

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, September 7, 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 Donaldson.
3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore  
Vice Chairman Andrew Baron  
Commissioner Katy Cunningham  
Commissioner Bill Donaldson  
Commissioner David Rose

Absent and Excused:  
Commissioner Devan Wastchak

Also present:

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

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIRMAN BARON**, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the August 17, 2016, Planning Commission Hearing. The motion passed 4-0. (Commissioner Donaldson abstained since he was not present on August 17, 2016, Commissioner Wastchak 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.

A. DVR16-0008 ARISTA AT OCOTILLO

**Approved.**

Request rezoning from Planned Area Development (PAD) to PAD Amended to eliminate a zoning condition requiring 'for-sale' multi-family units, and Mid-Rise Overlay for building heights up to 57 feet on a portion of buildings adjacent to water's edge, along with Preliminary Development Plan approval for site layout and building architecture for a 210-unit multi-family

development located at the northwest and southwest corners of Edgewater Way and Dobson Road, south of Queen Creek Road.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled “Arista at Ocotillo” and kept on file in the City of Chandler Planning Division, in File No. DVR16-0008, 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. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City’s adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
8. Maximum building height shall be limited to 57 feet.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled “Arista at Ocotillo” and kept on file in the City of Chandler Planning Division, in File No. DVR16-0008, 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 along all street fronts shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
4. All raceway signage shall be prohibited within the development.
5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. handicap shall have direct access to all indoor and outdoor pedestrian spaces).

6. All ground-mounted equipment shall be screened from public view by landscaping or a concrete or masonry wall equal to or greater in height than the mechanical equipment.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner, property owners' association, or homeowners' association.
8. The parking space canopies shall incorporate building materials, forms, and colors to match the development.

**B. PDP16-0005 PRIMROSE SCHOOL OF CHANDLER  
CONTINUED TO OCTOBER 5, 2016, PLANNING COMMISSION FOR THE PURPOSE  
OF CONDUCTING A DESIGN REVIEW COMMITTEE MEETING.**

Request Preliminary Development Plan (PDP) approval for site layout and building design for a preschool/childcare development. The property is located at the northwest corner of Chandler Boulevard and Terrace Road, east of Rural Road.

**C. LUP16-0020 ESPO'S MEXICAN FOOD  
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 12 Restaurant License. The request includes continuing occasional live music indoors and within an outdoor patio at an existing restaurant. The restaurant is located at 3867 West Chandler Boulevard, the southeast corner of Chandler Boulevard and Calle Entrada.

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 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. 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.
5. The site shall be maintained in a clean and orderly manner.
6. Live entertainment 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.

**D. LUP16-0026 RUBIO'S COASTAL GRILL  
Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The new restaurant is located at 3885 South Arizona Avenue, Suite 1, the northeast corner of Arizona Avenue and Ocotillo Road.

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.

E. LUP16-0027 MAMBO'S DOMINICAN KITCHEN

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The request includes occasional live music indoors and within an outdoor patio. The restaurant is located at 1950 North Arizona Avenue, Suite 8, the southwest corner of Arizona Avenue and Warner Road.

1. The Liquor Use Permit is granted for a Series 12 Restaurant license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
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 locations.
4. 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.
5. The site shall be maintained in a clean and orderly manner.
6. 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.

F. LUP16-0030 ELEMENT HOTEL

**Approved.**

Request Liquor Use Permit approval to sell and serve beer and wine for on-premise consumption indoors and within an outdoor patio/pool area, and off-premise consumption at a new hotel as permitted under a Series 7 Beer and Wine Bar License. The new hotel is located at 44 South Chandler Village Drive, south of the southwest corner of Chandler Boulevard and Chandler Village Drive.

1. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar 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 locations.
4. 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.
5. The site shall be maintained in a clean and orderly manner.

G. CANCELLATION OF THE SEPTEMBER 21, 2016 PLANNING COMMISSION HEARING

**Approved.**

**CHAIRMAN PRIDEMORE** asked the audience if anyone wish to speak or want any items pulled for a full presentation. There were none.

**MOVED BY VICE CHAIRMAN BARON** seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Vice Chairman Baron abstained from voting on Item A as he provided client services, Commissioner Wastchak absent and one vacancy).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

**CHAIRMAN PRIDEMORE** advised Commission the next regular meeting is October 5, 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 5:41 p.m.

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Matthew Pridemore, Commissioner

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Jeffrey A. Kurtz, Secretary