

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 17, 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 Commissioner Wastchak.
3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner David Rose
Commissioner Devan Wastchak

Absent and Excused:
Commissioner Bill Donaldson

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Lauren Schumann, City Planner
Ms. RoseMarie Horvath, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by **VICE CHAIRMAN BARON** to approve the minutes of the July 20, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Bill Donaldson absent, One vacancy)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion and comment cards will be read if any.
 - A. APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT/DVR16-0010 QUIKTRIP

Approved.

Request Area Plan Amendment to the Peterson Farms (Section 7) Area Plan from Low Density Residential to Commercial, along with rezoning from Agricultural to Planned Area Development for commercial uses including a fuel station for 24-hour uses under the Late Hour Business Policy, and Preliminary Development Plan approval for site layout and building architecture for

a fuel station. The subject site is located at the northeast corner of Gilbert and Queen Creek roads.

Area Plan Amendment

Planning Staff recommends Planning Commission motion to recommend approval of APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "QUIKTRIP" and kept on file in the City of Chandler Planning Division, in File No.DVR16-0010, 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "QUIKTRIP" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0010, 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. 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. Gasoline tank vent piping shall be screened from arterial streets and public view.
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. 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.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
10. Landscaping shall be in compliance with current Commercial Design Standards.
11. Raceway signage shall be prohibited within the development.
12. The base of the monument signs shall utilize brick veneer consistent with the building elevations.

B. LUP16-0013 QUIKTRIP

Approved.

Request Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store. The subject site is located at the northeast corner of Gilbert and Queen Creek roads.

1. The Liquor Use Permit is granted for a Series 10 Beer and Wine Store 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 and Floor Plan) 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. LUP16-0014 VB LOUNGE

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors along with an extension of premises within a new outdoor patio, as permitted under a Series 12 Restaurant License. The request includes live entertainment indoors. The new restaurant is located at 81 West Boston Street, the southwest corner of Arizona Avenue and Boston Street.

1. Expansion or modification beyond the approved exhibits (Site Plan, 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. 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.
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.

D. LUP16-0015 DIRTY BLONDE TAVERN

Approved.

Request Liquor Use Permit approval to continue to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio, as permitted under a Series 6 Bar License. The request includes continuing live entertainment indoors. The existing business is located at 4929 West Chandler Boulevard, Suite 12, the southeast corner of Chandler Boulevard and Rural Road.

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 6 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 other locations.
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.
6. Music shall occur indoors only.
7. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

E. ZUP16-0009 PREMIUM COACH GROUP

Approved. (ITEM WITHDRAWN)

Request Use Permit approval for a recreational vehicle sales, service, and storage business within a Planned Area Development zoned district that allows for business park uses. The subject site is located at 1825 East Germann Road, within Metro Chandler Airport Center, west of the southwest corner of Germann and Cooper roads. **(APPLICANT REQUESTS WITHDRAWAL)**

CHAIRMAN PRIDEMORE stated he had a couple of speaker cards and will announce them in no particular order. He first mentioned Juan Romero regards to Item A and B, He is in favor however, did not wish to speak. Another speaker card on Item A and B read "Quiktrip would be a great neighbor" by Cindy Gordon and wished to speak.

CINDY GORDON, 13704 E. QUEEN RD. stated her and her family has lived next to the property for most of her life. She has been in contact with Quiktrip and they have agreed to do everything they have remotely asked for them to do and more. She thinks they would be super to

have them as neighbors. Her mother was not able to attend the meeting however, she wrote a letter that she is in favor and thinks it would be great to have Quiktrip as neighbor.

CHAIRMAN PRIDEMORE asked staff for clarification if it is ok for her to read the letter or provide a copy of the letter.

MR. KEVIN MAYO, PLANNING MANAGER stated either way would be fine and will go on the record, if a copy is provided it would be attached to the Council memo.

MS. GORDON read her mother's letter into the record. "Because I am going to be out of town of the day of the Council meeting concerning the proposed building of Quiktrip station of the corner of Queen Creek and Gilbert Rd. I am writing this note to say that I do not have any objections to this property concerning the use. Any Quiktip I have ever been in, I am always pleased to note how clean, and pleasant everyone has been. The entire time Quiktrip has been working with Council. I have been impressed with their willingness to meet with the neighbors and try in every way to comply with any request we have had for the building. They have been more than willing to let the congregation of The Grove Church use the land for parking and for youth activities. I believe this should prove to City Council that Quiktrip will be a value added to the City. I have owned my property directly attached to that property for almost 60 years and feel that my willingness to have them as her neighbor should be important to City Council. From Mrs. Pratt."

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none.

CHAIRMAN PRIDEMORE stated he had another speaker card for a Mr. Baker and asked if he would like to speak.

RANDY BAKER, 13652 E. QUEEN CREEK RD. stated that as he was reading the letter form The Grove Church it stated that they have a working Pistachio grove and as long as he has lived there 30 years, that grove has not produced anything. He assumed when they built their church there they were going to build a fence between his and their property but there is no type of fence or brush fence dividing his property unto their property. He stated that Quiktrip has been very kind as his mother in law stated in the letter. Quiktrip has been able to let the church do their overflow parking there and Quiktrip is very generous to allow that. He is sure they will continue to use it until it becomes developed. He is also in favor of Quiktrip. There was a Circle K but they haven't had any undesirables there and he doesn't think Quiktrip will allow that. He and his wife Patsy are in favor.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none.

CHAIRMAN PRIDEMORE stated he had a speaker card for Item A and B from a Patsy Baker that is in favor of the item, however, did not wish to speak.

CHAIRMAN PRIDEMORE stated he had a speaker card is from Anthony Narducci. that is opposed to Item A.

ANTHONY NARDUCCI, 9708 E. GOLDEN ST. MESA, AZ stated he represents The Grove Church as Chairman and president. He stated they have no qualms about how QT operates their business. Their concerns are around the proximity of liquor sales to their church campus. Over 1000 children are on campus during the week and those are legitimate concern. Also, he knows that there are setback regulations set by the state and providing those, they really can't oppose the position of the store. But it is just a general concern that they have over the presence of liquor sales that close to a church and the fact that there are so many children on campus. He mentioned it is difficult to ascertain what will happen on their property but he does know that they run a really tide ship and his hope would be for them to continue to do as how they expect they will and that there is no issue with potential concerns that they have around who is present and what could happen as a result of those activities. He stated the folks they have been meeting with have assured them that those things won't happen and are very concerned about their position in the community. They have been great partners and they have been very grateful for the opportunity to walk with them through this process. Their only concern is the proximity to the liquor sales.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none.

CHAIRMAN PRIDEMORE stated he had another speaker card for John Dobbins that is in favor for Item A and B and states on the card "Let QT get their liquor license approved", however, he did not wish to speak.

CHAIRMAN PRIDEMORE stated he had a speaker card for Chris Pratt also regarding Item A and B that stated "Quiktrip will be a good neighbor". However, did not wish to speak.

CHAIRMAN PRIDEMORE stated the last speaker card is from the applicant Charles Huellmantel that is in favor of Item A and B and explained to him that the cases were still on consent and asked him if he still wished to speak. The applicant responded no. Chairman Pridemore advised him if the item gets pulled he will get a chance to speak.

CHAIRMAN PRIDEMORE asked the audience if anyone wish to speak or want any items pulled for a full presentation. There were none. He explained to the audience that they are only a recommending body and every item still has to go through City Council approval and encouraged everybody to continue to participate in the process and Item A and B are going to Council on September 15.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER ROSE** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Commissioner Donaldson, absent and one vacancy).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated with the single Council meetings per month, staff is carefully coordinating the agenda items with the goal of cancelling a couple of Planning Commission meetings if they are not necessary. He asked Commission if they plan holiday travels that will be placing them out of PZ to notify staff so staff can coordinate which meetings to cancel.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE advised Commission to communicate with staff if any meetings will be missed. He also stated the next regular meeting is September 7, 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 5:48 p.m.

Matthew Pridemore, Commissioner

Jeffrey A. Kurtz, Secretary