

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 16, 2016 held in the City Council Chambers, 88 E. Chicago Street.

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

Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak
Commissioner Phil Ryan

Absent and Excused:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Jodie Novak, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Kim Gehrke, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER WASTCHAK to approve the minutes of the March 2, 2016, Planning Commission Hearing and the minutes of the special General Plan meeting of the March 9, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Cunningham abstained from voting on minutes from March 9, 2016, since she was not present. Chairman Pridemore and Vice Chairman Baron, absent.)
5. ACTION AGENDA ITEMS
COMMISSIONER CUNNINGHAM 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. **COMMISSIONER CUNNINGHAM** also welcomed Council members Kevin Hartke and Rick Heumann.

A. LUP15-0022 PESTOS PIZZA

Approved.

Request Liquor Use Permit approval to continue to sell and serve liquor for on-site consumption as permitted under a Series 12 Restaurant License indoors and within a new outdoor covered patio. The restaurant is located at 1960 West Ray Road, Suite 4, within the Anderson Springs shopping center, at the northeast corner of Ray and Dobson roads.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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, 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.
5. The patio shall be maintained in a clean and orderly manner.
6. The fabric awning structure shall be maintained in a manner similar to that at the time of installation.

B. LUP16-0001 STAYBRIDGE SUITES PHOENIX-CHANDLER

Approved.

Request Liquor Use Permit approval to sell and serve liquor for on-site consumption as permitted under a Series 7 Beer and Wine Bar License. The hotel is located at 3990 West Chandler Boulevard, at the northeast corner of Chandler Boulevard and McClintock Drive.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license, and 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.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

C. LUP16-0002 COST PLUS WORLD MARKET

Approved.

Request Liquor Use Permit approval to sell beer and wine under a Series 10 Beer and Wine Store License for off-premise consumption with in-store sampling. The new store is located at 860 North 54th Street, south of the southwest corner of Ray Road and 54th Street.

1. The Liquor Use Permit is granted for a Series 10 license with sampling, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other store locations.

D. LUP16-0004 LA BOCCA / MODERN MARGARITA

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors for two new restaurants along with an extension of premises within outdoor patios on Boston Street and Arizona Avenue. The request also includes entertainment indoors for a DJ. The property is located at 1 East Boston Street, at the southeast corner of Arizona Avenue and Boston Street.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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, 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.
5. The patios shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. Music shall occur indoors only.

E. LUP16-0005 ALAMO DRAFTHOUSE CINEMA

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption within a new movie theater including a restaurant located at 4955 South Arizona Avenue, northeast corner of Arizona Avenue and Chandler Heights Road.

1. The Liquor Use Permit is granted for a Series 12 License only, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.

F. PPT15-0016 TOWER STORAGE LLC

Approved.

Request Preliminary Plat approval for a self-storage facility located south of the southeast corner of Arizona Avenue and Chandler Heights Road.

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

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

MOVED BY COMMISSIONER RYAN seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Chairman Pridemore and Vice Chairman Baron, absent).

ACTION:

G. GPA14-0001 GENERAL PLAN UPDATE

Approved.

Public hearing to request public input, discussion and action in the form of a recommendation of approval of the draft general plan titled, "Chandler General Plan 2016; a vision refined".

The Citizens' Advisory Committee, and Planning Staff recommend Planning Commission recommend approval of Chandler General Plan 2016; a vision refined, together with the revisions listed in the attached Addendum to the Public Hearing Draft Plan.

DAVID DE LA TORRE, PRINCIPAL PLANNER greeted everyone and continued with the explanation regarding the State law that requires two Public Hearings with the Planning Commission for the review and approval of the General Plan. He stated last week, the first Public Hearing took place at which a presentation was made regarding the update process and major differences were summarized between the current General Plan and the draft. He explained, no action was taken by the commission. He stated today was the second Public Hearing at which Planning Commission is requested to take action in a form of a vote recommending approval of the draft General Plan which would then be forwarded to the Mayor and Council for their consideration at the April 14, 2016, Council meeting. He stated it was mentioned in the last Hearing that the draft General Plan and the update is not a complete overhaul of the current General Plan, rather is a refinement of the policies to address new trends and factors that the city is facing. Many of the policies in the current General Plan are being carried over into the draft General Plan and some of the existing polices include; preserving land around the Municipal Airport for employment uses, promoting redevelopment of properties in downtown as well as along north Arizona Avenue with higher densities and promoting and expanding programs to improve and maintain existing neighborhoods. He explained that some of the new policies in the draft General Plan include; allowing more flexibility on the south Price Road to address economic trends and facilitate the developments of more high wage businesses, protecting the character of existing low-density neighborhoods, updating recreational amenities to meet the needs of changing demographics and encouraging access to healthy food and pursuing partnerships with private recreational facilities and medical providers to provide educational, health and wellness programs for Chandler residents.

Staff and the consultants spent a greater part of last year gathering input from the public through a variety of different methods, including; traditional public meetings, online surveys, comments through social media and City's webpage, planning labs, tables at public events and briefings to a variety of boards and committees. In total there have been more than 60 opportunities over the last year for the public to learn about and participate in the General Plan Update. The input that was received was used to initially draft the initial draft of the General Plan, which was then revised several times based on more input received during the public review of the draft. During that time, Staff met with several stake holders to discuss their comments in detail which resulted in more revisions. He stated as such, the draft General Plan reflects the community's visions from the standpoint of wide variety of different stake holders and different interest. After meeting with staff, one of the stake holders being Brennan, whom is a Chandler resident who represents the Arizona Alliance for livable communities, wrote a letter addressed to the Planning Commission which is attached to the staff memo, stating their support of the draft General Plan. In the beginning of the process the Mayor and Council appointed 23 residents to a Citizen's Advisory Committee which guided staff and the consultants through the process. They met 6 times over the course of the year and the last meeting was held last month in February, in which the committee voted unanimously to recommend approval of the draft General Plan. He stated before he concludes his comments, he pointed out two items regarding comments that staff has received since last week's Public Hearing. He stated staff received a couple of emails and placed those comments together with the comments that were made at the first Public meeting last week into a document titled Public Hearing Draft Comments which was distributed earlier to the Planning commission. The comments have been acknowledge with the commenters and do not necessitate any additional revisions to the draft. The second item he pointed out is regarding the addendum containing a short list of revisions that were proposed by Commissioner Wastchak. Staff concurs with the revisions that are relatively minor and recommends that the addendum be made a part of the recommended motion to approve the draft General Plan as stated in the proposed motion in the staff memos. He stated the Citizens Advisory Committee and Planning Staff recommend approval of the draft General Plan as presented with the addendum.

COMMISSIONER CUNNINGHAM asked the audience if they had any questions or comments on the presentation. There was one.

MOE WAKEFIELD, 797 W. GERMANN apologized for bothering them so many times before with emails. He stated his concern is what he believes the survival of his neighborhood and is concerned about the impact of the General Plan revision. He met with David de La Torre and is pleased with his sincerity and knows he is coming from a different point of view than he is. He is looking at it as preserving the neighborhood and stated this is coming from a developer that is playing an extreme game of hardball. He explained a more recent episode on February 8th that a neighborhood meeting was called under the chandler city law saying come out and they will talk about a plan. He had no plan to talk about when they got there. He stated all they said was the city will widen the road to 6 lanes and they are going to take their share. When they come back again, the folks will not give up; it is a declaration of war. He stated he presented the use to the City and there was no response and he doesn't know what else to do. As he looks through the General Plan and vague terms, his concern is putting a definition to infill. He stated he supposed everyone knew what an infill is, basically some unused spot of ground and he

thought, what if that was bought out by a developer and taken the houses off of it and let it set for 18 years and now come to the City and states it is infill. That is exactly what's happened to it. The challenging infill property next to a fairly noisy carwash that initially low-cost housing were supposed to be built for the poor people, they wouldn't object to the noise. The land was supposed to be for retirement folks who just didn't want to do the yard work anymore. It wasn't nice of them to invite themselves into his neighborhood and start patching them up. He believes it is still their intent to do that. He stated that on page 1, it states "as the city moves towards build out and the large box ground becomes less available, infill or redevelopment is how future development will occur". He stated they already know that because the company plans to divide them up and start a chain that they know it will destroy all the ranchettes on Germann Road.

One of them was built and sold last year for 1.1 million and it was an excellent home, the properties are suitable with animal privileges and suitable for large lots development. However, he stated not if those folks go in with political or legal influence they got and persuade the city that it is not the way to go and say there are other policies that ought to be applied. He stated he found no definition of infill that is used several times. He also said on page 26, "Community place making policies" letter K, when he met with David, David thought item K would solve his problem which states "to protect the low-density residential character of large lot neighborhoods". However, the other items take away what item K gives because there is policy of letter B, that states "promote a compatible mixed of housing types in infill areas"; He asked what an infill area is? He stated he thinks it's any area that is covered by an area plan as his is. It specifies that they are 2.25 acres properties, presumably still around that figure even with the widening of the road. He stated that the rezoning ever since county days and what happened under county jurisdiction is one house per acre. Now because it is being called an infill area because there is really no definition of what an infill is, now there's a vagueness that future developers will be citing. He recited item C, "encourage a range of housing types within walking distance of schools and other community facilities" and explained that they have a neighborhood school probably a quarter-mile away. The kids have to walk the sidewalk on a six-lane road, which is not a hospitable neighborhood environment and the whole section is sealed off from the Arden Park development that surrounds it on three sides. He read item D, "address housing needs of fixed income elderly persons and other special populations", and states they have had a developer say "we want to carve you up, so we can make retirement homes or empty nesters that don't want to yard work anymore." Or they want to make low-income housing for poor people, which lead to item F, "increase capacity to them in coordination of affordable housing program and project". He stated he doesn't know if whether it was a federal agenda but the affordability has been thrown at the beginning. He explained they had 5 neighborhood meetings since 2013, at the second meeting he was told, basically only folks are going to live next to the noisy carwash that will not complain about it and because living as ranchette owners, you could afford to live somewhere else. The fact is, where do you find properties like this in Chandler? They are rare and there are people out there want to have a horse at home and other animals. He stated the horses are not going to call and complain about the carwash noise but 16 to 20 homes are built in there, he guarantees the city they will receive a lot of calls. He stated yes, item K offers protection from a policy that states if you have a large track of ground, you will be protected but looking at the other items, he asked is this for elderly people, or special population? The problem is with affordable housing when Chandler approves a development project, they do not approve the value based on the home. He stated the poor person who is going to supposedly be the target

of the affordable housing, how are they going to compete? Are they going to compete with everyone that has the big bucks? He thinks it is ludicrous to be talking about affordable housing when there is no mechanism to deliver it to the population that needs it. But, it's in the vocabulary and in the policy and in vague areas. Only when push comes to shove they realize there's a problem. His issue with the document is it is not user friendly and an average member of the City of Chandler can't read it or understand it the same way staff does. In his opinion, it is a specialized document that gives the developers and the city an unfair advantage. He knows they talk to city staff and try to get approval. He understand subject 2, neighborhood concurrence and stated his neighborhood thus far opposed to the project, but still there is no fight. He doesn't even take vacation in the summer time because he knows they get hit with those things. He explained the very first one they had in 2003; he was the only one on Germann that got notice of it. If he hadn't complained and got other people in the meeting who knows, the project which was 40 houses would probably be built by now. He said he hates to sound dramatic but if you're in the trenches and water is up to your waist with alligators, you would want more security out of it and he would like to see it strengthen to the point if there is an existing area plan no one can come in and change that arbitrary and something that has been covered by an area plan, leave it alone. He stated they do have an area plan but the area plans are never mentioned. When the Cobble Stone carwash went in, they were never told about the Carino Estates area plan, although it's mentioned in the documents with the city. The city new about it but he didn't, he doesn't object to the carwash because it has been highly affecting and at least they have something on the corner there. He stated it has been a nice shield for them and in retrospect; the noisy carwash has been great in keeping the developers away because they have a problem building houses next to a noisy carwash and it is great for cows and horses, sheep and chickens. He stated he would love to be left alone and not have to worry about going on vacation and getting a two-week's notice to listen to another tirade about how they are going to get us anyways. He thanked Commissioners and audience.

COMMISSIONER CUNNINGHAM asked the audience if anyone had any questions for the speaker. There were none.

COMMISSIONER CUNNINGHAM asked Mr. Wakefield to spell his last name and asked Mr. De la Torre if he had any questions or anything to say about Mr. Wakefield's concerns.

MR. DE LA TORRE stated through the process, he has gotten to know Mr. Wakefield a lot more and he appreciates his commitment to the process. He stated that Mr. Wakefield attended many of the meetings and they did sit down together and talked about the General Plan and how the General Plan is used when a rezoning case comes forward and is proposed. How the General Plan is used to guide the zoning case and make a recommendation to the Planning Commission and City Council. As such, there was a new policy that Mr. Wakefield pointed out that they created together which is on page 26, item 112k, "protect the low density residential character of large lot neighborhoods", that applies to not only to his large lot neighborhood but to any large lot neighborhoods within the City of Chandler. He stated that Mr. Wakefield is correct that there are other policies, which is the reason why it is considered a comprehensive General Plan because all of the policies taken together guide a development as much as one policy or other policies together that guide. So if one policy says "protect the low density character of large lot neighborhoods" and the other says "encourage compatible mixed of housing types in infill areas"

then the keyword there is “compatible”, is it compatible with the low density character of large lot neighborhoods that would protect that neighborhood. He stated they would all have to be applied together and taken into consideration together. He stated he’d be happy to answer any questions.

COMMISSIONER CUNNINGHAM asked the dais if anyone else had questions.

COMMISSIONER WASTCHAK asked Mr. De la Torre that Mr. Wakefield brought up that an area plan exists there and one was prior to that. He asked if it was still county land or if it has been annexed.

MR. DE LA TORRE responded that it was not county land and has been annexed as a part of the city.

COMMISSIONER WASTCHAK asked if the area plan that Mr. Wakefield alluded to was put on during county or city. He stated it was the Carino’s Estates area plan. He stated he hadn’t looked at the Carino’s Estates plan, but asked Mr. De la Torre if they are still designated to have larger lots under that plan still? Or it is designated to change?

MR. DE LA TORRE stated he believes it is Rural residential but he would have to double check. He stated that Mr. Wakefield’s concern was can anybody come in and arbitrarily amend an area plan without following the General Plan, the answer to that is clearly no. The General Plan needs to be used, not only as a guide for rezoning cases but also as a guide for Area Plan amendments so it does guide Area Plan amendment requests which goes before Planning Commission and City Council for consideration and approval.

COMMISSIONER WASTCHAK stated Carino Estates already has a plan where there is already a designation under there, if anybody is changing the designation, to his understanding the neighbors in that area have been vocal and communicated that and his understanding is that Planning Staff has been looking at not only the General Plan but the zoning requirements if they do get it approved, ultimately, there would have to be a General Plan Amendment. Will the higher density be allowed under the General Plan? He stated he is trying to understand if they are following the process the way they are supposed to under the General Plan.

MR. DE LA TORRE stated a developer can come in with a proposal to amend the area plan and it can be considered, if it falls within the guidelines of the General Plan. So it may not require a General Plan Amendment. However, that would need to be determined based on factors of the proposal. Not having those details in front of him, he could not tell anyone whether it would require an amendment. He stated chances are it would not require an amendment because the General Plan provides very broad policies but he doesn’t know. He mentioned that extremely higher densities that may not be compatible with large lots neighborhoods would not be consistent with the General Plan so the details of the proposal would need to be taken into consideration to determine whether a General Plan Amendments would be needed or not.

COMMISSIONER WASTCHAK stated he understood they are talking about the General Plan and not a specific case. Mr. Wakefield made a comment that he does not like the General Plan as

it reads but he thinks consort with the zoning cases is what determines true Planning Staff as they are looking stuff, Planning Commission, City Council. Ultimately, that is what's used when they consider the change in the use that he's concerned about. There are mechanisms within the General Plan that allows neighbors to have input and provide whether or not they want that or agree with the change or not . He stated he is somewhat commenting to Mr. Wakefield's comments and his understanding after having reviewed it in detail in the standard zoning that it works in consort and Mr. Wakefield wants to look and say "I don't know if this works, but I think it does", it's a general overview and he would agree to the comments that are in for example the one bullet that says "preserve larger lots". It gives the ability for Mr. Wakefield to make that argument and for Planning Staff to stand behind that argument and say "hey they are bigger lots, therefore, have to take into consideration". He stated that after looking at the General Plan and zoning, it does what it needs to do. It is just a matter of the developer working with the City as well as the neighbors.

COMMISSIONER CUNNINGHAM asked if anyone else had questions for Mr. De la Torre. There were none.

SCOTT MCCOY, ASST. CITY ATTORNEY stated he appreciates the speakers passion about what is happening in his neighborhood and his efforts to communicate that to the city however, he would want to remind commission that they need to keep his comments confined to General Plan. He knows there's a zoning case going on in Mr. Wakefield area. However, that is not appropriate so his comments must strictly be regarding the General Plan.

MR. WAKEFIELD stated he appreciates Mr. Wastchak comments and thinks Mr. Wastchak would interpret the General Plan as providing security for his neighborhood. But he doesn't because he looks at one item that gives and two or three other items that are negative. When the city planner's talk about balancing of interest, they are weighing off the weight and what is more critical at the time. What is more important, low income housing or horse property? For the longest time he thinks they have been on the low end of the popularity pole and the city thinks in terms of density of residential areas around him. He stated it boils down to interpretation and he thinks that it is the interpretation of what the significance of what the documents mean. And his way of thinking is that the General Plan is way too vague because there is one provision for him but three provisions that the developers can use and he doesn't know how the city is going to rule and that is why he says this in terms for the general citizen of the town that have very little security reading it because it is way too vague. As page one says, the future of land development land use in Chandler is going to be basically infill and redevelopment. Theoretically a lot of the traditional residential areas that don't have HOA's are at risk of having people buy their homes and call it infill and increase the density to build more houses. That is his concern about the vagueness.

COMMISSIONER CUNNINGHAM thanked Mr. Wakefield for his comments and his time and hopes he does get to take a vacation at some point however, to be vigilant and watch what is happening in his neighborhood and stated he is a good citizen that is doing that. She stated this is a General Plan, not a specific plan so it does include things that do not pertain to his neighborhood but do pertain to his city.

COMMISSIONER CUNNINGHAM asked if there are any other questions. There were none.

COMMISSIONER CUNNINGHAM asked Kevin if he had any statements from Chairman Pridemore and Vice Chairman Baron that were not able to make the meeting and to read into the record.

KEVIN MAYO, PLANNING MANAGER stated Vice Chairman Baron's statement reads as follows"

As I've read through the documents and the multitude of comments made by staff, stakeholders and the residents of Chandler. It appears that my comments specific to the text have already been made by others and incorporated or are in process of being incorporated. It is the time and effort that has been placed in creating the document. Staff has been working with the stakeholders in the community and the general public has done a great job in developing the document that will help shape the future development of Chandler. Sincerely, Andrew Baron, Vice Chairman.

MR. MAYO stated Chairman Pridemore's statement reads as follows"

Please let the record show that I, Matthew Pridemore, have reviewed the draft version of the 2016 Chandler General Plan: A Vision Refined and I am wholeheartedly in favor of the information pertained therein. It is very obvious that tremendous effort has been put into this document by City Staff. Through a comprehensive public outreach process, I think all of the best ideas and concepts have been incorporated. This proposed General Plan will act as a useful guide for Chandler in the coming years, particularly as the City quickly approaches build-out. The new Guiding Principles and corresponding Core Values lay a strong foundation that resonates throughout the document. This General Plan shows that Chandler continues to lead the way in responsive planning for our City's future development and redevelopment. I apologize that I was unable to attend this evening's hearing, but let me reiterate my support of the draft General Plan before the Commission this evening and that I would strongly support a motion of approval being forwarded onto the Chandler City Council. Respectfully submitted, Matthew Pridemore, Chairman.

COMMISSIONER DONALDSON stated he wanted to express his appreciation for all the energy and efforts put forth by staff and Commission and citizens. He explained to Mr. Wakefield one of the commissions that he was chair of was the Neighborhood Advisory Committee and the citizens were also involved in the process of one of the 60 opportunities for citizens and commission and staff to be involved in preparing the document. He also thinks it provides great input, overview and great guidelines for the City of Chandler's process, which is a more specific process. He hopes that Mr. Wakefield and the citizens of Chandler have confidence in the commission since they are citizens and volunteers as well. He also stated that the Council members are also citizens and he stated they do have the interpretive process in front of them in specific zoning cases and they take them very seriously with all the variables they have available to them. He stated he strongly promotes the General Plan Update.

COMMISSIONER CUNNINGHAM thanked Council member Terry Roe for being present at the meeting.

COMMISSIONER RYAN stated it was his last meeting he was going to be the attending since he is moving to Gilbert. He thanked everyone and stated he is appreciative of all the years of staff's patience and training, especially Jeff Kurtz. He stated he was 28 years old in 1982 when he was appointed and was intimidated and took him a number of years to voice his opinion. He stated it was nice getting to know and working with everyone.

COMMISSIONER CUNNINGHAM responded it was a pleasure working with him.

MOVED BY COMMISSIONER DONALDSON seconded by **COMMISSIONER WASTCHAK** to approve the Chandler General Plan 2016, a vision refined as recommended by the Citizens Advisory Committee and Planning Staff, together with the revisions listed in the attached Addendum to the Public Hearing Draft Plan. Motion passed 5-0 (Chairman Pridemore & Vice Chairman Baron, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS

COMMISSIONER CUNNINGHAM stated the next regular meeting is April 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 6:12 p.m.

Katy Cunningham, Commissioner

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 20, 2016 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 Vice Chairman Baron.
3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner David Rose
Commissioner Devan Wastchak

Absent and Excused: none

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Ms. Lauren Schumann, City Planner
Mr. Glenn Brockman, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. **CHAIRMAN PRIDEMORE** welcomed the new **COMMISSIONER DAVID ROSE**
5. APPROVAL OF MINUTES
MOVED BY VICE COMMISSIONER DONALDSON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the March 16, 2016, Planning Commission Hearing. The motion passed 4-0. (Chairman Pridemore and Vice Chairman Baron abstained since they were not present on March 16, 2016. Commissioner Rose, since he was not present.)
6. 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. DVR15-0037 ALLRED PARK PLACE

Approved. (CONTINUED TO THE MAY 4, 2016, PLANNING COMMISSION HEARING)

Request rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height, with Preliminary Development Plan (PDP)

approval for site design and building architecture on property totaling approximately 62 acres located at the southwest and southeast corners of Price and Willis roads. **(REQUEST CONTINUANCE TO THE MAY 4, 2016, PLANNING COMMISSION HEARING)**

B. LUP16-0003 CIRCLE K STORE

Approved.

Request Liquor Use Permit approval to sell beer and wine for off-premise consumption as permitted under a Series 10 Beer and Wine Store License within a new fuel station convenience store located at 3087 South McQueen Road, southeast corner of McQueen and Queen Creek roads.

1. The Liquor Use Permit is granted for a Series 10 License only, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to other store locations.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

C. PDP15-0015 RISAS DENTAL – RAY ROAD

Approved.

Request Preliminary Development Plan (PDP) approval for site layout and building design of a new dental office. The site is located at 125 East Ray Road, east of the southeast corner of Arizona Avenue and Ray Road.

1. Development shall be in substantial conformance with the Development Booklet, entitled “RISAS DENTAL AND BRACES” and kept on file in the City of Chandler Planning Division, in File No. PDP15-0015 RISAS DENTAL – RAY ROAD modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
5. 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.
6. Raceway signage shall be prohibited within the development.
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.
8. The site shall be maintained in a clean and orderly manner.

D. PDP15-0017 FIRST CREDIT UNION PLAZA

Approved. (CONTINUED TO THE MAY 4, 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. **(REQUEST CONTINUANCE TO THE MAY 4, 2016, PLANNING COMMISSION HEARING)**

E. PDP15-0020 MARACAY HOMES

Approved.

Request Preliminary Development Plan approval for housing product for an 84-lot single-family residential subdivision on an approximate 35-acre parcel. The subject site is located east of the southeast corner of Cooper and Chandler Heights roads.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "MARACAY HOMES" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0020, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with original stipulation adopted by the City Council in Ordinance No. 4628, in case DVR14-0043 COOPER AND CHANDLER HEIGHTS, except as modified by condition herein.
3. The same elevation shall not be built side-by-side or directly across the street from one another.

F. ZUP16-0002 NATE'S NEXT GEN AUTO CARE, LLC

Approved. (MODIFIED STIPULATION NO. 5)

Request Use Permit approval to allow an auto repair facility within the Planned Industrial District (I-1). The site is located at 4043 West Kitty Hawk, Suite 5, south of Chandler Boulevard and west of McClintock Drive.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The applicant will abide by all building, fire, and other applicable city regulations including those that pertain to auto repair as a condition of occupancy.
3. The site shall be maintained in a clean and orderly manner.
4. All vehicle repair/servicing/upgrades shall occur only within the building. Overnight storage of vehicles waiting for servicing shall occur only in the gated rear yard service area. No work or storage of vehicles to be performed outside of the gated rear yard area.
5. **The Use Permit shall remain in effect for three (3) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.**

G. ZUP16-0003 56TH STREET OFFICE DEVELOPMENT

Approved.

Request Use Permit approval to allow office uses within a Planned Industrial (I-1) zoned district. The approximate 30-acre site is located at the northwest corner of 56th and Galveston streets.

1. 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 shall apply.

H. PPT15-0012 PACIFIC OIL PARTNERS, LLC

Approved.

Request Preliminary Plat approval for a commercial development on approximately 2.5 acres located at the southeast corner of Pecos and Alma School roads.

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

CHAIRMAN PRIDEMORE stated he had two speaker cards and asked Mr. Dale to state his name and address for the record.

DALE MUKALVETZ, 6902 W. LAREDO ST. referred to the vicinity map and stated he lives in the subdivision immediately east of the project in question referred as Chandler Crossing and also mentioned he is also on the HOA board. He stated for the past 15 years they've had an issue with U-turns on Harrison St. The issue started north on Dublin St and now it's on Harrison St. He stated that there is no issue with traffic on 56th St but there is no suicide lane, there's a divider down that street, so when one is headed in one direction, you're stuck. The only way to turn around the other way is to make a U-turn and Harrison St is the only place to make that U-turn. He stated that he has counted the U-turns and he came up with 40 per day. He requested for the City of Chandler to do a study there as well and it was done a number of years ago and forgot the answer to that but it's a big number. As an HOA member he has gotten complaints from people on Harrison St. that all ours of the day and night people make U-turns. Chandler put up signs and did a little bit of traffic reorganizing north of Harrison St. It is his and community's concern, although they have nothing against the development but their concern is because there is no suicide lane, there is no way to go from south and north bound except for the bad problem on Harrison St. that is going to get worse. He stated he heard a gentleman say they will do something down the road when things start to happen but in his view that is too late. He would like people to start thinking about it today. What could be done with the current state of affairs and will the new state of affairs make the situation worse. He is asking for something to be done and not wait.

CHAIRMAN PRIDEMORE asked Mr. Kevin Mayo if there is any interim understanding that the final build out of the site is going to determine a possible traffic study.

KEVIN MAYO, PLANNING MANAGER stated that he will have to go back and have a conversation with the City's Transportation and Development group. However, he did remember when the condominiums on the north side of Harrison just west of 56th St. came in, there was a study done and it had something to do with U-turns. It's been so many years that he could not remember how that went. He asked the applicant if there are currently signs stating "No U-turns".

MR. MUKALVETZ stated there were signs.

MR. MAYO stated they are probably dealing with an enforcement issue than anything.

MR. MUKALVETZ stated they tried the enforcement and stated Chandler has been really good about attempting things. However, when police officers are gone the U-turns start again because there is really no way for a police car to hide in there. It is obvious when a car is there or not.

MR. MAYO stated he would reach out to the Transportation and Development folks and see what the options are at this point and will contact the speaker.

MR. ERIK SWANSON, SENIOR CITY PLANNER asked the applicant for clarification, are they doing the U-turn on 56th St. or are they pulling into Harrison into the neighborhood then doing the U-turn back north.

MR. MUKALVETZ stated it's about 3 out of 4 that go into the HOA and turn into someone's driveway, it's a fairly wide street so many folks can make the U-turn. Also about a quarter of them actually make the illegal U-turn at the corner and there have also been a few accidents at that location.

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

MRS. DIANE JOHNSON, 6924 W. HARRISON ST. stated she lives in the same neighborhood that Dale lives in and she has left messages and spoke to Mr. Swanson about that turn and she thinks it really is a problem and as Dale stated the turns are day and night. There has been a few times where she is trying to get into her garage and people are waiting for her to go by so they can back out and turn around. She stated they are trying to have a nice neighborhood and it is a problem and it has been a problem for quite some time. She thinks that part of the issue is that there is the light at Ray Rd. and 56th St. of Priest and south of that is the Aj's light. She was told a few years ago that they couldn't put another light at their intersection because of the two that are south of Ray. She stated she doesn't know what the answer is as far as how to keep people turning around, she has seen a few near accidents as people are making the U-turn and trying to get around that person and people trying to get out of the neighborhood. She stated it is an issue and she is concerned. There are several times of the day where she doesn't try to go out on Harrison St. She stated that she cannot head south in the morning because of the cars so she just goes out through the spacy exit of her HOA and goes through the neighborhood. She stated she would want something done sooner rather than later.

CHAIRMAN PRIDEMORE explained to her that everything will go into the record and thanked her.

CHAIRMAN PRIDEMORE stated he has another speaker card, however they do not wish to speak regarding Item E. from a Michael Hoover and states Via De Palmas should be marked as "dead end" and Maracay Homes should sign as "no construction access.

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

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff with the modification of stipulation No. 5 on Item F. The Consent Agenda passed 7-0.

7. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager extended a welcome to the new Commissioner Rose.

9. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular Planning and Zoning meeting is May 4, 2016 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

9. ADJOURNMENT

The meeting was adjourned at 5:46 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary