

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 18, 2008 held in the City Council Chambers, 22 S. Delaware Street.

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

Chairman Michael Flanders
Vice Chairman Mark Irby
Commissioner Angela Creedon
Commissioner Michael Cason
Commissioner Leigh Rivers
Commissioner Kristian Kelley
Commissioner Stephen Veitch

Also present:

Mr. Kevin Mayo, Acting Planning Manager
Ms. Jodie Novak, Senior Planner
Mr. Bill Dermody, Senior Planner
Mr. Glenn Brockman, Assistant City Attorney
Ms. Joyce Radatz, Clerk

4. INTRODUCTION OF NEW COMMISSIONER, STEPHEN VEITCH
CHAIRMAN FLANDERS introduced Commissioner Veitch and stated he was looking forward to working with him.
5. ANNUAL PLANNING COMMISSION BUSINESS MEETING
Election of Officers:

MOTION BY COMMISSIONER CASON to nominate Michael Flanders as Chairman, seconded by **COMMISSIONER CREEDON**. The vote passed unanimously 7-0.

MOTION BY CHAIRMAN FLANDERS to nominate Mark Irby as Vice Chairman, seconded by **COMMISSIONER RIVERS**. The vote passed unanimously 7-0.
6. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CREEDON, seconded by **COMMISSIONER RIVERS** to approve the minutes of the June 4, 2008

Planning Commission hearing. (Commissioner Veitch abstained, as he was not at the meeting.) The motion passed 6-0 with the noted exception.

7. ACTION AGENDA ITEMS
CHAIRMAN FLANDERS informed the audience that prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After Staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion. There were no action items.

MR. KEVIN MAYO, ACTING PLANNER MANAGER, stated the following items are on the consent agenda for approval.

A. DVR08-0002 MY EXTRA GARAGE STORAGE

APPROVED.

Request rezoning from Planned Area Development (PAD) to PAD Amended zoning with Preliminary Development Plan (PDP) approval for a condominium storage development on 2.4 acres located south and west of the southwest corner of Queen Creek and Cooper Roads.

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "My Extra Garage Storage", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0002, except as modified by condition herein.
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. 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.

7. Approval by the Director of Planning and Development of plans for landscaping and perimeter walls and the Director of Public Works for arterial street median landscaping.
8. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the subject development shall use treated effluent to maintain open space, common areas, and landscape tracts.

9. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
10. The applicant shall work with staff to provide greater parapet height variation in a manner similar to the styles present in the adjacent office development. **Parapet projects shall be at least 3' depth.**
11. **The applicant shall work with Staff to enhance building elevations on the project's interior by incorporating forms and materials found on the project's exterior to provide further visual interest.**

B. DVR08-0012 GREYWOOD PROFESSIONAL OFFICES

APPROVED.

Request rezoning from Agricultural (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan (PDP) to allow an office building. The property is approximately 2 acres and located south of the southwest corner of Frye Road and Gilbert Road, north of Pecos Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Greywood Professional Offices", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0012, except as modified by condition herein.
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.
8. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
9. 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.
10. Raceway signage shall be prohibited within the development.
11. Landscaping shall be in compliance with current Commercial Design Standards.

12. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
13. The site shall be maintained in a clean and orderly manner.
14. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
15. The parking space canopies shall incorporate building materials, forms, and colors to match the development.
16. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Greywood Professional Offices development shall use treated effluent to maintain open space, common areas, and landscape tracts.

C. PDP07-0042 MILL CROSSING
APPROVED.

Request Preliminary Development Plan (PDP) approval of a comprehensive sign package for a retail development on approximately 20-acres located at the southwest corner of Gilbert and Germann Roads.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Mill Crossing" kept on file in the City of Chandler Planning Services Division, in File No. PDP07-0042, except as modified by condition 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. All raceway signage shall be prohibited within the development.

D. PDP08-0006 PGA SUPERSTORE
APPROVED.

Request Preliminary Development Plan (PDP) approval for an amended sign plan for the Chandler Mercado shopping center at the northeast corner of Warner Road and Arizona Avenue.

1. Development shall be in substantial conformance with the submitted narrative and sign plan kept on file in the City of Chandler Current Planning Division, in file No. PDP08-0006, except as modified by condition herein.
2. Development shall be in substantial conformance with the previous zoning and PDP approvals through DVR05-0047 CHANDLER MERCADO except as modified by the subject request and by condition herein.
3. Logo size shall be limited to 19% of total sign area for tenant spaces over 83,800 square feet in size.

E. PDP08-0008 ALOFT/DOWNTOWN OCOTILLO
APPROVED TO CONTINUE TO THE JULY 2, 2008 PLANNING COMMISSION HEARING.

Request Preliminary Development Plan approval for a five-story, 144-unit hotel on approximately 4.2 acres. The subject site is located south and west of the southwest corner of Dobson and Queen Creek Roads. **(REQUEST CONTINUANCE TO THE JULY 2, 2008 PLANNING COMMISSION HEARING.)**

F. UP08-0021 VILLALPANDO'S MEXICAN RESTAURANT
APPROVED.

Request Use Permit approval to allow music and dancing within an existing restaurant in conjunction with a Series 12 Restaurant Liquor License. The property is located at 7450 West Chandler Boulevard.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit re-application and approval.

2. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or additional entertainment related uses shall require re-application and approval of the Use Permit.
3. The Use Permit is non-transferable to any other location.
4. No alcohol shall be carried outside of the building into the parking lot or off-premises.
5. No noise shall be emitted so that it exceeds the general level of noise emitted by uses outside the premises of the business and as not to disturb adjacent businesses.
6. Customer access into the restaurant other than from the main front entrance (east side) shall be prohibited.
7. Security staff shall be provided as represented.
8. **The site shall be maintained in a clean and orderly manner.**

G. UP08-0023 RED WHITE AND BREW
APPROVED.

Request Use Permit approval to allow live music indoors and/or on an outside patio at an existing restaurant in conjunction with a Series 12 Restaurant Liquor License. The property is located at 4850 South Gilbert Road at the northwest corner of Chandler Heights and Gilbert Roads.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit re-application and approval.
2. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or additional entertainment related uses shall require re-application and approval of the Use Permit.
3. The Use Permit is non-transferable to other restaurant locations.
4. No noise shall be emitted so that it exceeds the general level of noise emitted by uses outside the premises of the business and as not to disturb adjacent businesses and residential areas.
5. No live entertainment/music on the outdoor dining patio area after 10 p.m.
6. **The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.**
7. **The site and outdoor patio shall be maintained in a clean and orderly manner.**

H. PPT08-0006 RYAN COMMERCE CENTER
APPROVED.

Request Preliminary Plat approval for an office/industrial/warehouse development located north and east of the northeast corner of Cooper and Queen Creek Roads.

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

I. PPT08-0005 SHOPPES AT CHANDLER HEIGHTS
APPROVED.

Request Preliminary Plat approval for a commercial retail center located at the northeast corner of Chandler Heights Road and Arizona Avenue.

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

CHAIRMAN FLANDERS asked if there was anybody in the audience who wanted to pull any of the items for a full presentation. There were none. He then entertained a motion.

MOVED BY VICE CHAIRMAN IRBY, seconded by **COMMISSIONER KELLEY** to approve the consent agenda with the added stipulations as read in by Staff. The consent agenda passed unanimously 7-0.

8. DIRECTOR'S REPORT

Mr. Mayo stated there was nothing this evening with the exception of a warm welcome to the new Planning Commissioner.

9. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN FLANDERS announced that the next regular meeting is July 2, 2008 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

10. ADJOURNMENT

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

Michael Flanders, Chairman

Douglas A. Ballard, Secretary