

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, September 15, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:04 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

Absent and Excused: Vice Mayor Jack Sellers

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Glenn Brockman	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor J.C. Baysinger – Desert Palms Church

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER ROE TO APPROVE THE CONSENT AGENDA. THE MOTION CARRIED UNANIMOUSLY (6-0).

1. EXCHANGE OF PROPERTY:

INTRODUCED ORDINANCE NO. 4707 authorizing the exchange of a portion of Ellis Street within the Continuum Project, for a parcel owned by the United States of America, in order to relocate an existing irrigation ditch; and, accepting a no cost land use license from Salt River Project over those portions of Ellis Street.

As part of the development of the Continuum Project and the future construction of Mockingbird Drive, it has become necessary to relocate an existing irrigation facility owned by the United States of America (USA). To accomplish this, an exchange of a parcel of land owned by the USA for a parcel of land owned by the City of Chandler (City) is necessary. The City will be receiving approximately 38,725 square feet of USA land in exchange for approximately 900 square feet of City land. Additionally, SRP will grant a land use license to the City over those portions of Ellis Street. Even though the parcels are not of equal size, due to their nature and current use, Staff has determined that they are of the same value for purposes of this exchange.

2. CITY CODE AMENDMENT: E-Cigarette Ord. # 4710

INTRODUCED ORDINANCE NO. 4710 amending City Code Sections 11-7.1, 11-7.2, 11-7.5, 11-7.6 and 11-7.7 of Chapter 11 prohibiting the use of electronic cigarettes inside City owned or occupied buildings and fully authorizing the prohibition against smoking in the exterior areas of the City Hall campus located at Arizona Avenue and Chicago Street.

Chandler City Code currently prohibits smoking within enclosed buildings owned by the City. The proposed amendment would include a ban on the use of electronic cigarettes inside the buildings. Additionally, the proposed amendment fully authorizes the prohibition against any form of smoking in the exterior areas of the City Hall campus located at Arizona Avenue and Chicago Street.

3. CABLE TELEVISION LICENSE: Qwest / CenturyLink Ord. # 4715

INTRODUCED ORDINANCE No. 4715 granting Qwest Broadband Services, Inc. (QBSI), d/b/a/ CenturyLink, a Cable Television License Agreement and Class 6 Cable Television and Related Services License for the City of Chandler.

City Council adopted Ordinance No. 2890 granting US West Communications, Inc., subsequently acquired by Qwest Broadband Services, Inc. (QBSI), a non-exclusive 15-year cable television License Agreement effective November 7, 1998. In 2000, US West Communications, Inc., merged with Qwest Communications, and in 2011, Qwest Communications merged with CenturyLink. Despite the most recent merger, the operating entity for the cable television license remains Qwest Broadband Services, Inc.

During 2014, QBSI upgraded the cables and electronic equipment in their network to launch "Prism TV" - a cable television service that is designed to provide a better experience for the customers. The number of Chandler households subscribing to Prism TV has grown from 500 customers in December 2013, to more than 6,600 customers as of March 2016.

The most recent cable license expired on November 6, 2013, but a provision in the license allowed QBSI to continue to operate under the existing license while the City and QBSI finalized the negotiation of the renewal license. During that time the City updated Chapter 46 of the City Code related to Cable Television Licenses in order to reflect new State Statutes related to such licenses. The City also finalized an audit of the construction compliance of the system's aerial plant. This cable television license renewal, if approved, will be effective as of November 7, 2013, and will expire on November 6, 2028.

The new license incorporates all the changes made in the Chandler Code related to cable television licenses. It establishes a non-exclusive 15-year Cable Television License Agreement between the City of Chandler and QBSI for the continuation of the operation of a system to provide cable television-related services to the City of Chandler and satisfies the license requirements of a Class 6 Cable Television and Related Services License according to Chapter 46 of the Chandler City Code. Of note is that it provides customer service provisions that are more detailed and designed to set the highest levels and standards of service to subscribers within the State of Arizona. The Construction Standards in the Agreement also reflect City Code and Utility Development Manual changes that have occurred over the past 15 years.

4. EASEMENT: Salt River Project Ord. #4717
- INTRODUCED ORDINANCE NO. 4717 granting an Irrigation Easement, at no cost, to Salt River Project Agricultural Improvement and Power Distribution District (SRP) within the northern right-of-way of Chandler Boulevard from Alma School Road west to just past Chippewa Place.
5. FACILITY RELOCATION AGREEMENT: SRP Res. 4974
- ADOPTED RESOLUTION No. 4974 authorizing a Facility Relocation Agreement with the Salt River Project Agricultural Improvement and Power District (SRP) at the southwest corner of Old Price and Queen Creek roads. In order to accommodate the development of the Ocotillo Water Reclamation Facility (OWRF) located at the southwest corner of Old Price and Queen Creek roads, it is necessary to relocate power facilities owned by SRP. Staff has confirmed that SRP has prior rights for these facilities. The Facility Relocation Agreement preserves SRP's prior rights and would require the City of Chandler to pay for future relocations of SRP's facilities should that become necessary.
6. HOUSING: Consolidated Annual Performance and Evaluation Report Res. 4984
- ADOPTED RESOLUTION NO. 4984 approving the Consolidated Annual Performance and Evaluation Report (CAPER) for the fiscal year 2015-2016 and authorizing the City Manager or her designee to execute and submit the CAPER to the United States Department of Housing and Urban Development.
7. GRANT AGREEMENT: High Intensity Drug Trafficking Area Res. 4988
- ADOPTED RESOLUTION NO. 4988 authorizing a High Intensity Drug Trafficking Area (HIDTA) Grant Agreement with the City of Tucson for the provision of investigative services, and authorizing the Chief of Police to sign the Agreement and administer, execute, and submit all documents and other necessary instruments in connection with such Agreement.
8. LICENSE AGREEMENT: SRP Res. 4989
- ADOPTED RESOLUTION NO. 4989 accepting a Land Use License from Salt River Project (SRP), on behalf of the United States of America, for a portion of the north side of Chandler Boulevard from Alma School Road East to Evergreen Street that is required for the construction of the City's Alma School Road and Chandler Boulevard Intersection Improvement Project.
- In 1909, the Consolidated Canal Company sold a strip of land to the United States of America (USA) for an irrigation canal that runs along the north side of Chandler Boulevard east of Alma School Road. To accommodate the construction of the Alma School Road and Chandler Boulevard Intersection Improvement Project (the "Project"), and because that relocation of the USA irrigation facilities that is currently piped underground in this area is not necessary, SRP has agreed to provide a Land Use License to the City of Chandler, on behalf of the USA that will allow Chandler Boulevard to continue to be used over the USA irrigation pipe. The acceptance by the City of the Land Use License will save the City a great deal of time and money on the Project.
9. COUNCIL MEETING SCHEDULE CY 2017: Res. 4991

ADOPTED Resolution No. 4991 setting the 2017 City Council meeting schedule.

10. BENEFITS: Employee Eligibility

Res. 4995

ADOPTED RESOLUTION NO. 4995 adopting a statement of Employee Eligibility to be included as part of the City's Employee Benefits Program and Plans.

11. DEVELOPMENT PLAN: STELLAR BUSINESS PARK LOTS 2 & 3,

APPROVED Preliminary Development Plan approval for site layout and building architecture for a new office and warehouse building on an approximate 4.3-acre site at the northwest corner of Chandler Boulevard and Juniper Drive. Applicant: Robert Winton, Winton Architects

The request was continued from the August 11, 2016, City Council meeting in order to update the building elevations based on comments provided by the Planning Commission during their study session of the July 20, 2016, Planning Commission meeting. The elevations have been updated according to the provided comments.

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Commission and Planning Staff recommend approval subject to conditions.

BACKGROUND

The 4.3-acre site is located at the northwest corner of Chandler Boulevard and Juniper Drive within the larger 30-acre Stellar Business Park. West is a five building development and north is vacant land that is part of the Stellar Business Park. East is vacant land zoned for office, warehouse, and retail uses as part of the Chandler Corporate Center. The site received zoning in 2001, with an amendment clarifying the permitted uses in 2005.

The request is for PDP approval for site layout and building architecture for a new office and warehouse building. The building is set on the west side of the property, as an over flight clear zone covers the entire east side of the site. Due to this, effectively development can only occur on the west side of the site resulting in a design that places the front of the building facing west. While buildings are not allowed within the clear zone, any parking and retention areas can be located within the area.

The building mimics the architecture of the five original buildings in the Stellar Business Park to the west, utilizing concrete tilt-up construction. Architectural interest is provided by using the same color palette and scoring patterns of the buildings to the west. Additionally, aluminum band elements wrap the corners of the front side of the building. The aluminum band elements are further carried over the entrances. A large floor to roof glass wall is provided central to the front elevation, an element consistent with the original buildings. Lastly, the main entry drive off of Chandler Boulevard is shared with the buildings to the west, effectively making this site phase two.

Planning Staff supports the request citing that the design team has provided an attractive development that corresponds with the adjacent development but also provides a solution to the difficult development constraints placed on the site due to the clear zone area. Furthermore, the design team has provided a design consistent with the adjacent buildings and larger business park development in the area.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- Due to the location of the site and development proposed, a neighborhood meeting was not held; however, letters were sent to all property owners and registered neighborhood organizations

consistent with notification requirements. Additionally, the development team met with the Stellar Airpark Manager to discuss the request.

- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition to the request.

The Planning Commission voted 6-0 to approve the project.

Two Commissioners recommended modifications to the eastern elevation due to visibility from Chandler Boulevard; the current design represents the updated elevations.

Preliminary Development Plan

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "STELLAR BUSINESS PARK LOTS 2 & 3" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0006, 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 shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
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. 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.
7. The outdoor storage of materials shall be prohibited.

12. ELECTION RESULTS:

ACCEPTED the canvass of the results of the City of Chandler Primary Election on August 30, 2016.

13. MEMBERSHIP FEE: Valley Metro Rail, Inc.

AUTHORIZED payment of the Fiscal Year 2016/17 annual membership fee for Valley Metro Rail, Inc., (METRO), in the amount of \$50,000. In 2007, the City of Chandler joined METRO. This enables the City to participate in the planning and design of the regional light rail system and future light rail extensions that could serve Chandler. The annual fees are for membership in the organization, administrative costs, and approximately 50% have been used for studies.

14. CITY BENEFIT PROGRAMS:

AUTHORIZED the administration of statutorily and self-administered City benefit programs to include cancer insurance, retirement for civilian, public safety and elected officials, an long term disability for benefit plan year 2017, effective January 1, 2017.

15. BOARD AND COMMISSION APPOINTMENTS:

APPROVED the appointment of: Renee Levin to the Chandler Cultural Foundation Management Board; Terry Locke and David Moss to the Economic Development Advisory Board; Maxine Proctor-Hammond to the Library Board; and Romina Ryals to the Neighborhood Advisory Committee.

16. AGREEMENT: Utility Construction Company, Inc.

APPROVED Amendment No. 3 to Agreement No. TD4-968-3404, with Utility Construction Company, Inc., for streetlight pole replacement, in an amount not to exceed \$225,000, for one year.

17. AGREEMENT: Arizona Water Works Supply

APPROVED Amendment No. 1 to Amendment No. 1 to Agreement No. WH6-890-3568, with Arizona Water Works Supply, for non-pop valve lids, in an amount not to exceed \$100,000, for the term of September 1, 2016, through August 31, 2017.

18. EMPLOYEE MEDICAL BENEFITS: Blue Cross Blue Shield of Arizona

APPROVED Amendment No. 1 to Agreement No. HR5-948-3502, with Blue Cross Blue Shield of Arizona (BCBS), for group medical benefits, group pharmacy benefits, and stop loss insurance, in an amount not to exceed \$900,000, for one year, January 1, 2017, through December 31, 2017.

The City's medical benefit is reviewed throughout the year by staff with collaboration and input from the Citywide Healthcare Task Force (HCTF) and the City's benefit consultant. As part of the ongoing efforts to manage the increasing cost of healthcare, staff and the HCTF reviewed the City's utilization of pharmaceutical benefits. As a result, there are proposed changes to the prescription drug portion of the plan. There are slight increases in copayments for tiers two (2) and three (3). In addition, a fourth tier for the prescription drug plan will be added, which will include high cost drugs that have a lower cost equivalent in one of the lower tiers. The copayment for prescription drugs will change from \$10/\$20/\$40, to the proposed structure of \$10/\$30/\$50/\$100. The specialty drug component of the plan currently includes only injectable drugs. This component will be expanded to include other specialty drugs. This expansion will also result in improved safety and compliance measures with additional clinical resources working with each patient to ensure proper dosage, and monitoring of possible interactions with other prescriptions. Staff recommends the City continue to contract with BCBS to provide the administration of the City's group medical and pharmacy program to include customer service support, administrative services, network contracts, clinical programs, pharmacy benefit management services, and stop loss coverage. With the incorporation of the proposed pharmacy changes, there will be no increase in premiums for the 2017 plan year.

19. EMPLOYEE DENTAL BENEFIT: Delta Dental of Arizona

APPROVED CY 2017 Amendment to the Agreement with Delta Dental Plan of Arizona, Inc., for the dental insurance benefit, in an amount not to exceed \$105,000, for one year, January 1, 2017, through December 31, 2017.

20. LONG TERM DISABILITY INSURANCE: Anthem Life Insurance Company

APPROVED CY 2017 Amendment to the Agreement with Anthem Life Insurance Company, for the long-term disability insurance benefit for public safety personnel, in an amount not to exceed \$145,000, for one year, January 1, 2017, through December 31, 2017.

21. LIFE INSURANCE: Voya Financial

APPROVED CY 2017 Amendment to the Agreement with Voya Financial, for life insurance, in an amount not to exceed \$775,000, for one year, January 1, 2017, through December 31, 2017.

22. INSURANCE: Liberty Mutual

APPROVED CY 2017 Amendment to the Agreement with Liberty Mutual Insurance Company, Inc., for discounted group coverage for home and auto insurance, for one year, January 1, 2017, through December 31, 2017.

23. FLEXIBLE SPENDING ACCOUNT AGREEMENT: Flexible Benefit Administrators, Inc.

APPROVED CY 2017 Amendment to Agreement No. HR5-953-3517, with Flexible Benefit Administrators, Inc., for flexible spending account administration, in an amount not to exceed \$12,000, for one year, January 1, 2017, through December 31, 2017.

24. SHORT TERM DISABILITY PROGRAM: Matrix Absence Management, Inc.

APPROVED CY 2017 Amendment to the Agreement with Matrix Absence Management, Inc., for administration of the short-term disability income benefit plan and Family Medical Leave Act administration services, in an amount not to exceed \$75,000, for one year, January 1, 2017, through December 31, 2017.

25. VISION INSURANCE: Vision Service Plan Insurance Company

APPROVED CY 2017 Amendment to the Agreement with Vision Service Plan Insurance Company, for the vision insurance benefit, in an amount not to exceed \$410,000, for one year, January 1, 2017, through December 31, 2017.

26. AGREEMENT: Innovations Incubator Management

APPROVED Amendment No. 1 to Agreement No. CM5-918-3561, with the Northern Arizona Technology and Business Incubator Inc., dba Northern Arizona Center for Entrepreneurship and Technology (NACET), for Innovations Incubator management services in a not to exceed amount of \$250,000 for a one-year period, October 1, 2016, to September 30, 2017.

27. EMPLOYEE ASSISTANCE PROGRAM: E4 Health

APPROVED CY 2017 Amendment 1 to Agreement No. HR5-948-3528, with E4 Health, Inc., for the employee assistance program, in an amount not to exceed \$38,000, for one year, January 1, 2017, through December 31, 2017.

28. BMW POLICE MOTORCYCLE PARTS/REPAIR: GO AZ Motorcycles

APPROVED Agreement No. FD6-071-3688, with LZ Delta LLC., dba GO AZ Motorcycles, for Police BMW motorcycle parts, maintenance and repair, in an amount not to exceed \$100,000, for a two-year term, December 1, 2016, through November 30, 2018, with the option of one two-year extension.

29. VEHICLES:

APPROVED Agreement No. AS7-071-3712, for the purchase of light duty trucks and Sport Utility Vehicles (SUVs), with PFVT Motors in an amount of \$130,966.79, San Tan Auto Partners, LLC, dba San Tan Ford in an amount of \$442,941, and Courtesy Chevrolet in an amount of \$55,513.21, for a total amount of \$629,421.00. This request is for 26 light duty trucks and SUVs.

30. AGREEMENT: Dick Fritsche Design

APPROVED a Project Agreement to Dick & Fritsche Design Group, for design services, for Center for the Arts Bathroom Renovations, Project No. BF1703.201, pursuant to Annual Architectural Services Contract, No. EN1503.101, in an amount not to exceed \$47,160.00.

The Chandler Center for the Arts is located at 250 N. Arizona Avenue and was built in 1989. In 2010, portions of the building were renovated but the public restrooms have not had any significant upgrades since the opening. Renovations to the existing two sets of public restrooms totaling approximately 2,200 square feet are proposed to ensure accessibility in compliance with the Americans with Disabilities Act, while enhancing aesthetics with new toilet partitions, finishes, tile, mirrors, and hand dryers. Upgrades and improvements also include new low water use plumbing fixtures, addition of isolation valves to allow for current and future work, and low energy light fixtures.

The scope of work consists of design development documents, site and coordination meetings, construction documents, and bidding assistance.

31. AGREEMENT: Dibble & Associates

APPROVED A Project Agreement to Dibble & Associates Consulting Engineers, Inc., an Arizona corporation dba Dibble Engineering, Inc., for design services, for the North Alma School Water Production Facility Abandonment, pursuant to Annual Water and Wastewater Services Contract No. EN1520.101, Project No. WA1607.201, in an amount not to exceed \$51,365.

The North Alma School Water Production Facility (WPF) is located at 3202 N. Alma School Road and was taken out of service in 2004 after the onsite well was abandoned and structural issues were discovered with the small onsite reservoir. Several months ago, City staff began working with Salt River Project (SRP) to drill a new well on this site and abandon the existing SRP well site located at the northwest corner of Alma School and Elliot Roads.

A new well site located at the North Alma School WPF site will be vital in providing the future water supply for increased population densities in north Chandler. The new well will be shared with SRP under the existing Water Delivery Use Agreement. A Design and Construction Agreement with SRP will be brought forward for City Council approval of the well drilling and equipping costs and to exchange ownership of the North Alma School WPF site with SRP.

32. AGREEMENT: Dibble & Associates

APPROVED a Project Agreement to Dibble & Associates Consulting Engineers, Inc., an Arizona corporation dba Dibble Engineering, Inc., for Sewer Assessment Services, pursuant to Annual Water and Wastewater Services Contract No. EN1520.101, Project No. WW1611.201, in an amount not to exceed \$455,535.

The 2008 Wastewater Master Plan identified an ongoing need to evaluate, prioritize, and repair sewer lines and manholes within the City's collection system. This project will evaluate the structural condition

of the sewer collection system. The findings will help prioritize rehabilitation or replacement of wastewater sewer lines and manholes. Sewer infrastructure will be inspected through closed circuit television, 3D optic scanner, and manned entry. This work will focus on arterial streets and other critical sewer facilities. As a result of this study, wastewater facility rehabilitation projects will be brought forward in the future for City Council consideration.

33. AGREEMENT AMENDMENT: Environmental Earthscapes / The Groundskeeper

APPROVED Amendment No. One to Agreement No. PM6-988-3565, with Environmental Earthscapes, dba The Groundskeeper, for park mowing services, in an amount not to exceed \$376,000 for the term of September 1, 2016, through August 31, 2017.

34. AGREEMENT AMENDMENT: Municipal Emergency Services, Inc.

APPROVED Amendment No. 6 to Agreement No. FD3-340-3133 with Municipal Emergency Services, Inc., (MES) for fire protective clothing and uniforms, for a not to exceed amount of \$593,300, for the term of September 15, 2016, through September 14, 2017.

35. TOWING CONTRACT AMENDMENT: ACT Towing

APPROVED Amendment No. 2 extending Agreement No. PD3-968-3140, for police towing service, with ACT Towing, LLC, dba All City Towing, for a two-year term, January 1, 2017, through December 31, 2018.

36. CONSTRUCTION CONTRACT: DNG LLC

APPROVED Construction Contract to DNG LLC, for Fire Station No. 3 Bathroom Remodel, Project No. BF1602.401 in an amount not to exceed \$258,225.29; and authorize a budget transfer in the amount of \$108,225.29 from the General Government Capital Project Fund, Fire Capital Other Equipment Fire Station #1 Relocation Project to the General Government Capital Project Fund, Buildings & Facilities Capital Construction Building & Facilities Existing City Building Repair and Maintenance Account.

37. CONTRACT: Green & Baker, LTD

APPROVED contract with Green & Baker, Ltd., to provide legal services related to Merit System Board appeal hearings for the period of September 16, 2016, through September 15, 2018. It has been determined to be in the City's best interest to employ outside counsel to represent the Department in certain Merit System Board hearings when the disciplinary matters, employees, or issues involved raise potential conflicts for the attorneys in the City Attorney's Office.

38. CONTRACT: Dibble Engineering

APPROVED Annual Contract for Airport Design and Construction Management Services, Contract. EN1701.101, with Dibble Engineering, in an amount not to exceed \$500,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Design and Construction Management Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

39. CONTRACT: Armstrong Consultants, Inc.

APPROVED Annual Contract for Airport Design and Construction Management Services, Contract. EN1702.101, with Armstrong Consultants, Inc., in an amount not to exceed \$500,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Design and Construction Management Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

40. CONTRACT: Coffman Associates, Inc.

APPROVED Annual Contract for Airport Planning Services, Contract. EN1703.101, with Coffman Associates, Inc., in an amount not to exceed \$300,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Planning Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

41. CONTRACT: Mead & Hunt, Inc.

APPROVED Annual Contract for Airport Planning Services, Contract. EN1704.101, with Mead & Hunt, Inc., in an amount not to exceed \$300,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Planning Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

42. CONTRACT: Crescent Electric Supply Company

APPROVED Agreement No. TD6-285-3639, with Crescent Electric Supply Company, for the one-time purchase of LED luminaires, for a total amount not to exceed \$362,119.

Traffic Engineering has a program to retrofit, on a Citywide basis, street lights with LED units that are more energy efficient, require less maintenance, and provide a pleasing white color rendition. For FY16-17, we will be retrofitting street light luminaires at all traffic signals in the City for a total of 746 units. Given the large quantity pricing, we will purchase an additional 30 units for spot replacements elsewhere in the City to ensure consistency with other LED installations done through development projects. This project is anticipated to save the City \$59,000 per year in energy costs, with a Return on Investment of less than five years. The LED street lights have a five year warranty, and rated life of 15 years.

43. PROJECT AGREEMENT: DNG Construction, LLC

APPROVED Staff a Project Agreement with DNG Construction, LLC, for Dakota Street Improvements Phase I, San Marcos Place Landscape, Project No. ST1511.401, pursuant to Job Order Contracting (JOC) General Construction Services Contract No. JOC1602.401, in an amount not to exceed \$145,515.

The City of Chandler entered into an improvement agreement with San Marcos Hotel, LLC, that was fully executed on July 7, 2015, regarding the extension of Dakota Street from Buffalo Street to

Commonwealth Avenue through the hotel property. As consideration for the dedication of the Dakota Street right of way by the hotel, the City agreed to construct improvements along the west side of San

Marcos Place adjacent to the hotel. The right of way to be dedicated for the Dakota Street extension was valued at \$208,000 by an independent appraiser at that time.

The proposed improvements include the removal of eight parking spaces which will be replaced with hardscape and landscape improvements and required ADA accessibility upgrades.

The design of this project was coordinated with the stakeholders including San Marcos staff and the Downtown Chandler Community Partnership (DCCP).

44. CONTRACT: Wright Engineering Corporation

APPROVED a Professional Services Contract to Wright Engineering Corporation, for a traffic signal on Gilbert Road at Powell Place, Project No. ST1615.201, in an amount not to exceed \$38,820.00.

The project scope includes the design of the traffic signal, the American with Disabilities Act (ADA) improvements, ADA analysis of the approaching sidewalks, and realignment of the onsite driveway to Powell Place.

45. CONTRACT: APS

APPROVED a design-construction contract to APS for Downtown Infrastructure Improvements, Contract No. WW1506.501, in an amount not to exceed \$458,622.33.

Downtown redevelopment projects require underground conversion of overhead utility lines on Site 6, Oregon Street, Oregon Alley, Boston Alley, and Chicago Streets. .

46. CONTRACT: CenturyLink, Inc.

APPROVED a design-construction contract to CenturyLink, Inc. for Downtown Infrastructure Improvements, Contract No. WW1506.503, in an amount not to exceed \$49,799.05.

Downtown redevelopment projects require underground conversion of overhead utility lines on Site 6, Oregon Street, Oregon Alley, Boston Alley, and Chicago Streets. The project scope of work consists of the design-construction for the conversion of the CenturyLink overhead communications lines.

47. CONTRACT: Cox Communications

APPROVED a design-construction contract to Cox Communications for Downtown Infrastructure Improvements, Contract No. WW1506.502, in an amount not to exceed \$45,000.00.

Downtown redevelopment projects require underground conversion of overhead utility lines on Site 6, Oregon Street, Oregon Alley, Boston Alley, and Chicago Streets. The project scope of work consists of the design-construction for the conversion of the Cox Communications overhead communications lines.

48. CONTRACT AMENDMENT: Dieterich Architectural Group, Inc.

APPROVED Contract Amendment No. 1 extending Annual Architecture Services, Contract No. EN1502.101, with Dieterich Architectural Group, Inc., in an amount not to exceed \$150,000 per year, for a two (2) year term.

Staff anticipates needing services related to Architecture Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the

option to renew for a single two (2) year term. Dependent upon the project architecture needs, work will rotate among three (3) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

49. CONTRACT AMENDMENT: Dick & Fritsche Design Group

APPROVED Contract Amendment No. 1 extending Annual Architecture Services, Contract No. EN1503.101, with Dick & Fritsche Design Group, in an amount not to exceed \$150,000 per year, for a two (2) year term.

Staff anticipates needing services related to Architecture Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the option to renew for a single two (2) year term. Dependent upon the project architecture needs, work will rotate among three (3) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

50. CONTRACT AMENDMENT: Taylor Rymar Corporation

APPROVED Contract Amendment No. 1 extending Annual Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services, Contract No. EN1514.101, with Taylor Rymar Corporation, in an amount not to exceed \$200,000 per year, for a two (2) year term.

Staff anticipates needing services related to Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the option to renew for a single two (2) year term. Dependent upon the project facilities engineering and mechanical, plumbing, and electrical engineering needs, work will rotate among three (3) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

51. CONTRACT AMENDMENT: MSA Engineering Consultants

APPROVED Contract Amendment No. 1 extending Annual Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services, Contract No. EN1515.101, with Melroy Engineering, Inc., dba MSA Engineering Consultants, in an amount not to exceed \$200,000 per year, for a two (2) year term.

52. CONTRACT AMENDMENT: Spectrum Engineers, Inc.

APPROVED Contract Amendment No. 1 extending Annual Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services, Contract No. EN1516.101, with Spectrum Engineers, Inc., dba Spectrum Engineers and Total Building Commissioning, in an amount not to exceed \$200,000 per year, for a two (2) year term.

53. CONTRACT AMENDMENT: Ninyo and Moore

APPROVED Contract Amendment No. 1 extending Annual Environmental Services, Contract No. EN1507.101, with Ninyo and Moore, in an amount not to exceed \$100,000 per year, for a two (2) year term.

54. CONTRACT AMENDMENT: AMEC Foster Wheeler Environment Infrastructure, Inc.

APPROVED Contract Amendment No. 2 extending Annual Environmental Services, Contract No. EN1509.101, with AMEC Foster Wheeler Environment Infrastructure, Inc., in an amount not to exceed \$100,000 per year, for a two (2) year term.

55. CONTRACT AMENDMENT: Aztec Engineering Group, Inc.

APPROVED Contract Amendment No. 1 extending Annual Civil Engineering Services, Contract No. EN1505.101, with Aztec Engineering Group, Inc., in an amount not to exceed \$300,000 per year, for a two (2) year term.

56. CONTRACT AMENDMENT: Southwest Ground-water Consultant

APPROVED Contract Amendment No. 4 extending Annual Hydrogeological Services, Contract No. EN1203.101, with Southwest Ground-water Consultant in an amount not to exceed \$500,000.

57. CONTRACT AMENDMENT: J2 Engineering & Environmental Design, LLC

APPROVED Contract Amendment No.1 extending Annual Landscape Services, Contract No. EN1510.101, with J2 Engineering & Environmental Design, LLC, in an amount not to exceed \$300,000 per year, for a two (2) year term.

58. CONTRACT AMENDMENT: Gavan & Barker, Inc.

APPROVED Contract Amendment No. 2 extending Annual Landscape Services, Contract No. EN1511.101, with Gavan & Barker, Inc., in an amount not to exceed \$350,000 per year, for a two (2) year term.

59. CONTRACT AMENDMENT: Environmental Planning Group, LLC

APPROVED Contract Amendment No. 1 extending Annual Landscape Services, Contract No. EN1512.101, with Environmental Planning Group, LLC, in an amount not to exceed \$150,000 per year, for a two (2) year term.

60. CONTRACT AMENDMENT: Olsson Associates, Inc.

APPROVED Contract Amendment No. 1 extending Annual Landscape Services, Contract No. EN1513.101, with Olsson Associates, Inc., in an amount not to exceed \$100,000 per year, for a two (2) year term.

61. CONTRACT AMENDMENT: Wilson Engineers, LLC

APPROVED Contract Amendment No.1 extending Annual Water/Wastewater Services, Contract No. EN1517.101, with Wilson Engineers, LLC, in an amount not to exceed \$1,500,000 per year, for a two (2) year term.

62. CONTRACT AMENDMENT: Carollo Engineers, Inc.

APPROVED Contract Amendment No.1 extending Annual Water/Wastewater Services, Contract No. EN1518.101, with Carollo Engineers, Inc., in an amount not to exceed \$1,500,000 per year, for a two (2) year term.

63. CONTRACT AMENDMENT: CH2M Hill Engineers, Inc.

Contract Amendment No.1 extending Annual Water/Wastewater Services, Contract No. EN1519.101, with CH2M Hill Engineers, Inc., in an amount not to exceed \$1,500,000 per year, for a two (2) year term.

64. CONTRACT AMENDMENT: Stantec Consulting Services, Inc.

APPROVED Contract Amendment No. 1 extending Annual Water/Wastewater Services, Contract No. EN1521.101, with Stantec Consulting Services, Inc., in an amount not to exceed \$750,000 per year, for a two (2) year term.

65. CONTRACT AMENDMENT: AZTEC Engineering Group, Inc.

APPROVED Contract Amendment No. 1 extending Annual Water/Wastewater Services, Contract No. EN1523.101, with AZTEC Engineering Group, Inc., in an amount not to exceed \$750,000 per year, for a two (2) year term.

66. EQUIPMENT PURCHASE: TYMCO, Inc.

APPROVED approve the utilization of the Houston-Galveston Area Council of Governments (HGAC) contract with TYMCO, Inc., for purchase of a regenerative air street sweeper, in the amount of \$229,723.47.

67. EQUIPMENT PURCHASE: Sanderson Ford

APPROVED the utilization of Arizona State Contract No. ADSP014-063240, with Sanderson Ford, for the purchase of a cab and chassis with aerial device, in the amount of \$119,039.18.

68. EQUIPMENT PURCHASE: Creative Bus Sales, Inc.

APPROVED the utilization of the State of Arizona Contract ADSP016-1022778, with Creative Bus Sales, Inc., for the purchase of one (1) 14-passenger wheelchair accessible bus in the amount of \$60,658.

69. PURCHASE OF VEHICLES: Police

APPROVED the use of the State of Arizona Contract ADSP012-001167, for the purchase of undercover vehicles, from Chapman Ford in an amount of \$23,141.92, Courtesy Chevrolet in an amount of \$52,767.70, Larry Miller Dodge in an amount of \$25,964.32, Larry Miller Toyota in an amount of \$78,673.97, Midway Nissan in an amount of \$70,458.84, and Sanderson Ford in an amount of \$21,345.87, for a total amount of \$272,352.62.

70. PURCHASE OF VEHICLES: Citywide

APPROVED use of the State of Arizona Contract No. ADSP012-001167 and ADSP014-063420, for the purchase of medium duty trucks and vans, from Larry Miller Dodge, in the amount of \$26,656.40, and Sanderson Ford, in the amount of \$465,730.64, for a total amount of \$492,387.04; and authorize the transfer of \$1,440 from the Vehicle Replacement Fund, Non-Departmental Contingency Account) to the Vehicle Replacement Fund, Print, Mail, and Graphics Motor Vehicle Account .

71. CONTRACT FOR SERVICES: Level 3

APPROVED the utilization of the State of Arizona Contract No. ADSPO15-096675, with Level 3, for DDoS protection services, in the amount of \$60,000.

Distributed Denial of Service (DDoS) attacks are computer based hacking attacks over the Internet that flood Internet connections with traffic and cause service availability outages to external facing web services and systems. The City of Chandler was subjected to one of these attacks in March of 2015,

which brought down our external facing web services and employee access to the Internet for about 2.5 hours. There are technology providers who provide services to protect the City's Internet connections from these attacks and allow for City services to continue uninterrupted. These DDoS protection services capture and scrub away the bad attack traffic before reaching City routers and firewalls and then sends Chandler clean and wanted traffic destined for our external facing web servers.

This need was identified in the FY16-17 budget process jointly between Law and Information Technology and a decision package was submitted, approved, and adopted utilizing ongoing funding in the Insured Liability Self Insurance Fund.

City staff has spent considerable time reviewing options for this service and recommend utilizing the services of Level 3. They provide the most robust solution and best value for the cost. The City currently utilizes Level 3 for Internet connectivity. This service is renewable annually.

72. EQUIPMENT PURCHASE: vCore

APPROVED the utilization of the State of Arizona Contract No. ADSPO16-100284, with vCore, for the purchase of servers and network storage equipment, in the amount of \$603,316.

The City of Chandler Police Department originally began implementation of their Records Management System (RMS) and Computer Aided Dispatch System (CAD) in FY 10/11. The server and storage equipment has reached end of life and capacity and is due for replacement.

The City has standardized on EMC Storage technologies coupled with VMWare server and desktop virtualization in order to provide the most efficient and supportable solutions for City services. These technologies are used to support critical Citywide services including the Police Department's Versatarm CAD/RMS suite of products.

The recommended solution design is comparable to the current implementation with increases in performance and capacity to meet future needs while supporting today's requirements.

73. PURCHASE: Dell Marketing LP

APPROVED the utilization of the State of Arizona Contract No. ADSPO16-098163, with Dell Marketing L.P., for laptop computers and peripherals, in the amount of \$263,068.

The City of Chandler annually reviews the reliability and need for replacement of laptop computers after five years of use and monitors after seven years of use. As part of this review, several laptop computers and associated peripherals have been identified for replacement during FY 16/17. Departments are already experiencing outages and slowdowns due to equipment limitations/failures. These units have reached the end of their usable life and are no longer serviceable.

Dell Computers have been the standard for desktop and laptop computers for the City since 2007 when they were selected after comparing their offerings to other competitors. Using a single provider for these devices allows for better support and management in several ways: a single software image can be applied to all devices; technicians only need to become experts at limited number of different devices; lower quantities of different replacement parts need to be stocked; and devices can easily be swapped or moved as required.

By aggregating annual purchases into a single order, the City was able to negotiate a much larger discount than would normally be provided. This purchase includes the following items:

13 dispatch computers for Police Department	84 laptops (44 standard, 33 rugged, 7 semi-rugged)
108 Monitors	15 laptop docking stations
10 External DVD drives	

74. WITHDRAWN - USE PERMIT: Premium Coach Group

WITHDRAWN – ZUP16-0009 Use Permit approval for a recreational vehicle sales, service, and storage business within a Planned Area Development (PAD) zoned district that allows for business park uses at 1825 E. German Road, west of the southwest corner of Germann and Cooper roads

The applicant requests withdrawal of the Use Permit request as they no longer plan to operate at this location. Accordingly, Planning Commission and Planning Staff recommend a withdrawal.

75. LIQUOR USE PERMIT: Dirty Blonde Tavern

APPROVED Liquor Use Permit, LUP16-0015 DIRTY BLONDE TAVERN approval to continue to sell and serve all types of spirituous liquors 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 at 4929 W. Chandler Boulevard, Suite 12, the southeast corner of Chandler Boulevard and Rural Road. (Applicant: Amy Nations, Arizona Liquor Industry Consultants for Stapleton Entertainment LLC)

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

Dirty Blonde Tavern is an existing business located at 4929 W. Chandler Boulevard, Suite 12, the southeast corner of Chandler Boulevard and Rural Road. The bar currently operates under a Series 6 Bar license and received Liquor Use Permit approval on April 30, 2015, with a time condition of one year.

The request is for Liquor Use Permit approval to continue to sell and serve all types of spirituous liquors for on-premise consumption indoors and within an outdoor patio, as permitted under a Series 6 Bar License, without any further time condition. The request includes continuing live entertainment indoors.

Dirty Blonde Tavern's operational plan remains the same. The suite is approximately 4,000 square feet with an existing outdoor patio that is approximately 872 square feet. Hours of operation are from 11 a.m. to 11 p.m. Monday through Thursday, 11 a.m. to 2 a.m. Friday and Saturday, and 11 a.m. to 10 p.m. Sunday. The business wants to maintain approval for live entertainment indoors only. Zoning conditions per the prior Liquor Use Permit, regarding live entertainment and associated noise, will remain. No opposition or concerns were voiced during the neighborhood meeting notification and public hearing notification processes. Planning Staff is not recommending any additional time condition due to the success of the business's operation.

PUBLIC / NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on July 7, 2016. No one other than the applicant attended. As of the writing of this memo, Planning Staff is not aware of opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve (5-0)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0015 DIRTY BLONDE TAVERN, subject to the following conditions:

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.

76. LIQUOR USE PERMIT: VB Lounge

APPROVED Liquor Use Permit LUP16-0014 VB LOUNGE 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 at 81 W. Boston Street, the southwest corner of Arizona Avenue and Boston Street (Applicant: Dragana Cosic, SCDC LLC)

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

The property is located at 81 W. Boston Street, at the southwest corner of Arizona Avenue and Boston Street. The building was the former diSciacca Glass gallery and prior was the Rowena Theater. Concurrent with this request, permits are in review for tenant improvements and forthcoming review by the Architectural Review Committee for exterior modifications.

The request is for 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 approximately 5,334 square feet. A new outdoor patio, approximately 245 square feet, is designed to meet the CCD zoning standards including location, distance from public infrastructure, pedestrian passing space, and fence height. Hours of operation are from 11 a.m. to 11 p.m., seven days a week. Staffing includes approximately 20 total full time and part time employees. Indoor live entertainment may occur on Friday and Saturday nights until midnight. Live music may include acoustical three-person bands playing cover songs in the genres of jazz, light or classic hits. Planning Staff is including conditions to address any potential noise from the live entertainment indoors.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food and non-alcoholic beverages. A menu is attached.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 26, 2016. No one other than the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve 5-0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0014 VB LOUNGE, subject to the following conditions:

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.

77. LIQUOR LICENSE: VB Lounge

APPROVED a recommendation for approval of State Liquor License No. 1207A649, and approved the City of Chandler Series 12, Restaurant Liquor License No. 163277 L12, for Dragana Cosic, Agent, SCDC Properties LLC, dba VB Lounge & Restaurant, located at 81 W. Boston Street.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

78. LIQUOR USE PERMIT: Mambo's Dominican Kitchen

APPROVED Liquor Use Permit LUP16-0027 MAMBO'S DOMINICAN KITCHEN 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 at 1950 N. Arizona Avenue, Suite 8, the southwest corner of Arizona Avenue and Warner Road. (Applicant: Cesar Perez)

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

The subject site is located at the southwest corner of Arizona Avenue and Warner Road, within the Fair Lanes Chandler Plaza. South of the site is AMF bowling alley, the John Deer sales and repair facility is located to the west, and adjacent to the east is a Domino's freestanding pad. The other three corners of the intersection are commercially zoned and developed. This location has had multiple approvals to serve alcohol since 1984, a new Liquor Use Permit is required since the business expanded the patio. The previous restaurant was Mimita's Cuban Café.

Mambo's Dominican Kitchen is a family-owned restaurant that opened in July and specializes in Dominican/Caribbean cuisine. The approximately 2,782 square foot suite, which seats 93 persons, is located at the northern end cap of the inline shops, and includes a 615 square foot patio that seats 20 persons. Mambo's worked with Planning Staff to add an additional 200 square feet to the existing patio adjacent to the front door along the east and replace the entire patio's railing before they open. There are televisions and

speakers throughout the restaurant and speakers on the patio. Mambo's has represented they will have occasional live music and dancing throughout the year for special events both indoors and within the outdoor patio. The hours of operation are Tuesday through Thursday 11 a.m. to 9 p.m., Friday and Saturday from 11 a.m. to 10 p.m., and Sundays 11 a.m. to 7 p.m. The restaurant employs 11 employees.

This request is for a 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. A Series 12 Restaurant License allows an establishment the on-site sale and serving of types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food and non-alcoholic beverages.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 18, 2016. One resident attended to greet the new business owners.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve. 5-0

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0027 MAMBO'S DOMINICAN KITCHEN, subject to the following conditions:

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.

79. LIQUOR LICENSE: Mambo's

APPROVED a recommendation for approval of State Liquor License No. 1207A715, and approved the City of Chandler Series 12, Restaurant Liquor License No. 163516 L12, for Cesar O. Perez, Agent, Mambo's LLC, dba Mambo's Dominican Kitchen, located at 1950 N. Arizona Avenue, Suite 8.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

80. LIQUOR USE PERMIT: Element Hotel

APPROVED Liquor Use Permit, LUP16-0030 ELEMENT HOTEL 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 at 44 S. Chandler Village Drive, south of the southwest corner of Chandler Boulevard and Chandler Village Drive. (Applicant: Amy Nations; Arizona Liquor Industry Consultants)

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

The new hotel is located south of the southwest corner of Chandler Boulevard and Chandler Village Drive. The site is bordered to the north and west by The Met Apartments, adjacent to the east is commercial development currently under construction, and south of the site is a residential treatment facility and single-family homes.

Element Hotel is a new 107-room, four story hotel totaling approximately 72,207 square feet and includes a restaurant, lounge, and pool area with adjacent patio seating. The indoor area seats 58 persons and 66 for patio/pool area. Televisions and speakers are placed throughout the lobby, lounge area, and outdoor areas. The request is for Liquor Use Permit approval to sell and serve beer and wine within the restaurant, lounge, outdoor patio/pool area and also sell beer and wine for off-premise consumption for hotel guest as permitted under a Series 7 Beer and Wine Bar License. Element Hotel will sell and serve beer and wine seven days a week, during the hours allowed by state law.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 23, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve. 5 to 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0030 ELEMENT HOTEL, subject to the following conditions:

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.

81. LIQUOR LICENSE: Element Hotel

APPROVED a recommendation for approval of State Liquor License No. 07070274, and approved the City of Chandler Series 7, Beer and Wine Bar Liquor License No. 164666 L7, for Randy D. Nations, Agent, Days Scottsdale Beverage LLC, dba Element Hotel, located at 44 S. Chandler Village Drive.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 7, Beer and Wine Bar Liquor License, the business may sell beer and wine only for on- or off-premise consumption.

82. LIQUOR LICENSE: Crowne Plaza San Marcos Resort

APPROVED a recommendation for approval of State Liquor License No. 06070352, and approve the City of Chandler Series 6, Bar Liquor License No. 164788 L6, for Andrea Lewkowitz, Agent, Solana Beverage Concessions LLC, dba Crowne Plaza San Marcos Golf Resort, located at 1 San Marcos Place.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as HRI Lodging LLC, dba Crowne Plaza San Marcos Golf Resort.

83. LIQUOR LICENSE: Twisted Cactus Brewing Co.

APPROVED a recommendation for approval of State Liquor License No. 1207A728, and approved the City of Chandler Series 12, Restaurant Liquor License No. 164771 L12, for Jeffrey Lee Stefl, Agent, Corked LLC, dba Twisted Cactus Brewing Co., located at 4080 W. Ray Road, Suite 26.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Hugo Vino Inc., dba Nosh.

84. LIQUOR LICENSE: Rick's Pub & Grub

APPROVED a recommendation for approval of State Liquor License No. 1207A706, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 164491 L12, for Jessica Lee Walker, Agent, Max James Investments, dba Rick's Pub & Grub, located at 4910 W. Ray Road, Suite 3.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as RS & RM Investments LLC, dba Rick's Pub & Grub.

85. SPECIAL EVENT LIQUOR LICENSE: Ryan Thomas Foundation

APPROVED a recommendation for approval of a Special Event Liquor License for Ryan Thomas Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Ryan Thomas Foundation for the 1st Annual Ryan Thomas Foundation Cornhole Tournament on Saturday, September 24, 2016, from 5:00 p.m. until 11:59 p.m., located at HD Trucking, 221 E. Willis Road, Suite 24.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department has no objections to this event, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community Services.

86. SPECIAL EVENT LIQUOR LICENSE: Mariachi Festival

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Cultural Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Cultural Foundation for the Mariachi Festival on Saturday, October 1, 2016, from 5:30p.m. until 9:00p.m., located at Chandler Center for the Arts, 250 N. Arizona Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

87. SPECIAL EVENT LIQUOR LICENSE: Praise & Worship Center/Casino Night

APPROVED a recommendation for approval of a Special Event Liquor License for Praise & Worship Center, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Praise & Worship Center for Casino Night on Saturday, October 8, 2016, from 4:00 p.m. until 11:00 p.m., located at Praise and Worship Center, 2551 N. Arizona Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department has no objections to this event, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community Services.

88. SPECIAL EVENT LIQUOR LICENSE:

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Education Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Education Foundation for the Taste of Solera event on Thursday, October 13, 2016, from 5:00 p.m. until 8:00 p.m., located at Solera, 6360 S. Mountain Boulevard.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

89. SPECIAL EVENT LIQUOR LICENSE: Chandler Christian Community Center

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Christian Community Center, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Christian Community Center for the 50th Anniversary Gala on Friday, October 14, 2016, from 6:00 p.m. until 9:00 p.m., located at Noah's Event Venue, 2100 E. Yeager Drive.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

90. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce / Chandler 100

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Chamber of Commerce, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Chamber of Commerce for the Chandler 100 Event on Wednesday, October 26, 2016, from 5:30 p.m. until 8:00 p.m., located at Quantum Helicopters, 2401 S. Heliport Way.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

91. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Cultural Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Cultural Foundation for the Center Stage event on Saturday, October 29, 2016, from 5:00 p.m. until 9:00 p.m., located at Chandler Center for the Arts, 250 N. Arizona Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

92. TEMPORARY EXTENSION OF PREMISES: Hangar 9 Bar and Grill

APPROVED a recommendation of approval for the temporary extension of premises for State Liquor License No. 1207A112, a Series 15, Special Event Liquor License, held by The Pink Gardenia LLC, dba Hangar 9 Bar & Grill, located at 980 E. Pecos Road, Suite 5 and approved the temporary extension for the City of Chandler Liquor License No. 156300 L15.

The Pink Gardenia LLC, dba Hangar 9 Bar & Grill, located at 980 E. Pecos Road, has requested a temporary extension of the alcohol serving area for a Breast Cancer Awareness Charity Event. The period of the extension is Saturday, October 15, 2016, from 11:00 a.m. until 10:00 p.m.

The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community Services.

93. FINAL PLAT: Spectrum Assisted Living Community

APPROVED Final Plat, FPT16-0008 SPECTRUM ASSISTED LIVING COMMUNITY for an approximate 6.3-acre assisted living facility located at the northeast corner of Chandler Boulevard and Rural Road that was approved by Council in October of 2015. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way. (Applicant: R. Reece Henry, Olsson Associates)

94. FINAL PLAT: SEVRAR Chandler Airport Center

APPROVED Final Plat, FPT16-0014 SEVRAR CHANDLER AIRPORT CENTER for a replat of an approximate 12-acre business park located at the northeast corner of Northrup Boulevard and

Germann Road. The request is to split the 12-acre parcel into an approximate 3-acre parcel and an approximate 9-acre parcel. Development of the sites will require Preliminary Development Plan approval. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way. (Applicant: Joel Saurey; EPS Group)

97. EMPLOYMENT CONTRACT: City Clerk

APPROVED employment contract for City Clerk Marla Paddock with an annual base salary of \$130,178.00.

98. EMPLOYMENT CONTRACT: Presiding City Magistrate

APPROVED employment contract for Presiding City Magistrate R. Michael Traynor with an annual base salary of \$189,157.00, during fiscal years 2016-17 and 2017-18.

ACTION:

95. ZONING/AREA PLAN AMENDMENT: QuikTrip / Peterson Farms Area Plan Ord. 4709

INTRODUCTION AND TENTATIVE ADOPTION OF ORDINANCE NO. 4709 /DVR16-0010 QUIKTRIP RESOLUTION NO. 4963 APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT

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 at the northeast corner of Gilbert and Queen Creek roads. (Applicant: Charles Huellmantel, Huellmantel & Affiliates)

The request was continued from the July 28, 2016, City Council meeting to allow the development team to meet with the leadership team of the adjacent church to the north and to be reviewed by the Planning Commission. Unfortunately an agreement could not be made between the parties and the stated opposition remains. The concern is with liquor sales is part of the QuikTrip operation. The opposition triggers a legal protest which requires 6 votes for approval for the item to pass.

MR. ERIK SWANSON, Senior City Planner provided an overview of the information provided in the Council memo as provided below. He noted that in working with the design team, the site was reoriented due to the narrowness of the site. The site does encroach into the landscape setback, but the move is supported by both staff and the Planning Commission as it supports a better design.

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Area Plan Amendment, Rezoning, and Preliminary Development Plan, subject to conditions.

BACKGROUND

The 4.5 acre subject site is located at the northeast corner of Gilbert and Queen Creek roads. Adjacent along the eastern property line are three residential homes as part of a five lot residential cluster that is currently in the jurisdiction of the County. Directly north is the southwest corner of The Grove church campus. West and south are the arterial streets.

AREA PLAN AMENDMENT

The site is currently zoned AG-1 and is designated as Residential in both the General Plan and the Peterson Farms (Section 7) Area Plan, with a Low-Density Residential designation in the Area Plan. The Low-Density Residential designation allow for a density of 0-3 dwelling units per acre. The Peterson Farms Area Plan was established in 2000, and encompasses the area bounded by Germann, Queen Creek, Gilbert, and Lindsay roads. The Area Plan affects development in both Chandler and the Town of Gilbert, with development in Gilbert occurring as the Layton Lakes master-planned community. At the time of Area Plan approval the subject site and adjacent Grove church were in the jurisdiction of the County; however, were included in the area plan and given a designation of Low-Density Residential. The request is to amend the area plan from Low-Density Residential to Commercial which is consistent with language provided in the General Plan allowing for commercial to be considered at arterial corners. Planning Staff supports the Area Plan Amendment finding that with the limited size of the site, the surrounding uses, and the location of the site at the intersection of two major arterials, commercial development is appropriate.

SITE LAYOUT AND ARCHITECTURE

The total site area is approximately 4.5 acres, with the proposed development occupying the southern 2.78 acres. Currently QuikTrip is allowing the church to utilize the northern portion of the site as overflow parking, and has granted the church an emergency access easement along QT's northern property line to allow Fire Department access to the building in the event of an emergency. Development for the northern portion of the site will require separate PDP approval.

The development is designed in an angled fashion, opening the front of the site to the intersection, and mimics the lay out that was established with the Circle K fuel station located at the intersection's southwest corner. Due to the angled orientation of the building and fuel canopy, the fuel canopy corners closest to the street frontages are chamfered to maintain the required building setback. To provide the angled orientation, the standard 50'x250' landscape setback along arterial intersections is reduced to accommodate drive aisles around the canopy. Planning Staff supports the reduction in landscaping, as a better designed site plan is provided.

Unique to QuikTrip stores is the location of building entrances being provided not only at the front of the building, but also at each side of the building. The additional entrances allows for patrons to be separated depending on their choice of commodity being acquired, allowing for patrons that do not want fuel to be separated from the fuel station vehicular activities.

Building architecture is greatly enhanced beyond standard fuel station designs. With the inclusion of building entrances on the sides of the buildings, the design team has pushed the entrances out past the wall plan, creating a vestibule styled entrance. Canopies are provided at all entrances, with the main entrance having a canopy slightly higher than the side entrances creating a natural hierarchy. The facades of the building are broken up with both the utilization of the building plane stepping back along the wall planes, and varying parapet heights. The use of two brick veneer types and tile are the main construction materials.

Two monument signs are provided, one along each frontage. The monument signs are standard in their design with the company name and fuel prices. Planning Staff is recommending the addition of condition no.12 in the Preliminary Development Plan conditions of approval, requiring the base of the sign to use stone veneer in place of the black base that is currently proposed.

The design team has taken a number of considerations into account with the development of the site. Early on in the project, the design team met with the adjacent residential neighbors to the east and agreed to provide a wider landscaped area than required (providing approximately 20 feet), and will construct an eight-foot wall along the eastern boundary. Additionally, with the Grove church directly north and the significant presence of Pistache trees on the Grove campus, Pistache trees are incorporated in the project.

In working with the design team, one of the elements that QT has found over the years is that using vertical curbs separating the building from the parking lot has provided concerns with patrons. The request includes eliminating the curbs and providing a flush surface. Parking will be separated from the pedestrian walkway with the use of decorative bollards, elevated landscape planters, and the inclusion of different textured pavement treatments; a color rendering is provided in the development booklet.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on January 27, 2015 at the adjacent church; eight neighbors directly east of the site and two neighbors northeast of the site attended, all offered general support of the request.
- Planning Staff has attached a letter from The Grove Church stating opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve: 5 to 0

A representative from The Grove church spoke at the hearing, stating opposition to the QT requesting liquor sales. The representative stated that QT has been a good neighbor and has let the church utilize their vacant lot to allow for overflow parking, but that the church has a concern with the convenience store selling alcohol in such close proximity to the church. Two neighbors spoke and three neighbors submitted cards in support of the request.

RECOMMENDED ACTIONS

Area Plan Amendment

Planning Commission Planning Staff recommend City Council approve the Area Plan Amendment.

Rezoning

Planning Commission and Planning Staff recommend City Council approve the Rezoning subject to the following conditions:

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

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

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.

CITY COUNCIL DISCUSSION:

COUNCILMEMBER LOPEZ stated the letter of opposition from The Grove references State Statute 4-207 regarding sale of liquor adjacent to a church. He asked if that was accurate and if beer and wine is considered in that. Mr. Swanson said the manner in which it has been handled is when the separation requirement is looked at, it is from door to door and not property to property. That separation is greater than the 300'.

COUNCILMEMEMBER HEUMANN asked if the protest is for the liquor use permit or the use of the land. Mr. Swanson said it is tied together. The Church is predominately concerned with liquor sales.

MR. CHARLES HUELLMANTEL, representing QuikTrip, said he was the chairman of the State Liquor Board at one time. He said this project falls outside of the statutory measurements. He said the legal protest only sits on the zoning case, not the liquor use permit.

Mr. Huellmantel gave an overview of the design features of the building and project layout. He said the neighbors are the primary patrons. He said this site design allows for a more extensive buffer to the neighbors to the east and allows for an orientation that makes the City happy with unique canopy features.

Mr. Huellmantel said the church has stated the concern is not with the operation of the business, but with the sale of alcohol. He referred to a letter of support from a church next to a QuikTrip in another area. He noted with 113 licenses in Arizona, there are 0 violations on file with the Liquor Board. He said while the church has stated opposition, the other surrounding neighbors are in support.

Mayor stated cards submitted in support are from: Wayne and Maren Pratt, Randy Baker, Opal Pratt, Cindy Gordon, Richard Gordon.

MOVED BY COUNCILMEMBER HEUMANN TO APPROVE RESOLUTION NO. 4963 APPROVING APL16-0002 PETERSON FARMS AREA PLAN, AMENDING THE AREA PLAN FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL, AS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF; AND INTRODUCE AND TENTATIVELY ADOPT ORDINANCE NO. 4709 APPROVING DVR16-0010 QUIKTRIP, REZONING FROM AG-1 TO PAD, FOR A FUEL STATION, SUBJECT TO THE CONDITIONS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF.

PRELIMINARY DEVELOPMENT PLAN; AND APPROVE PRELIMINARY DEVELOPMENT PLAN DVR16-0010 QUIKTRIP, FOR SITE LAYOUT AND BUILDING ARCHITECTURE, SUBJECT TO THE CONDITIONS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF.

COUNCILMEMBER LOPEZ SECONDED THE MOTION.

THE MOTION WAS APPROVED UNANIMOUSLY (6-0).

96. LIQUOR USE PERMIT: QUIKTRIP

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 at the northeast corner of Gilbert and Queen Creek roads. (Applicant: Charles Huellmantel, Huellmantel and Affiliates)

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

The subject site is located at the northeast corner of Gilbert and Queen Creek roads. Adjacent along the eastern property line are three residential homes as part of a five lot residential cluster that is currently in the jurisdiction of the County. Directly north is the southwest corner of The Grove church

campus. West and south are the arterial streets. The total site area is approximately 4.5 acres, with the proposed development occupying the southern 2.78 acres. The site is currently undeveloped.

The request is for a 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 Series 10 Beer and Wine Store license allows for the sale of beer and wine only. The subject site has yet to be constructed, but upon approval anticipates being fully constructed and open within one-year of Council approval. The building is approximately 5,858 square feet, and will provide approximately 200 square feet of display coolers for beer and wine.

PUBLIC NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT: Planning Commission approved 5 to 0.

A representative from The Grove church spoke at the hearing on the request for rezoning. While the representative did not speak directly about the Liquor Use Permit application, the concern expressed was directly related to liquor sales. The representative stated that QT has been a good neighbor and has let the church utilize their vacant lot to allow for overflow parking, but that the church has a concern with the convenience store selling alcohol in such close proximity to the church. Two neighbors spoke and three neighbors submitted cards in support of the rezoning request.

RECOMMENDED ACTION

Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, subject to the following conditions:

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.

MOVED BY COUNCILMEMBER HEUMANN TO APPROVE LIQUOR USE PERMIT LUP16-0013 QUIKTRIP, 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, SUBJECT TO THE CONDITIONS AS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF. THE MOTION WAS SECONDED BY COUNCILMEMBER LOPEZ.

THE MOTION CARRIED UNANIMOUSLY (6-0).

INFORMATIONAL:

1. Minutes of the August 17, 2016, Planning and Zoning Commission.

UNSCHEDULED PUBLIC APPEARANCES:

Mr. Sky McCorkle, 1201 S. Amber Street, Chandler. Informed the Council about a historic event taking place next week in Williamsburg, Virginia - the simulation of an Article 5 Convention for the purpose of amending the U.S. Constitution. He stated that the concern is with the size and the constitutional overreach of the federal government. Over the past several years, the Convention of States project has been working to pass a resolution in all the states which calls for a convention for the purpose of amending the Constitution in the following areas: impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office of the officials and for members of Congress. He said 8 states have passed the resolution of the 34 total states it would take to force Congress to call a convention. In Arizona, the resolution passed the House, but was killed by the Senate President. Mr. McCorkle said three Arizona Legislators will participate in the simulation and the event will be streamed over the Internet.

CURRENT EVENTS:

Mayor's Announcements:

City Bond Sales Update:

The City sold \$39.5 million in General Obligation Refunding Bonds and sold \$19.51 million of Excise Tax Revenue Obligations during prime market conditions of high demand and low interest rates. This resulted in a positive outcome of a total Net Present Value Savings of \$8.9 million

New Restaurants in Downtown Chandler: Modern Margarita and La Bocca Wine Bar

The Mayor's Listening Tour was recently held at Hartford Elementary School.

October 1st Events include: the 9th Annual San Tan Brewery Oktoberfest at Dr. A.J. Chandler Park, 3 S. Arizona Avenue, and occurring on the same date the 17th Annual C.A.L.L.E. Arizona Mariachi and Folklorico Festival.

Councilmember Announcements:

COUNCILMEMBER LOPEZ announced Mayor Tibshraeny was honored with the Silver Circle award from the City/County Communications and Marketing Association for the State of the City video.

He invited the public to support the Chandler Symphony by attending their upcoming Classical Series beginning Sunday, Oct. 9, at the Chandler Center for the Arts. He also encouraged attendance at an Oct. 29 fundraiser at Wild Horse Pass for Streetlight USA, a non-profit agency that assists adolescent female victims of abuse, sexual trauma and sex trafficking.

COUNCILMEMBER HARTKE said he attended the 10th Annual Prayer Breakfast Sept. 15 at the Chandler/Gilbert Family YMCA and came away grateful to live in such a great community. He also said For Our City Day will be celebrated Oct. 22 and volunteers are being sought to assist with projects in the community.

COUNCILMEMBER HEUMANN noted the E-cigarette ordinance that was approved by City Council tonight and that it only applies to city owned public buildings. He encourage the private sector to research the info. He congratulated the Mayor for his selection as President of the League of Arizona Cities & Towns. He announced the Desert Cancer Foundation of Arizona will hold their 19th Annual luncheon on Thursday, Oct. 27, at the San Marcos Golf Resort.

COUNCILMEMBER ELLEN said the City's Domestic Violence Commission is holding its 8th Annual Domestic Violence Awareness Breakfast at 9 a.m. on Wednesday, Sept. 28, at the Community Center and invited the community to attend. She also congratulated Sam Huang on his successful election to the Chandler City

Council beginning in 2017. She announced nominations are now being accepted to honor military men and women for Chandler's Operation Welcome Home program. For information, visit ww.chandleraz.gov/veterans.

COUNCILMEMBER ROE said he attended the opening of two new businesses in Chandler, Hand and Stone and Chick-Fil-A, and thanked those who choose Chandler for their business location. He also expressed gratitude to public safety and military personnel and others serving the community for their service.

City Manager Announcements: None

Adjournment: The meeting was adjourned at approximately 7:43 p.m.

ATTEST: _____
City Clerk

Mayor

Approved: November 7, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 15th day of September, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2016.

City Clerk