

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, October 5, 2016, held in the City Council Chambers, 88 E. Chicago Street.

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

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

One vacancy

Also present:

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

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER DONALDSON** to approve the minutes of the September 7, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Wastchak abstained; he was not present at the September 7, 2016 meeting.)
5. ACTION AGENDA ITEMS
CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in an open Study Session to discuss each of the items on the agenda. Currently, all the items are on the consent agenda and will be approved by a single vote. After staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion or a full presentation. Also at that time, audience members who have turned in a speaker card will have the opportunity to speak and ask questions.
 - A. APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029/PPT16-0012 SERENADE

Approved. CONTINUED TO THE NOVEMBER 2, 2016 PLANNING COMMISSION HEARING.

Request Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Low-Density Residential, and rezoning from Agricultural (AG-1) to Planned Area Development

(PAD) for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product, and Preliminary Plat approval for a 6.7-acre, 16-lot single-family residential subdivision. The subject site is located east of the southeast corner of Alma School and Germann roads. **(REQUEST CONTINUANCE TO THE NOVEMBER 2, 2016, PLANNING COMMISSION HEARING.)**

B. DVR16-0007 LANDMARC – CHANDLER HEIGHTS

Approved.

Request rezoning from Agricultural (AG-1) to Planned Area Development for a single-family residential home, with Preliminary Development Plan approval for site layout. The 1.1-acre site is located east of the southeast corner of Chandler Heights Road and 130th Street.

Rezoning

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were 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. 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.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were 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. Prior to the issuance of occupancy for the home, construction of the garage shall be complete as required by all applicable building codes.

C. DVR16-0015 CORONADO ESTATES

Approved.

Request rezoning from Planned Area Development (PAD) to PAD Amended to eliminate a zoning condition requiring single-story homes, along with Preliminary Development Plan approval for setbacks. The subject site is located at the north of the northeast corner of Coronado and Galveston streets, north of the northeast corner of the Loop 101 freeway and Chandler Boulevard.

Preliminary Development Plan

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0015, modified by such conditions included at the time the exhibits were 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. Front setbacks for lots 1 and 6 shall be 11' for liveable or side entry garages; forward facing garages shall have a minimum 20' front setback.
4. Side setbacks shall be 5' and 10' for all lots.

MR. KEVIN MAYO, PLANNING MANAGER, stated the request to remove a zoning condition requiring single-story homes is no longer part of this request. The zoning condition requiring single-story homes will remain and the request is simply for a Preliminary Development Plan to re-establish amended setbacks.

D. DVR16-0021 WARNER PROFESSIONAL CENTER

Approved.

Request rezoning from Planned Commercial Office (PCO) district to Planned Area Development (PAD) for PCO uses, along with a Preliminary Development Plan for signage. The existing development is located at 1257 W. Warner Road, west of the southwest corner of Warner and Alma School roads.

Rezoning

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR16-0021 WARNER PROFESSIONAL CENTER, except as modified by conditions herein.
2. Permitted land uses shall be consistent with the Planned Commercial Office (PCO) District.

Preliminary Development Plan

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR16-0021 WARNER PROFESSIONAL CENTER, except as modified by conditions herein.
2. 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.
3. The site shall be maintained in a clean and orderly manner.
4. The applicant shall be required to apply for a sign permit and meet current City standards.

E. PDP16-0005 PRIMROSE SCHOOL OF CHANDLER

Approved.

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

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "PRIMROSE SCHOOL OF CHANDLER" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0005, 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. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
3. Raceway signage shall be prohibited within the development.
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. The site shall be maintained in a clean and orderly manner.
6. Landscaping shall be in compliance with current Commercial Design Standards.
7. Dissimilar land use buffer trees adjacent to residential shall be a minimum of 12 feet in height at time of planting and planted at a maximum 20 feet on center and shrubs planted at a rate of 4 per 20 lineal feet.
8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
10. 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.
11. 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.

F. LUP16-0029 HARKINS CHANDLER CROSSROADS THEATRE

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption as permitted under a Series 6 Bar License within an existing movie theater located at 2980 E. Germann Road, northwest corner of Germann and Gilbert roads.

1. The Liquor Use Permit is granted for a Series 6 Bar License only and any change of license shall require reapplication and new Liquor Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other locations.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
5. The site shall be maintained in a clean and orderly manner.

G. LUP16-0032 DOWN TIME WINES, INC.

Approved.

Request Liquor Use Permit approval to produce, serve and sell wine for on-premise and off-premise consumption as permitted under a Series 1 In-State Producer License with occasional live entertainment indoors. The new business is located at 393 W. Warner Road, Suite 109, southeast corner of Warner Road and Hartford Street.

1. The Liquor Use Permit is granted for a Series 1 In-State Producer License for wine 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.

H. LUP16-0034 CRUST SIMPLY ITALIAN

Approved.

Request Liquor Use Permit approval for extension of premises for a patio addition and to continue to sell and serve all types of spirituous liquor for on-premise consumption as permitted under a Series 12 Restaurant License and continue live music indoors at an existing restaurant located at 10 N. San Marcos Place, northeast corner of San Marcos Place and Commonwealth Avenue.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. 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.
6. Music shall occur indoors only.

I. CANCELLATION OF THE OCTOBER 19, 2016 PLANNING COMMISSION HEARING

Approved.

CHAIRMAN PRIDEMORE stated he received a speaker card for Item C, DVR16-0015 CORONADO ESTATES, and asked the audience member to come forward.

MR. JOHN TICHY, 2740 W. LAREDO PLACE, CHANDLER, asked for clarification on whether two-story homes can be built in this subdivision or not. Additionally, he asked if that would still be the case if the property changed owners and the new owners wanted to build two-story homes.

MR. ERIK SWANSON, SENIOR CITY PLANNER, responded two-story homes cannot be built in this subdivision. The case was originally advertised to eliminate the condition requiring single-story homes, but the property owners have since clarified that they are building all single-story homes. When the initial Coronado Estates came in, in 2004, there was a condition in the zoning requirements for one-story homes. The only way a two-story home could be built now is to rezone the property, which would include the public hearing process and neighbor notification.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions on the consent items or would like an item pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 6-0.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager, stated the next meeting will be November 2, 2016 and asked that any Commissioner not able to attend that meeting notify City staff.

7. CHAIRMAN'S ANNOUNCEMENTS

Chairman Pridemore reiterated the next regular meeting is November 2, 2016, at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:37 p.m.

Matthew Pridemore, Commissioner

Jeffrey A. Kurtz, Secretary