Use Permit through the Planning Division was approved at the January 28, 2016, Council meeting.

21. LIQUOR LICENSE: Vinum 55 Chandler

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #159823L10) for John Robert Finn, Agent, Vinum 55 Chandler LLC, dba Vinum 55 Chandler, 2577 W. Queen Creek Road, Suite 112. A recommendation for approval of State Liquor License #10076724 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The applicant's Use Permit through the Planning Division was approved at the November 19, 2015, Council meeting.

22. LIQUOR LICENSE: Arirang Korean BBQ & Sushi

APPROVED a Series 12 Restaurant Liquor License (Chandler #160881L12) for Sue Yun Shim, Agent, K-Food LLC, dba Arirang Korean BBQ & Sushi, 3002 N. Arizona Avenue, Suite 18-19.

A recommendation for approval of State Liquor License #1207A505 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Ha Eun Inc., dba Taka Sushi and Korean BBQ.

23. FINAL PLAT: Ray Road Apartment Homes (Brio Apartments)

APPROVED Final Plat FPT15-0019, Ray Road Apartment Homes (Brio Apartments) for a 192-unit multi-family residential development located west of the NEC of Arizona Avenue and Ray Road. (Applicant: Mitch Ragsdale, Terrascope Consulting LLC.)

BACKGROUND

This Final Plat is for a multi-family residential development that was approved by Council on June 12, 2014. The plat creates the lot and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Staff recommends approval.

24. CONTINUED PUBLIC HEARING: T-Sys Western Operations Center

CONTINUED TO APRIL 14, 2016, the public hearing item PH1 below, DVR05-0036 T-Sys Western Operations Center, 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.

BACKGROUND/DISCUSSION

The subject 15.6-acre site received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740.

Ordinance No. 3740 included a three-year time limit, Condition No. 6, which expired on January 12, 2009. Council approved a three-year time extension in 2009 which expired in January 2012, and again in January 2013, which expired in January 2015. On July 9, 2015, City Council approved a continuance of this matter to the October 22, 2015, City Council meeting in order to allow Staff and the property owner to consider alternatives to the current zoning approval for the property. On October 22, 2015, City Council approved a continuance of this matter to the December 10, 2015, City Council meeting in order to allow Staff and the property owner to continue efforts to modify the zoning designations for the property. Since the December 10, 2015, continuance, Staff and the applicant have discussed alternative zoning designations for the property. Staff was informed by the applicant the submission of an application to rezone the property was imminent. As of the writing of this memorandum, no rezoning submittals have been received by City Staff.

STAFF COMMENTS

Since the December 10, 2015, continuance, Staff and the property owner met to discuss the types of land uses and details for submittal of a rezoning application to change the zoning designations applicable to the property.

The property owner indicated to Staff their desire to pursue the rezoning of the property by way of a formal zoning application seeking to modify the zoning designations applicable to the property. It was anticipated a rezoning application would be submitted prior to the February 11, 2016, City Council meeting. The brief continuance to the April 14, 2016, City Council meeting will afford the property owner the opportunity to submit a substantially complete rezoning application to modify the zoning designations for the property, or, in the absence of a substantially complete zoning application submittal by the April 14, 2016, deadline, provide the City Council the opportunity to consider its legislative and administrative options as outlines in the Staff memorandum for the PH1 item listed in this agenda.

PUBLIC HEARING

CONTINUED TO MARCH 17, 2016 CITY COUNCIL MEETING.

PH1. PUBLIC HEARING TO TAKE ADMINISTRATIVE ACTION ON DVR05-0036 T-SYS WESTERN OPERATIONS CENTER 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.

1. Open Public Hearing
2. Staff Presentation
3. Council Discussion
4. Discussion from the Audience
5. Close Public Hearing
6. Council Action

UNSCHEDULED PUBLIC APPEARANCES:

MR. BERT CROCKETT, 1612 West Citation Lane, Chandler, wanted to thank the City for all their efforts in promoting a healthier lifestyle. Mr. Crockett said he is 85 years of age and seniors are living longer, but at this point and time the recreation facilities or activities for seniors is very lacking. While the City is working on changing and updating these facilities, he would like to them to keep this project on the forefront and not delay.

MR. MO WAKEFIELD, 797 West Germann Road, Chandler, commented on the rezoning and re-development of his neighborhood located at Germann and Alma School roads. This issue started back in 2013 and after the neighbors fought the issue, they all thought the case was closed. Recently they received a letter from the developer wanting a neighborhood meeting to speak with the residents regarding their proposal. He stated after researching, the City has 15 opening zoning cases, and he cannot find out any information as to what is going on with this case. This case started in the fall of 2013 which puts the residents under tremendous stress, waiting to see what will happen. He asked the City to follow up with him on matters related to the zoning case.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced the State of the City address will be held on Thursday, February 18. A reception will be held in the Vision Gallery at 5:30 p.m. and the Address will begin at 6:00 p.m.

He reminded everyone of the Mayor's Fun Run and Ostrich Festival Parade on the morning of Saturday, March 5th in downtown Chandler. Interested parties can find more information at ostrichfestival.com.

He announced Chandler is welcoming another class of tremendous athletes to the Chandler Sports Hall of Fame this Saturday, February 13th. Recipients include Olympic Silver Medal winner Lyndsey Fry. Lyndsey appeared on his Cable show last year, and can also be seen on You Tube. Other recipients in this year's class include the 1970 Chandler High School Baseball Team and the 1972 Chandler High School Track Team; for more information visit chandlermuseum.org.

B. Councilmembers' Announcements

COUNCILMEMBER HARTKE announced former Councilmember Patti Bruno who is president of the Desert Cancer Foundation of Arizona was recently named East Valley Woman of the Year.

VICE MAYOR SELLERS announced the City celebrated the Chinese New Year, and Former Governor Jan Brewer also participated.

COUNCILMEMBER HEUMANN announced the Night of Art and Science will be held Friday, February 19th, and the SciTech Festival which will be held Saturday, February 20th from 10 a.m. to 4 p.m. The website is www.chandleraz.gov/science.

COUNCILMEMBER ELLEN invited everyone to Helicopter Days on Saturday, February 20th from 9:00 a.m. to 1:00 p.m.

COUNCILMEMBER ROE announced March 5th Chandler Fire, Health, and Medical will hold an open house for the community and he reminded everyone to come out and enjoy the event.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

