

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers in the Chandler Library, 22 S. Delaware, on Thursday, July 31, 2008 at 7:00 p.m.

MAYOR BOYD W. DUNN Called THE MEETING TO ORDER.

The following members answered roll call:

Boyd W. Dunn	Mayor
Lowell Huggins	Vice-Mayor
Bob Caccamo	Councilmember
Trinity Donovan	Councilmember
Matt Orlando	Councilmember
Kevin Hartke	Councilmember
Jeff Weninger	Councilmember

Also in attendance:

W. Mark Pentz	City Manager
Rich Dlugas	Assistant City Manager
Pat McDermott	Assistant City Manager
Mary Wade	City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Melissa Rightmire – New Hope Community Church of the Nazarene, gave the invocation

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge of Allegiance.

SCHEDULED PUBLIC APPEARANCES:

1. Recognition of Travis Tisdale with Chandler Air Traffic Control

Police Chief Sherry Kiyler presented Travis Tisdale with a Certificate of Appreciation. He was recognized for his assistance in monitoring storm locations during the July 4th firework celebration from his position as an Air Traffic Controller at Chandler Airport.

2. Service Recognitions

Acting Economic Development Director Christine Mackay joined MAYOR DUNN in recognizing Heather Figueroa for 15 years of service with the City. Heather began work with the City as a COE student where she worked in Public Works and at the Chandler Municipal Airport when the terminal was in a trailer on the site. After her completion as a COE student, heather had so impressed those around her that she was brought on full-time as a Clerk I in the Development Services Department. She was promoted to Secretary in the Planning and Development Department. Heather took a short leave of absence to stay home with her daughter, but soon returned as a construction Permit Representative assisting developers and companies through the process of getting building permits and ensuring the City was represented with permits and inspections. Heather became a certified permit representative in 2001 and in 2003 moved into the Economic Development Department as an Executive Assistant where she is responsible for daily operations of the Department. She was recently promoted to Senior Executive Assistant and continues with the level of excellence she established as a COE student.

MAYOR DUNN was joined by Community Services Director Mark Eynatten in recognizing Ezra Sitea for 10 years of service with the City. Ezra works at the Sunset Branch library and spends time each year selecting computer books for each of the branches concentrating on Sunset and the Downtown libraries. He began his tenure with the City at the Hamilton Branch before moving to the Sunset Branch. He has excellent customer service skills and a great understanding of available databases and computer programs allowing him to assist patrons with their questions. He has tremendous patience when helping patrons with computer issues. Patrons often seek Ezra out because of his knowledge and helpfulness. He created overdrive handouts and "cheat sheets" for patrons and Staff. Ezra was instrumental in helping the Sunset Branch Beta test instant messaging as a library service. He plans and presents computer classes for the public on various topics. Ezra is reliable, hard working and cooperative and is an asset to the City.

MAYOR DUNN was joined by Police Chief Sherry Kiyler in recognizing Denise Aguirre for 10 years of service in the Police Department. She began with the Department as a volunteer entering pawn tickets and fingerprinting the public. The Department realized what an asset Denise was and hired her as a Records Clerk. She is a great people person and working the front counter allowed her the ability to utilize that strength. She transferred to the crime lab where she quickly became the "go to" person for other lab employees. She quickly realized that crime scene technicians needed some assistance in keeping up with their growing demands. Denise soon learned about Livescan and MUGPIC so she could assist the officers rather than have the crime scene techs taken off the road. She also assumed the role of teaching the forensic block of the Officers Post Academy. In 2006, Denise was promoted to Administrative Specialist in the lab where she has continued to excel and has continued to look for ways to help out her co-workers. She quickly obtained the necessary certifications from the state for the AZ Automated Fingerprint Identification System (AFIS) and was able to take on some of the duties that had in the past been handled by the crime scene techs. Denise has always handled herself in a professional manner ensuring the highest level of customer service while interfacing with customers.

MAYOR DUNN and Chief Kiyler next recognized Florence Barrier for 10 years of service in the Police Department. She joined the Department as a Police Records Clerk and has consistently progressed in her career. Flo holds an Advanced Certificate in Crime Analysis, recognized Certificates of Competence through the Association of Crime Analysis and has become a "go to" person in the Criminal Investigation Bureau of the Police Department. She strives for excellence in her duties and has demonstrated professional mobility by pursuing assignments with increased challenge and responsibility. Flo is currently a Police Investigative Assistant assigned to the Criminal Intelligence Unit.

MAYOR DUNN and Chief Kiyler recognized Alison Schell for 10 years of service in the Police Department where she began her career as a volunteer motorist assistant and was hired as a Crime Scene Technician and has recently been promoted to Crime Scene Supervisor. Alison has been a model employee always seeking ways to better herself and the Department. Shortly after being hired, she came up with the idea of creating the Department's first commemorative yearbook, which was published in 2000. In 2001, she received an Exceptional Merit Award for creating and implementing the first Crime Scene School for the Department. She also received another Exceptional Merit Award that same year for her forensic work on a sexual assault case, which was later published in a number of forensic science journals. In 2001, Alison received a letter of commendation from the Maricopa County Attorney's office for her work in a homicide case. In 2001, Alison received a Meritorious Service Award from covering calls for service in the City of Scottsdale so their own crime scene techs could attend the funeral of a Scottsdale officer killed in the line of duty. Additionally, Alison has taught the forensic block of the Citizen's Academy since 1999 and has been doing forensic presentations at Mesa Community College

since 2004. Because of her knowledge and expertise, she has always been the “go to” person for other crime scene techs as investigating officers.

3. Exceptional Merit Awards

Asst. Fire Chief Jeff Clark joined MAYOR DUNN in presenting an Exceptional Merit Award to David Blau. David spends a great deal of time, both on and off duty, in the urban survival program where he is a member of the Public Education Committee and has been a great leader in the organization. One of his biggest contributions for the Department has come through his researching, developing and instituting a clown program to use in school demonstrations. Dave has been requested to speak and perform by several outside agencies such as other fire departments and hospitals. He has driven the clown program toward the development of a television program called “Sprinkler’s Clubhouse” and is now recognized statewide. Dave has been a key factor in the solicitation of funding and has obtained donations and federal grants of \$65,000 to fund the ever-growing expenses of producing episodes and to support the public education program by limiting the cost to the City. The benefit for students of many elementary schools is immeasurable as the fire and water safety message reach literally thousands of children each day. Dave manages most all of the school demonstrations that are assigned to the City’s crew as well as those he does off duty at several elementary schools.

4. Chandler At Its Best Recognitions

CITY MANAGER PENTZ recognized Jim Phipps, Greg Westrum, Rick Becker, Lori Greco, and Bart Brown, representing the Municipal Utilities and Public Works reaccreditation team for their efforts on obtaining Reaccreditation from the American Public Works Association (APA). Mr. Pentz noted that ten of the department’s management practices would become model practices to be shared by the APA.

CITY MANAGER PENTZ recognized Mark Essary, Lanna Leonard, Dick Weyenberg, Phil Martinez and John Pain of the Fire Department. Near the site of temporary Fire Station 9, lived a resident who did not like the sounds of the sirens and noise of the departing fire engines. The resident would yell his disapproval as they drove by. Subsequently, the resident was diagnosed with terminal brain tumor. As the fire crews were called to the house several times for assistance, the resident apologized for his actions. As his condition worsened, the C shift team donated charity funds to help the family with their mounting bills. Mr. Pentz noted that this is an example of how employees should treat and work with the citizens of Chandler.

CITY MANAGER PENTZ recognized Jimmie Byrd, Bill Lorentz, Ruben Robles, T.J. Dyer and Michelle MacLennan, representing a team from the Chandler Center for the Arts. Four days prior to Bill Cosby’s appearance at the Center, the Cosby team decided to do a live production shoot of the performance. This last minute changed required providing many accommodations. To complicate the issue, staff was busy until midnight the prior evening with a Jazz Festival show on the same stage. Still, this team was able to make this successful event for all.

CITY MANAGER PENTZ recognized Fire Captain Jason White. While driving through Gilbert on his way home, Captain White tracked a suspicious smoke smell to a burning residence. Captain White was able to report the fire, assist the occupants to safety and help control the scene until units arrived. Mr. Pentz commended Captain White on his actions.

CITY MANAGER PENTZ recognized Bridgid O'Neil, Josh Stolz, Charles Browder, and David Blau of the Fire Station 7 B Shift. A Chandler family had taken their son, Jalen, to a nearby fire station for tours several times. Each time they were treated very special. About a year after, Jalen suffered seizures and Station 7 B shift responded to the call. Jalen recovered and soon celebrated his 4th birthday. The party theme was "superhero firefighter" and was made even more special when the crew stopped by to see how Jalen was doing. Mr. Pentz recognized the team for their care and compassion.

CITY MANAGER PENTZ recognized Ron Hoffman of the Public Works Department for his idea to attach a permanent hook to the boom of a vactor truck. This seemingly simple hook can actually assist in the lifting and removing of storm drain grates and concrete catch basin access covers. Such grates and access covers are extremely heavy and can exceed several hundred pounds. One of the many positive outcomes from Ron's innovation is that the Streets Division no longer needs to tie up a second vehicle equipped with a hoist to assist the vactor truck in removing the grate. Ron's innovative idea promotes efficiency, employee safety, and resource management.

Mayor Dunn acknowledged the great service the employees provide the residents of Chandler.

5. Retirement Recognition

MAYOR DUNN read a proclamation designating July 31, 2008 as Doug Ballard Day in Chandler and presented Mr. Ballard with a retirement gift.

Mr. Ballard thanked his wife Louisa for her support. Mr. Ballard credited part of his success on being at the right place, at the right time with the right people. He has had the good fortune of working with great Council's, past and present, along with the Planning & Commission that has helped provide the vision for Chandler. He recognized the caliber of citizen volunteers that have taken a role in building this city. Mr. Ballard also gave his appreciation for staff in the Planning & Development Department.

COUNCILMEMBER WENINGER joked with Mr. Ballard about Elevation Chandler. He thanked Mr. Ballard for his assistance as a new Councilmember.

COUNCILMEMBER ORLANDO acknowledged the tough job that Mr. Ballard has in balancing the interests of applicants, citizens and the Council and providing honest answers.

VICE MAYOR HUGGINS thanked Mr. Ballard for his easy to understand communication.

COUNCILMEMBER CACCAMO recognized Mr. Ballard for his customer service and ability to get things accomplished.

COUNCILMEMBER DONOVAN acknowledged Mr. Ballard for helping develop good plans and sticking with them as we move forward in developing the city.

UNSCHEDULED PUBLIC APPEARANCES:

Mrs. Glenna McCollum-Cloud, 3780 S. Waterfront Drive thanked the Council members, Katrina Mueller and the community at large. She explained that over the last three years, she has been

involved in research that shows communities that have a high level of social capital (time, treasure and talent) and are willing to contribute those, are happier and healthier communities. Since 2004/05, the City of Chandler and others have been involved in a research project. She shared three key points that developed. First, research that was conducted for the Chandler Non Profit Coalition. The members found that with an idea and a vision, the accomplishment was so much greater than individual efforts. Secondly, there needed to be a certain social and political environment that was conducive to the success of an endeavor like this. Third was that leadership is critical. Leadership that was respected by the community where individuals or organizations were willing to subordinate some of their own individual interests to affect a change that was greater than their own. In addition, to have City involvement and support is critical for the success. She reported finding that the social capital in the community to be very high and it is the hope to share this information with other cities across the nation.

She thanked the many people that helped to support this idea and with the research.

Mayor Dunn asked that copies of the report be made available.

CONSENT:

Mayor Dunn asked if there was any one present wishing to speak on any item on the Consent agenda.

Mayor Dunn noted a correction to the Resolution Number on Item 7, the number should read 4193.

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY VICE MAYOR HUGGINS, to approve the Consent Agenda as amended.

Mayor Dunn announced a conflict of interest on Item 28 (Chandler Education Foundation)

COUNCILMEMBER WENINGER asked a question on Item 11. He questioned the need for the property. Mr. Steven Shea replied that the property may be potentially impacted by the project and also there could be other improvements in the downtown area that could be considered as part of this acquisition. COUNCILMEMBER WENINGER stated he would be voting nay on Item 11. He believes that the area is naturally taking over on its own and not in need of the assistance of the City to assemble properties for development.

MOTION CARRIED UNANIMOUSLY (7-0) with the exceptions noted.

1. RIGHT-OF-WAY VACATION: Galveston Street Ord. #4078

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4078 authorizing the vacation of right-of-way on Galveston Street, west of Emmett Drive adjacent to CTA Liberty Elementary School.

The City of Chandler previously approved a Minor Land Vision Map of the Chandler Traditional Academy that showed the south half of the right-of-way to be included in the minor land division with a note that the right-of-way was to be abandoned. There is no record that the abandonment occurred. The vacation of Galveston Street will connect the north and south ballparks so the Chandler Unified School District can maintain this area.

Real Estate has contacted the appropriate City Departments and outside utilities. Each has reviewed this request and there are no objections.

2. REZONING: Greywood Professional Offices

Ord. #4083

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4083, DVR08-0012 Greywood Professional Offices, rezoning from AG-1 to PAD with PDP to allow an office building on approximately 2 acres located south of the SWC of Frye and Gilbert roads. (Applicant: Jason Sanks, Sanks & Associates, LLC.)

The site is currently zoned Agricultural (AG-1) and is undeveloped. It is adjacent to existing single-family residential subdivisions Country Cove and Country Cove 2 to the west and north. South of the site is vacant, undeveloped property owned by the Maricopa Community College District. Gilbert Road abuts the site's eastern side, which is the City limit line for Chandler and the Town of Gilbert.

The site's small size lends itself to locating the building in the site's center surrounded with parking and landscaping. The property has a 20-foot access easement along the north property line. This easement was created to provide two residential lots on the north access through the office's property. The easement occurred due to one of the homeowners having a home-based business in which access through a rear yard gate was needed. This homeowner no longer resides on this property and the easement is no longer needed. The other residential property has no interest in the easement either. The developer and the two property owners are working together to remove this access easement so there would no longer be access through the office site by these residential lots.

The site is within the College Area Plan, which was adopted in 1996. The area plan's boundaries include Cooper Road to Gilbert Road and the Loop 202 Santan Freeway to the Frye Road alignment one-half mile north of Pecos Road. This area plan adopts the General Plan's land use policies for locating residential and commercial uses and serves as a guide for the area's development. The area plan is intended to provide general direction for land uses and not to be interpreted as a parcel specific zoning plan.

The subject site is part of an 80-acre portion of the area plan north of Pecos Road, which is predominately planned for the college's expansion. The subject site along with other existing agricultural residential parcels is designated as Low-Density or Low-Medium Density Residential to reflect existing zoning and potential residential land use.

The 1996 College Area Plan modified the 1994 Community College Area Plan by reducing planned single-family residential and allowing for greater commercial potential. Gilbert Road was emphasized as an arterial street for neighborhood and regional commercial development. The residue land uses occurred due to the college's acquisition of additional land for future expansion, which was previously designated for single-family residential.

The site is a remaining agricultural property with arterial street frontage suitable for infill development including commercial use as defined in the General Plan and College Area Plan. The College Area Plan has historically planned for the 80-acre area north of Pecos Road to be considered for mixed land uses including multi-family and commercial that would relate to the college.

The proposal for office use is consistent with the General Plan and College Area Plan. Office use is permitted in accordance with the General Plan and may be located along arterial streets. The General Plan allows for transitional uses such as offices along arterial street frontages as part of areas designated as low-density, single-family residential. The College Area Plan includes a Professional Office land use category, although not specially designated on property in the land use map, which allows for offices, non-retail commercial service, or daycare facilities to develop where appropriate as would be permitted in the General Plan. The office use is a compatible use to the adjacent to community college-owned property and provides effective buffers and separations as recommended in the College Area Plan.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held May 19, 2008. Several residents from the adjacent Country Cove subdivision attended including the Community Association president. The residents living on the west and north sides of the project support the development. Staff has received no correspondence in opposition to the request.

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

3. REZONING: My Extra Garage Storage Ord. #4085

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4085, DVR08-0002 My Extra Garage Storage, rezoning from PAD to PAD Amended zoning with PDP for a condominium storage development on 3.1 acres south and west of the SWC of Queen Creek and Cooper roads. (Applicant: Equine Property Investments (UTAZ)).

The subject site is in the southwestern corner of an approximately 11-acre parcel that was zoned for conceptual commercial uses in 2006. West of the site is a recently constructed office development (Airpark South Professional Village) that shares a driveway from Queen Creek Road and was constructed by the same developer. South of the subject site along Cooper Road is a parcel zoned Agricultural District (AG-1) that is owned by the Catholic Church and is anticipated to be developed as the new St. Mary's church campus. Southwest of the subject site, directly west of the church site, is vacant land approved for the Maderas single-family home subdivision.

The proposed storage facility consists of three multi-unit buildings with an internal u-shaped driveway accessed through gates on the west. The gates are located across from the office development on an existing shared driveway from Queen Creek Road, while a new driveway from Cooper Road provides access along the site's southern property line, looping around the facility's southwestern corner and connecting to the other driveways. The storage facility has 30 units of various sizes and a vehicle wash area at its northeast end. The facility has no office or lounge area.

The application requests relief from the dissimilar land use minimum setback on its south side of 25' plus 1' in building height. Building C, as a prevailing height of 22'-8", has a setback of only 25' from the southern property line (22'-8" less than required due to the southern neighbor's residential AG-1 zoning). However, it is noted that the first 15' of the southern neighbor's property is planned for a shared driveway centered on the property line and that the neighboring property is anticipated to be developed as a church rather than single-family residences.

The applicant has provided a potential retail site plan that could complete the 11-acre parcel at this intersection corner. The retail site plan is not part of the subject request, but is presented to illustrate that a functional retail development is still plausible after the southwestern 3.1 acres are converted to the storage use. There is sufficient space remaining for several buildings in typical retail orientation with full site circulation and interconnection.

The Airport Commission reviewed this request in accordance with the Airport Conflicts Evaluation Process. The Airport Manager has issued a conflict evaluation report indicating that the Airport Commission found that no airport conflicts exist with this application.

This request was noticed in accordance with the requirements of the Chandler Zoning code with a neighborhood meeting being held on March 25, 2008. There were no neighbors in attendance. Staff received one phone call from a neighbor with general questions.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval subject to conditions listed in the ordinance.

4. REZONING: Palm Court Center Ord. #4089

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4089, DVR08-0022 Palm Court Center, rezoning from PAD to PAD Amended zoning to expand the list of permitted uses for a building at 255 W. Warner Road. (Applicant: Palm Court Investments.)

The application requests rezoning from Planned Area Development (PAD) to PAD Amended to expand the list of permitted used in order to allow all uses permitted in the Community commercial (C-2) zoning district plus high schools. The site, which is set back from Warner Road, contains a vacant freestanding building that was zoned for a recreational facility in 1987. To the north and west is the rest of the 5.3-acre Palm Court shopping center, which is zoned PAD for general commercial uses like those proposed for the subject site. To the east is a vacant parcel zoned Agricultural District (AG-1). To the south is a townhome development zoned Multiple Family Residential (MF-2).

The entire shopping center was originally zoned for an office-dominated commercial development (specified as 2/3 office uses and 1/3 retail uses) in 1985. In 1987, the subject site was rezoned to allow a recreational use (K-Ball, later replaced by volleyball), while the rest of the center was re-designated for general commercial uses with the restriction lifted on the amount of office versus retail. The result of the rezonings is that the subject site is the only part of the shopping center that does not allow general commercial uses.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on Jun 24, 2008. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval subject to conditions listed in the ordinance.

5. SPECIAL WARRANTY DEED: Intel Corporation Res. #4064A

ADOPTED Resolution No. 4064A accepting a no-cost, special warranty deed for 10,646.2 square feet (0.451 acres) from the Intel Corporation for the installation of a bus shelter on the north half of Chandler Boulevard at Intel Way and west of Rural Road.

On March 10, 2008, Intel Corporation requested the City of Chandler install a bus shelter on Chandler Boulevard at Intel Way. Upon investigation, it was found that the full 65 feet half-street right-of-way had never been dedicated to the City and the sidewalk and proposed bus stop location are outside the City's right-of-way. Intel has agreed to dedicate the required right-of-way to the City. This dedication will establish the standard road right-of-way allowing City installation of the bus shelter.

6. PROPERTY USAGE: Chandler Heights and Lindsay Roads Res. #4182

ADOPTED Resolution No. 4182 changing the use of City-owned Police, Parks and Municipal Utilities property located at the NEC of Chandler Heights and Lindsay roads to another public use, road right-of-way.

The City of Chandler's Public Works Department is in the process of expanding Chandler Heights Road and Lindsay Road. Police, Parks, and Municipal Utilities Departments land will be affected by the Public Works project. A portion of the land needs to change its public use. The portion of the city-owned property required for road right-of-way is located at the west and south sides on the City's property.

Real Estate has contacted the appropriate City Departments and outside utilities and there were no objections.

7. SPECIAL WARRANTY DEED: Shea Homes Res. #4193

ADOPTED Resolution No. 4193 accepting a no-cost, special warranty deed for 0.185 acres from Shea Homes Limited Partnership for the USA Fee property exchange at the intersection of Arizona Avenue and Appleby Road.

On July 26, 2007, Council approved Ordinance No. 3924 granting an irrigation easement to Salt River Project (SRP) to relocate irrigation facilities due to the development of Avalon at Dobson Crossing by Shea Homes located at Arizona Avenue and Appleby Road. There were several steps in this process. One was that Shea Homes was required to exchange a portion of their property with the United States of America (USA) to further accommodate the relocation of the irrigation facilities. The final step in the process was for Shea Homes to transfer the property they received from the USA that was in City right-of-way to the City. The exchange has been completed and Shea Homes is completing the final step by transferring the property to the City as previously agreed.

8. PROPERTY PURCHASE: Armstrong Way Res. #4205

ADOPTED Resolution No. 4205 authorizing the purchase of approximately 3.1432 acres of vacant land located on the north side of Armstrong Way just west of McQueen Road for a price of \$1,711,475.00 (\$12.50 per square foot) plus closing costs of approximately \$5,500.00 from Picture Properties, LLC.

The City previously purchased approximately 14.41 acres of land adjacent to this parcel from the Arizona Department of Transportation (ADOT) to be used for a proposed Police training facility. The City offered to purchase this parcel from ADOT as well. However, ADOT was required by State law to offer the parcel to its original owner who purchased the property from ADOT. This

parcel is needed for the Police training facility. Staff has been discussing the purchase of the parcel with its owner for some time. The owner has only recently agreed to sell to the City.

9. PROPERTY PURCHASE: Armstrong Way Res. #4206

ADOPTED Resolution No. 4206 authorizing the purchase of approximately 0.581 acres of vacant land located on the north side of Armstrong Way just west of McQueen Road for a price of \$253,290.00 (\$10.00 per square foot) plus closing costs of approximately \$1,500.00 from Mr. and Mrs. Daniel Dugan.

The City previously purchased approximately 14.41 acres of land adjacent to this parcel from the Arizona Department of Transportation (ADOT) to be used for a proposed Police training facility. The City offered to purchase this parcel from ADOT as well. However, ADOT was required by State law to offer the parcel to its original owner who purchased the property from ADOT. This parcel is needed for the Police training facility. Staff has been discussing the purchase of this parcel with its owner for some time. The owner has only recently agreed to sell to the City.

10. PROPERTY PURCHASE: 97 E. Morelos Street Res. #4207

ADOPTED Resolution No. 4207 authorizing the purchase of a vacant residential lot located at 97 E. Morelos Street at a cost not to exceed \$60,000.00 including closing and associated costs.

Leonardo R. Lopez, owner of a residential property located at 97 E. Morelos Street has agreed to sell his property to the City for the amount equal to the appraised value of \$58,000.00. The property consists of an unimproved residential lot that totals approximately 6,998 square feet. Because the property is available for sale and because of its proximity to future developments in the downtown area, City Staff recommends the purchase of the property for the amount of \$58,000.00. Additional costs will include closing and associated costs in the approximate amount of \$2,000.00.

11. PROPERTY PURCHASE: 190 S. Dakota Street Res. #4208

ADOPTED Resolution No. 4208 authorizing the purchase of a vacant residential lot located at 190 S. Dakota Street at a cost not to exceed \$57,000.00.

Heriberto Reyes and Alma L. Reyes and Donald F. Felix, Jr. and Kimberly M. Felix, owners of a residential property located at 190 S. Dakota Street, have agreed to sell their property to the City for the amount of \$55,000.00, which Staff has determined to be fair market value. The property consists of an unimproved residential lot that totals approximately 4,750 square feet. Because the property is available for sale and because of its proximity to future developments in the downtown area, City Staff recommends the purchase of the property for the amount of \$55,000.00. Additional costs will include closing and associated costs in the approximate amount of \$2,000.00.

COUNCILMEMBER WENINGER VOTED NAY ON THIS ITEM.

12. PROPERTY PURCHASE: 60 E. Saragosa Street Res. #4209

ADOPTED Resolution No. 4209 authorizing the purchase of property located at 60 E. Saragosa Street at a cost, including closing and associated costs, not to exceed \$121,500.00; and authorizing relocation assistance as may be required by law.

Manuel F. Bautista and Romelia Bautista, owners of a residential property located at 60 E. Saragosa Street have agreed to sell their property to the City for the amount equal to the appraised value of \$118,000.00. The property consists of a 6,930 square foot residential lot that is improved with a single-family residence that totals approximately 1,034 square feet. Because the property is available for sale and because it is likely to be impacted by future road improvements proposed by the South Arizona Avenue Corridor Project, City Staff recommends the purchase of the property for the appraised value of \$118,000.00 plus closing and associated costs in the approximate amount of \$3,500.00. Relocation assistance will be paid as may be required by law.

13. INTERGOVERNMENTAL AGREEMENT: Town of Gilbert Res. #4216

ADOPTED Resolution No. 4216 authorizing an Intergovernmental Agreement (IGA) with the Town of Gilbert for providing a Crime Scene Technician for evidence collection at major crime scenes and a Criminalist to perform blood alcohol and controlled substance testing.

The Town of Gilbert will pay Chandler 100% of the mid-range salary and benefits for one Crime Scene Technician II and one Criminalist II and \$15,000.00 for testing supplies utilized by the Criminalists. In exchange, the Chandler Police Department will process major crime scenes and will perform blood alcohol and controlled substance testing for the Town of Gilbert. Chandler has been providing this service for several years.

Both positions and ongoing costs related to the positions are included in the budget. The Police Department will pay the amount, if any, above 100% of mid-range salary and benefits for each position and for other incidental costs relates to these positions. In the event the IGA is cancelled or not renewed, the positions would be eliminated.

14. ICMA-RC ADMINISTRATIVE AMENDMENT Res. #4221

ADOPTED Resolution No. 4221 authorizing an amendment to the ICMA-RC Administrative Services Agreement for Plan Number 301601 (Deferred Compensation) to accept elimination of plan administration and mutual fund fees in all City of Chandler participants' 457 accounts.

The City of Chandler ranks in the top 100 of all ICMA-RC's deferred compensation (457) plan clients. It is common practice in this industry that vendors charge fees to administer plans on behalf of the participants. Oftentimes, these fees can be lessened or waived when the aggregate of the client's total fund balance, the average balance per account, etc., reach certain levels.

Following negotiations between the City and ICMA-RC, the deferred compensation administrator agreed to eliminate Plan Administration and Mutual Fund Fees sooner than their normal schedule would dictate. This equated to approximately \$250,000.00 annually in saving.

15. PRELIMINARY DEVELOPMENT PLAN: Ocotillo Village

APPROVED Preliminary Development Plan, PDP07-0039/PPT08-0004 Ocotillo Village, for site layout and building architecture, along with Preliminary Plan approval, for a specialty retail development, including a health club, on approximately 12.3 acres at the SWC of Alma School and Ocotillo roads. (Applicant: Shelly McTee, Gallagher & Kennedy, P.A.)

This case was continued from the June 26th City Council meeting to allow the applicant and Staff time to analyze the western-most driveway along Ocotillo Road with regards to full movement traffic safety. Traffic Engineering has verified the intersection location in respect to Alma School Road, complies with Code requirements for full movement consideration. As the intersection is presently constructed, the driveway aligns with Jacaranda Parkway to the north, and includes left turn deceleration lanes for both the subject driveway and Jacaranda. Finally, Staff met with the applicant at the site to review motorist visibility issues while existing the site. The site visibility triangle was staked along Ocotillo Road. Traffic Engineering has concluded that the trees along Ocotillo Road are appropriately located so as to not hinder visibility, however, the shrubs located adjacent to the trees have grown taller than Code allows. Additionally, the Oleander shrubs located within the landscaped center median have grown taller as well. Staff, working with the adjacent association, will ensure all the landscaping is trimmed and maintained to comply with Code requirements. Based upon this review, Traffic Engineering has concluded the driveway can safely provide full movement access to Ocotillo Road and that no movement restrictions are necessary.

The site is located in South Chandler as part of the Ocotillo Phase I master plan. It is bound by the two arterial streets on the north and east sides, as well as the collector street Balboa Way adjacent to the south. One of the existing Ocotillo lakes borders the property's west side, with residential homes located west of the lake.

The site is zoned PAD Special Use Commercial. This designation under the Ocotillo zoning, permits a variety of uses. The Special Use Commercial zoning was part of the Ocotillo community planning principles whereby certain key parcels that, because of their location and relationship to adjacent uses, could be developed with more intensive uses. These include resorts, hotels, specialty commercial, cultural and sports centers, tennis and swim clubs. An emphasis was placed on recreational facilities. The parcels were grouped around intersection corners and adjacent to the golf course clubhouse.

The applicant has met with the Ocotillo Design Review Board and received conditional approval for the proposed commercial development.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meetings being held on December 4, 2007, and April 14, 2008. At both meetings, neighbors discussed the installation of a traffic signal at Alma School Road and Balboa Way. The applicant made presentations to the Balboa Lakes Community Association and the Embarcadero Homeowners Association. Staff has received phone calls from the Balboa Lakes Association who understood that Balboa Way was a private road and that the subject site could not access it. The section of Balboa Way fronting the subject site is a public roadway and there is an existing driveway cut to the subject site. Staff has also received letters from the Balboa Lakes Community Association and the Embarcadero Community Association identifying a series of concerns for the proposed development including traffic along Balboa Way, lighting/glare, noise and privacy.

Upon finding consistency with the General Plan and PAD zoning, the Planning commission and Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the development booklet entitled "Ocotillo Village" kept on file in the City of Chandler Current Planning Division, in file number PDP07-0039, except as modified by condition herein.

2. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
3. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
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. Completion of the construction, where applicable of all require off-street improvements including, but not limited to paving, landscaping, curb, gutter and sidewalks, median improvement 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. All of-site improvements shall be installed as part of Phase I.
8. 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.
9. The landscaping shall comply with the commercial Design Standards.
10. Building mounted signage facing the adjacent residential homes shall be non-illuminated.
11. Tennis court lighting shall be fully shielded.
12. The trees west of the pools and tennis courts shall be installed at a 48-inch box size.
13. The applicant shall work with Staff to architecturally integrate Shops A, Pad 1 and Pad 2 with the balance of the development. Details to be worked out with staff.
14. The sidewalk along the lake's edge shall be relocated to the east of the buildings.

The Planning Commission and Staff recommend approval of the Preliminary Plat subject to the following condition:

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.

16. PRELIMINARY DEVELOPMENT PLAN: Advantage Business Park

APPROVED Preliminary Development Plan PDP08-0005 Advantage Business Park, to construct an office and retail development on approximately 13 acres located south and east of the SEC of Alma School and Pecos roads. (Applicant/Owner: Phone Jockey Land Partners #1, LLC – Mark De Michele.)

The subject property is located south and east of the SEC of Alma School and Pecos roads surrounding the immediate corner parcel, which is under separate ownership by Exxon Mobil Corporation. The development includes a total of approximately 140,000 square feet of building area. Phase One has 132,000 square feet of building area and Phase Two has 9,650 up to 15,108 square feet of building area. The project does not include the immediate corner parcel, which is under separate ownership by Exxon Mobil Corporation.

Uses for the 3-story office building are general office only, no medical or dental offices. The retail shops will provide uses appropriate to the office development such as hair stylists, deli/sandwich shops, insurance offices and other retail/restaurant tenants. Any offices in Phase Two will be

general office. This property is zoned for commercial development and has previously approved PDP's for retail and office/retail developments.

The subject site is part of a specific Area Plan, which designated this site for commercial uses. This site was originally zoned PAD for conceptual commercial in 1998 as part of a larger 30-acre development. The development included rezoning and a PDP specifically for a multi-family apartment project directly east of the subject site. The site's conceptual commercial zoning included a cluster of retail shops on the southern portion and a typical retail center with a major tenant and retail shops on the northern portion. A 2.5-acre parcel, owned by ADOT located at the commercial site's south side, was not included with this zoning approval.

A zoning amendment and PDP was approved in 2001 that included a "Big K-Mart" store-anchored retail center including shops, a gas station, car wash and a convenience store. The 2001 zoning action zoned the 2.5-acre ADOT southern parcel from AG-1 to PAD conceptual commercial. Construction did not commence for the retail development. In 2002, a zoning amendment and PDP application was filed for the corner gas station; however, this request was withdrawn prior to the public hearings. The site's commercial zoning was extended in 2003 for three years and was again extended in 2006 for an additional three years following a PDP approval. A PDP was approved in August 2006 for an office and retail development. This plan did not include a gas station with a convenience store and car wash on the corner.

In September 2007, City Council approved a PDP for an office and retail development. The development request included 96,096 square feet of office space and 26,251 square feet of retail/restaurant space totaling approximately 122,347 square feet of building area. The development included 16 buildings with a mix of one- and two-story heights designed around interior courtyards and water features. Due to changes in the office market, the property owner has re-designed the project and requests approval for a new office and retail development proposal. The corner parcel owned by Exxon Mobil Corporation is not included with this request and is shown in concept only.

This application seeks PDP approval in accordance with the Development Booklet. The Late Hour Business Policy is not applicable to this site due to the site receiving zoning approval prior to the adoption of the Late Hour Business Policy in December 2004.

During the previous PDP request, the development proposal went before the Design Review Committee before returning to the Planning & Zoning Commission to address concerns with building architecture, specifically the buildings needing to create more of a statement at the intersection. The Planning Commission requested additional shade and seating areas in interior areas and additional building colors.

The development complies with the City's Commercial Design Standards including site design, landscaping and parking requirements. The development request includes a comprehensive sign package, which also meets the City's design standards.

The development requests approval of a 30-foot high freeway monument sign solely for the project name's identification. There are no other freeway monument signs approved for properties at the Loop 2-2 and Alma School Road intersection. This sign would be the first freeway monument sign; however, this sign does not include any tenant/business name panels as typically located on retail shopping center freeway monument signs.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 12, 2008. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Staff recommend approval subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3260 in case DVR00-0005 Pecos Plaza, except as modified by condition herein.
2. Development shall be in substantial conformance with the development booklet entitled "Advantage Business Park – Preliminary Development Plan 5-27-08" kept on file in the City of Chandler Current Planning Division, in file number PDP07-0005, except as modified by condition herein.
3. No medical or dental office uses will be permitted unless a revised parking analysis is provided demonstrating that the center contains adequate parking per the Zoning Code requirements to accommodate the proposed uses.
4. The development shall be in conformance with the City's Commercial Design Standards including landscaping.
5. The design and construction of the upgraded perimeter theme wall along the southern property line shall be coordinated with ADOT.
6. A separate Preliminary Development Plan is required for the corner parcel planned for a gas station with a convenience store and car wash.
7. The future pad at the intersection corner shall carry an architectural level of detail similar to architectural design theme for the larger surrounding development.
8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
9. The entire site shall be maintained in a manner free of weeds, trash and debris.
10. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
11. The parking space canopies shall incorporate building materials, forms and colors to match the development as exhibited in the Development Booklet.
12. Any future freestanding monument signs for retail or office tenant signage shall require application and approval of a Preliminary Development Plan.
13. Monument sign panels shall have an integrated or decorative cover panel until the project's identification name is added to the sign.
14. 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.
15. All raceway signage shall be prohibited within the development.
16. All building-mounted and freestanding monument sign lettering and logos shall be reverse pan channel halo-illuminated or non-illuminated as represented in the Development Booklet.
17. Building mounted signage for all office buildings shall occur on each façade in an orderly manner.
18. Landscape planters shall be provided at the base of all freestanding monument signage.
19. The applicant shall work with Staff to provide additional landscape areas and shade within the parking court area between Buildings A, B and D, and within pedestrian areas.

17. PRELIMINARY DEVELOPMENT PLAN: PGA Superstore

APPROVED Preliminary Development Plan PDP08-0006 PGA Superstore, for an amended sign plan for the Chandler Mercado shopping center at the NEC of Warner Road and Arizona Avenue.

The request is for PDP approval to amend the previously approved sign plan for the Chandler Mercado shopping center at the NEC of Warner Road and Arizona Avenue. The site, originally developed in 1987, received PAD zoning and PDP approval in 2006 for a renovation that included subdividing of the vacant K-Mart space, addition of shops to the building's southern end, a new color scheme, new landscaping, and additional monument signage. The subject request is to further amend the approved signage to allow for larger logos on specified building signs.

The existing PDP approval limits corporate logos to no more than 10% of the total sign area. The shopping center's largest tenant, PGA Superstore, is currently limited by the corporate logo provision to a PGA Tour logo of 42 square feet, or less than 8' in height. This application requests that corporate logos be limited to 19% of total sign area for large tenants (those over 83,800 square feet in size). It is also proposed that the logo continue to be located within the previously approved sign envelopes to ensure appropriate proportions within the façade. It is noted that the PGA Superstore façade is approximately 715' from the Arizona Avenue right-of-way, and the proposed logo size increase will allow for better visibility on this relatively deep lot. As crafted, the PDP amendment would affect only the PGA Superstore tenant sign.

The opinion of the Planning Commission and Staff is that the requested logo size increase is justified by the deep setbacks from Arizona Avenue and by the provisions that guard against its inappropriate use by smaller tenants closer to the street or those with insufficient façade area to provide appropriate proportionality above and below the logo. The end result of the PDP amendment will be an attractive, professional logo that fits in with the shopping center while keeping other aesthetic concerns adequately controlled.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 9, 2008. There were no neighbors in attendance.

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Staff recommend approval subject to the following conditions:

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.

18. CONTINUED PRELIMINARY DEVELOPMENT PLAN: Aloft/Downtown Ocotillo

CONTINUED TO AUGUST 28, 2008, Preliminary Development Plan PDP08-0008 Aloft/Downtown Ocotillo, for a five-story, 144-unit hotel on approximately 4.2 acres located south and west of the SWC of Dobson and Queen Creek roads to allow the applicant additional time to further develop design alternatives.

19. PRELIMINARY DEVELOPMENT PLAN: Westtech Business Center

APPROVED Preliminary Development Plan PDP08-0012 Westtech Business Center, for two multi-tenant industrial buildings on approximately 9 acres at 300 E. Palomino Drive. (Applicant: FS Phoenix, LLC/McCall & Associates Architects; Developer: Seefried Industrial Properties.)

The property is located within the Westtech Corporate Center on the north side of Palomino Drive, immediately west of the Hensley distribution facility approved in 2007. The Westtech Corporate Center is part of the Westtech PAD that received conceptual zoning in 1985. The conceptual zoning included industrial, commercial and multi-family. The subject site is within the area zoned for industrial uses with auxiliary office uses.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 23, 2008. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 2858, in case PL98-0020 Westtech Pad.
2. Development shall be in substantial conformance with the development booklet entitled "Westtech Business Center" kept on file in the City of Chandler Planning Services Division, in File No. PDP08-0012, except as modified by condition herein.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. 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.
5. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
6. 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.
7. Building signage shall be limited to one sign per tenant.
8. Mexican Fan Palms shall be replaced with Date Palms.
9. Raceway signage shall be prohibited.

20. PRELIMINARY DEVELOPMENT PLAN: Saturday Bay Personal Storage

APPROVED Preliminary Development Plan PDP08-0013 Saturday Bay Personal Storage, for a self-storage facility on a 5-acre parcel located northwest of the NWC of Chandler Boulevard and McClintock Drive within the Stellar Business Park. (Applicant: Kiley Wallace, Robert Kubicek Architects.)

The subject site, lot 8 of the Stellar Business Park, is located north and west of the NWC of Chandler Boulevard and McClintock Drive. Directly north of the site is City-owned land for a future park expansion. Adjacent to the west is a portion of the Desert Breeze Park. Directly south is the developed Stellar Business Center. East, across Enterprise Place are a vacant parcel, and a condominium warehouse facility.

The subject site was zoned PAD for I-1 Light Industrial uses as part of the larger Stellar Business Park in 2001. The zoning allowed for a variety of business park uses including office and self-storage. The request is in compliance with the approved zoning. However, within the allowed uses, storage of hazardous materials, repair work, painting and outside storage are all prohibited.

This request was notices in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 23, 2008. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan and Planned Area Development zoning, the Planning Commission and Staff recommend approval subject to the following conditions:

1. Completion of the construction of all required off-site street improvement 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.
2. Development shall be in substantial conformance with the development booklet entitled 'Saturday Bay Personal Storage' kept on file in the City of Chandler Planning Services Division, in File No. PDP08-0013, except as modified by condition herein.
3. 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.
4. Approval by the Director of Planning and Development of plans for landscaping (open spaced and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
5. All repair work and kindred businesses or activities not related to self-storage or vehicle parking shall be prohibited. Any repair work will be limited to minor maintenance activities and any other repair or restoration activities are prohibited.
6. All hazardous materials shall be prohibited within the self-storage and on the site.
7. No outside storage is permitted on the site.
8. The developer shall provide notice to buyers that if any future owners rent the condominium unit to others, then the owner is required to abide by all City Code requirements for rental property including obtaining a privilege tax license.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
11. The site shall be maintained in a clean and orderly manner.

21. ZONING EXTENSION: Tre Vicino

EXTENDED current Zoning for DVR08-0001/PDP08-0002/PPT08-0008 Tre Vicino, for Low-Medium Density Residential Development on approximately 50 acres south and east of the SEC of Knox Road and Arizona Avenue and APPROVED Preliminary Development Plan and Preliminary Plat for site layout and building architecture for the residential development. (Applicant: Stephen Anderson, Gammage & Burnham.)

The subject site received a General Plan amendment in November 2004 re-designating the site from employment and Strip Commercial to Low-Medium Density Residential. The Low-medium

Density Residential category permits residential developments with an allowed density of 3.5-12 dwelling units per acre. Following the General Plan amendment, the property received Conceptual PAD zoning approval in December 2004 rezoning the site from general Industrial District (I-2) and Regional Commercial District (C-3) to Planned Area Development (PAD), with conceptual PDP approval for a Low-Medium Density Residential Development. The approval established an aggregate maximum density of 9 dwelling units per acre, with the potential to increase the density to 12 dwelling units per acre subject to approval through the Preliminary Development Plan (PDP) process. This PAD zoning expired on February 13, 2008; development has not commenced. The current application includes a request to extend the PAD zoning for an additional 3 years.

Staff supports the requested time extension for the PAD Low-Medium Density Residential zoning finding it to continue to represent a compatible land use with the development evolution of the surrounding area. In addition, the future residents will positively contribute to the revitalization of the surrounding area.

The second aspect of the application requests Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for the site layout and building architecture for a residential development. The approximate 50-acre infill subject site is located south and east of the SEC of Knox Road and Arizona Avenue, and physically wraps around the existing U-Hall center. East of the U-Hall center is a vacant parcel zoned I-2. The site is surrounded to the north by an existing mobile home subdivision, and to the south by a retail shopping center and vacant land zoned for industrial uses. Adjacent to the west is Arizona Avenue, and to the east is the Union Pacific-Southern Pacific Railway Line. To the east of the railroad tracks is an approximately 40-acre existing residential subdivision Festiva Court. The Festiva Court site was also the subject of a General Plan amendment adopted by the Council in 2001, which re-designated that property from Employment to Low-Medium Density Residential. Subsequent zoning and preliminary development plans were approved for the 4.3 dwelling units per acre subdivision in 2003.

Staff supports the PDP and plat requests finding the proposed infill subdivision to represent a quality addition to north Chandler. The site layout provides a curvilinear street system with an integrated pedestrian and recreational amenity network. The three different housing product types have been carefully designed and arranged to provide an integrated uniform neighborhood. The site design adequately addresses potential impacts from the surrounding uses while maintaining an internal transition of building heights and densities. Chandler's subdivision diversity guidelines are intended to promote and ensure subdivision diversity and viability. While the Tre Vicino development proposes non-traditional housing product types that cannot directly apply to or conform to the Residential Diversity guidelines, the proposal does meet the intent and spirit of the City's subdivision and architectural standards. The development booklet provides the required and optional element lists explaining how the site design and housing product, where applicable, is consistent with the required and optional elements.

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held January 17, 2008. There were various property owners in attendance with none offering opposition. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval to extend the timing condition for an additional three (3) years with all of the conditions in the original approval remaining in effect.

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Staff recommend approval of the Preliminary Development Plan (PDP) for a Low-Medium Density Residential development, subject to the following conditions:

1. Development shall be in substantial conformance with the development booklet entitled "Tre Vicino" kept on file in the City of Chandler Current Planning Division, in file number PDP08-0002, except as modified by condition herein.
2. Compliance with original stipulations adopted by the City Council as Ordinance No. 3641, except as modified by condition herein.
3. Corner lots within the single-family portion shall be located side-by-side along the arterial street.

The Planning Commission and Staff recommend approval of the Preliminary Plat subject to the following condition:

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.

22. ARIZONA LEAGUE OF CITIES AND TOWNS MEMBERSHIP

AUTHORIZED payment of FY 2008-09 membership dues to the Arizona League of Cities and Towns in the amount of \$85,000.00.

The City of Chandler is an active member of the Arizona League of Cities and Towns. Each year we are assessed annual dues that are based on a per capital formula and minimum base fee. For cities with populations over 200,000, the dues for 2008-09 are capped at \$85,000.00.

The League works closely with the City's Intergovernmental Affairs Coordinator (IG) in providing legislative and lobbyist assistance to its member cities. When the issue is of statewide concerns, the League will take the lead position, freeing up the time for the City's IG to focus on issues of concern to our citizenry. This assistance is critical during the legislative session and allows for cities to work together on issues of regional and municipal interest.

23. MARICOPA ASSOCIATION OF GOVERNMENTS MEMBERSHIP

AUTHORIZED payment of FY 2008-09 membership dues to the Maricopa Association of Governments (MAG) in the amount of \$43,219.00.

The Maricopa Association of Governments (MAG) is a Council of Governments that serves as the regional agency for the metropolitan Phoenix area. MAG provides a regional forum for analysis, discussion and resolution of issues including areas of transportation, air quality, environment, regional development and social services.

Federal actions require that state plans and regional plans in large urban areas be prepared. For the Maricopa County area, MAG has been designated as the Metropolitan Planning Organization (MPO) as well as the Water Quality Planning Agency, Lead Air Quality Planning Agency, and Solid Waste Planning Agency.

The local governments in MAG pay an annual assessment so that MAG can provide the necessary regional planning. These assessments may vary from year to year depending on the costs associated with updates and maintenance of data.

24. INTERGOVERNMENTAL AGREEMENT: City of Phoenix

AUTHORIZED the expenditure of an amount not to exceed \$140,000.00 for firefighter physical examinations pursuant to the current Intergovernmental Agreement with the City of Phoenix.

Annual medical exams are required for Firefighters who wear breathing apparatus in order to enter hazardous atmospheres to perform their duties. The National Fire Protection Association has set standards for such exams, NFPA Standard 1582. The City of Chandler entered into an Intergovernmental Agreement with the Phoenix Fire Department Health Center in 2002 to perform these exams. This IGA provides Chandler Fire Department personnel with annual medical and physical fitness examinations. These exams are performed by Occupational Physicians whose primary focus is firefighter health and wellness. All exams are done in accordance with the recognized national standard, NFPA 1582. The Phoenix Health Center is world renowned for its work in firefighter fitness and health.

25. SUBORDINATION: 642 W. Dublin Street

APPROVED the Subordination of the Down Payment Assistance lien on property located at 642 W. Dublin Street. (Acevedo.)

The single-family, owner-occupied home located at 642 W. Dublin Street was a recipient of the City of Chandler's Down Payment Assistance Program in 2000. The City has placed a lien against the property for \$5,650.00. This lien is in the form of a 10-year forgivable loan; the loan will be forgiven on August 30, 2010, per the original loan agreement.

The owner is now requesting a refinance in order to lower their interest rate and is not receiving any cash out. The new loan is for \$148,200.00. In order to obtain the loan, a subordination of the City's lien is required by the lending institution.

The City's lien is currently in second position and would remain in second position after the new loan. The City's lien will not be released until the term of affordability expires in 2010. The property is currently valued at approximately \$183,000.00, which is more than the combined encumbrances of the City's lien and the new first mortgage.

26. CLAIMS REPORT

APPROVED the Claims Report for the Accounts Payable checks for the quarter ending June 30, 2008.

27. BOARD AND COMMISSION APPOINTMENTS:

APPROVED the following Board and Commission appointments:

Planning & Zoning Commission:
Christy McClendon

Neighborhood Advisory Committee:
William (Bill) Donaldson

Board of Adjustment:
Jeffrey Gorden
George Bressler

Board of Appeals:
Roger Stage

28. CHANDLER UNIFIED SCHOOL DISTRICT CONTRIBUTION

APPROVED Payment of FY 2008-09 contribution to the Chandler Unified School District in the amount of \$35,000.00.

The Chandler Unified School District provides summer and intersession programs to academically at-risk students. The City of Chandler has historically contributed to the funding of these three-week intersession and summer programs in joint partnership with CUSD and the Chandler Education Foundation. As a result, over 9,000 students have participated in this program since its inception. Students who participate in these programs show improved academics and attitudes about school and begin to take positive control of their lives. These changes in behavior and attitude benefit not only the student participants, but also the community at large for years to come.

MAYOR DUNN DECLARED A CONFLICT OF INTEREST ON THIS ITEM AND DID NOT VOTE.

29. No Item.

30. AGREEMENT AMENDMENT: Triora Group

APPROVED an Agreement Amendment with Triora Group for consulting services adding an additional \$100,000.00 for a revised amount not to exceed \$175,000.00.

An upgrade needs to be performed to the Oracle Application System. This upgrade will keep the City's mission critical business applications on the most current version for support and maintenance. This will include family pack for payroll, year-end patching, JRE 1.3 to 1.6, procurement rollup patch 3 and an upgrade of the Oracle databases that contain the City's information for Oracle Apps on production and test instances to version 10G.

Triora Group was selected to provide Oracle Database consulting services based on the qualifications of their consultants and their knowledge of City operations. Continuing to use the same consultant for further consulting services has been determined to be in the best interest of the City until the position is permanently filled. The consultant will also be performing the Oracle upgrade for the City.

31. AGREEMENT EXTENSION: Phoenix Newspapers dba The Arizona Republic

APPROVED a one-year Agreement Extension with Phoenix Newspapers, Inc., dba The Arizona Republic, for legal advertising services in an amount not to exceed \$60,000.00. This is the third of four one-year extensions.

32. AGREEMENT: Greater Phoenix Economic Council

APPROVED an Agreement with the Greater Phoenix Economic Council (GPEC) for FY 2008-09 in an amount not to exceed \$93,998.00.

City Economic Development Staff participates with GPEC on regional economic development activities, including formulating GPEC's Action Plan for FY 2008-09. Staff participates on the Economic Development Director's Team (EDDT) comprised of economic development professionals from each member organization (19 communities, Arizona State University,

Maricopa Community College District, Arizona Department of Commerce, Arizona Public Service and Salt River Project).

As part of the City's contract with GPEC, Chandler receives two GPEC Board of Director's appointments (Mayor Dunn and Jason Bagley with Intel). Additionally, Patrice Kraus, Intergovernmental Affairs Coordinator, is currently Chair of the GPEC Policy Development Team.

The annual contract amount for GPEC is determined by 2007 Maricopa Association of Governments (MAG) population estimate multiplied by a fixed amount per capita. Chandler's proportionate share, based on the MAG 2007 population estimate is \$93,988.00.

GPEC and the City of Chandler have partnered on two corporate locate projects this fiscal year (CDW Corporation and Qualcomm), as well as eleven more since 2002 which have resulted in the following:

- 7,450 new jobs in Chandler from GPEC-assisted locates
- \$3.46 billion in capital investment
- \$361 million in new payrolls
- Absorption of 3,258,300 sq. ft. in new and existing industrial, office and distribution space

The proposed FY 08-09 contract has identifiable and measurable performance targets for GPEC, with monthly and quarterly reporting mechanisms built in.

33. AGREEMENT: Northrup-Grumman

APPROVED an Agreement with Northrop-Grumman for Computer Aided Dispatch Equipment and Software Maintenance, sole source, for one year with four one-year renewal options, in an amount not to exceed \$21,285.49.

Northrop-Grumman has been approved as the sole source provider for the City's CAD system due to the proprietary software infrastructure. It is essential that maintenance be provided to ensure the equipment is maintained at the highest level possible due to the critical nature of public safety.

34. AGREEMENT: Traffic Signal Equipment

APPROVED an Agreement with Valmont Industries, Phoenix Highway Products, and Cem-Tec for the purchase of traffic signal poles, streetlight poles, and related equipment for a total not to exceed \$300,000.00.

35. AGREEMENT: Carollo Engineers

APPROVED Agreement #WW0820-201 for collection system facility improvements to Carollo Engineers in an amount not to exceed \$147,224.00.

The Municipal Utilities Department operates and maintains nine wastewater lift stations. Five lift stations are more than 15 years old and require routine rehabilitation and safety-related improvements. This project will include the design for new electrical instrumentation and controls, discharge piping replacement, rehabilitation and recoating of the wet well structures and installation of access hatches and equipment lifts at various facilities.

36. AGREEMENT: Wilson Engineers

APPROVED Agreement #WA0824-101 for design work related to remote site programmable logic controller replacement to Wilson Engineers in an amount not to exceed \$141,555.00.

A programmable logic controller or PLC is a computer device used to operate remotely located facilities such as booster stations, wells and wastewater lift stations automatically without the need for operator input. The purpose of the Remote Site PLC Replacement Project is to prepare a design for the replacement of the obsolete PLC's with the manufacturer's current product at up to 54 of the Utility's water production, well and wastewater facilities. The project will include preparing schematics and contract documents, and coordinating with the City's Job Order Contract (JOC) during the design of the project. Replacement of the PLC's at these facilities will ensure reliability. The City's JOC contractor, as part of a separate contract, will install the new PLC's later this year.

37. AGREEMENT: Engineering and Environmental Consultants

APPROVED Agreement #WW0509-202 for reclaimed water distribution lines infill to Engineering and Environmental Consultants (EEC) in an amount not to exceed \$66,530.00.

The City's Reclaimed Water Master Plan identifies a need to use effluent from the City's wastewater treatment facilities for irrigation of turf and landscaped areas constructed by developers. In 2005, a contract with Engineering and Environmental Consultants was approved by Council to provide for the design of 12-inch diameter reclaimed water distribution mains in various locations through out the City to complete loops in the existing distribution system.

Staff identified additional segments to be added, modified, or deleted to accommodate work done by private development in the right-of-way and completed Capital Improvement Projects. This new contract with EEC will modify the existing design as necessary to accommodate the need for new 12-inch diameter pipelines in the reclaimed water system.

38. AGREEMENT AMENDMENT: gbaMS

APPROVED an Agreement Amendment with gbaMS for the Enterprise Asset Management System adding Exhibits E (Non-Disclosure Agreement) and F (Software License Agreement).

In December 2006, Council awarded an agreement to Red Oak consulting to assist the City in determining the feasibility of an enterprise asset management system after the Information Technology Oversight Committee (ITOC) had received several similar asset management/work order project requests from various City departments. A core team of members from each department was formed and Red Oak held a series of workshops and meetings with the core team and determined that an enterprise asset management system would be the best option for the City. Red Oak also assisted in the development of the specifications and critical factors for use in the evaluation process.

39. AGREEMENT: Interop-Solutions

APPROVED an Agreement for the sole source purchase and installation of a custom radio communication system for the EOC from Interop-Solutions, L.L.C in an amount not to exceed \$75,790.00.

The City of Chandler is currently in the process of building a new Emergency Operations Center (EOC) as part of the new Fire Department Headquarters. The need to improve communications at the City of Chandler's EOC is essential to the success of this project. This part of the overall project will be implemented at the existing EOC and then transferred to the new building when it is complete.

The City of Chandler currently lacks the ability to adequately communicate effectively during a disaster from the EOC. Our current EOC communications is limited to telephones, one Fire Department radio, one Police radio and HAM radio operators. We are currently limited to monitoring one police and one fire channel at a time. The expansion of our communication system will greatly improve communications between private agencies, local jurisdictions, county and state agencies.

40. AGREEMENT: Mesa Community College

APPROVED an Agreement with Mesa Community College to provide college credit for fire and emergency medical training programs being conducted at the Chandler Fire Training Center.

The Chandler Fire Department is sending nine firefighters to paramedic training. The training will be conducted at the Chandler Fire Training Center. This agreement allows the Department to provide the course coordination and facilities for the program while the College provides certification, supplies and instructor payment.

The City will pay tuition for each Chandler Firefighter who attends the course. The College will compensate the City \$63,612.48 plus \$800.00 per attendee to cover instructor, classroom, supply and equipment costs.

41. AGREEMENT: The Shannon S. Martin Company

APPROVED a one-year Agreement with The Shannon S. Martin Company, Inc., for cleaning service for 20 restrooms at 15 City parks, Chandler Fashion Center Transit Station, and the Tumbleweed Park & Ride restrooms within the City for in the amount of \$115,800.00.

42. CONTRACT: United Fire Equipment

APPROVED a Contract with United Fire Equipment, utilizing the City of Tempe contract, for fire turnouts in an amount not to exceed \$75,000.00.

Firefighters are provided with protective clothing that includes turnout coats, turnout pants, firefighting boots and a firefighting helmet. The Department has an inspection program in which turnouts are inspected twice a year and it is determined if the turnouts need to be repaired and/or replaced. This inspection insures firefighting protective clothing is safe and is in compliance with the NFPA guidelines.

43. CONTRACT: Ancon Service Company

APPROVED a Contract with Ancon Service Company for sewer and lift station cleaning, potholing and soft-dig operations, utilizing the City of Scottsdale contract, in an amount not to exceed \$320,000.00 for one year with provisions for four additional one-year extensions.

The Wastewater Division will utilize this service to enhance the current in-house cleaning operation. This enhancement will reduce problems with odors and sewer backups.

Water Distribution will utilize this service to locate utilities to provide customers with a faster return to service after a main break.

The Streets Division will utilize this service to perform cleaning of the street sweeper was bay and storm drains.

44. CONTRACT AMENDMENT: Black & Veatch

APPROVED Contract #WA0320-201, Amendment No. 4, with Black & Veatch for the surface water treatment plant expansion in an amount not to exceed \$175,000.00 for a revised contract total not to exceed \$3,429,410.00.

In April 2004, Council awarded the engineering design services contract to Black & Veatch for design services related to upgrading plant capacity from 45 million gallons per day (MGD) to 60 MGD. A portion of the original scope was to have the project team address ways the existing process and new expansion will meet the latest Drinking Water Standards. Since we initiated the design in 2004, large fires on the Salt River Watershed significantly changed water quality entering the plant. As the new systems were installed and brought on line, Staff recognized a need to optimize plant processes. Ongoing Staff support and training will be included to ensure Staff has the data, tools and training to employ the recommendations resulting from the optimization process.

The engineering design services contract needs to be adjusted to include these additional process optimization services to assist Staff in the operation of the expanded Surface Water Treatment Plant.

45. CONTRACT AMENDMENT: Metering Services, Inc.

APPROVED Contract, Amendment No. 3, for additional funding for payment for services rendered to install multiple large meters to Metering Services, Inc., in an amount not to exceed \$60,000.00.

While assessing the large meter accounts, several meters were identified as needing modification, improvement or replacement. Work was completed to insure larger water customers were accurately billed. Billing issues from the vendor resulted in services rendered without payment.

46. CONTRACT: Stantec

APPROVED Contract #ST0707-101 to Stantec for professional services for landscape analysis and reclaimed water system analysis in an amount not to exceed \$123,256.00.

The Streets Division is currently responsible for over 35 acres of landscaped areas. These areas are composed of improved medians, rights-of-way and retention basins. Additionally, the City has set a goal to provide reclaimed water to supply its landscape needs. As a result, City Staff has determined the need for the development of an implementation and rejuvenation plan for landscape areas and evaluation of the associated reclaimed irrigation system.

The project includes the development of two tasks: Landscape Analysis and Reclaimed Water System Analysis. The Landscape Analysis will provide not only a recommended list of acceptable vegetation for median and rights-of-way, but also provide recommendations for better planting, fertilization, densities and maintenance techniques. This plan will also prioritize and provide cost estimates for upgrading landscape areas, while taking into account existing standards. Similarly, the Reclaimed Water System Analysis will provide an inventory, prioritization and implementation plan of the reclaimed water transmission system south of Pecos Road and east of the Price 101 Freeway.

The goal is to obtain findings for Best Management Practices, BMP's for both the Streets Divisions landscaped areas and the utilization of reclaimed water.

47. CONTRACT: Universal Field Services, Inc.

APPROVED a Contract with Universal Field Services, Inc., to provide real estate acquisition services needed in connection with the Ray Road-McClintock Drive Intersection project amount not to exceed \$80,400.00 and AUTHORIZED the Real Estate Manager to sign the contract.

On February 28, 2008, Council approved the alignment for the Ray Road and McClintock Drive intersection improvements. On June 25, 2008, Council adopted Resolution No. 4159 authorizing acquisition of that real property needed. The alignment requires acquisition of road right-of-way and easements for up to 19 parcels.

48. CONTRACT AMENDMENT: Entellus, Inc.

APPROVED Contract #ST0711-201, Amendment No. 1, with Entellus, Inc., for design of Street Capacity Improvements in the amount of \$8,158.00 for a revised contract total of \$31,473.00.

On January 31, 2007, the City signed the engineering design services contract with Entellus, Inc., to perform the Street Capacity Improvements project. The original contract amount was \$23,315.00. No private utility conflicts were originally anticipated for the project; therefore, potholing services were not included in the original contract. However, the utility companies have requested that potholes be performed to confirm that adequate cover will be maintained over their facilities after the improvements are constructed.

49. PURCHASE: Asphalt Resurfacing Services

APPROVED the Purchase of asphalt resurfacing services from Sunland for 15 tennis courts located at the Chandler Tennis Center, utilizing the Dysart Unified School District contract, in an amount not to exceed \$72,481.48.

Tumbleweed Park is a 205-acre park located on the SWC of Germann and McQueen roads. In 1996, the City completed the development of phase one of this regional park with the opening of the fifteen-court Chandler Tennis Center. The Chandler Tennis Center provides a high quality tennis facility for the citizens of Chandler. The courts at this facility, which were last resurfaced in 2002, consist of an acrylic surface designed to create a uniform (non-glare) colored wearing surface while protecting the integrity of the asphalt courts. Over time, use and weather wears down the court surface, which can change the way the ball plays. Tennis courts, based on manufacturer's recommendations, should be resurfaced every 4-6 years. Failure to resurface the courts could also cause damage to the sub-base jeopardizing the integrity of the courts. In order

to keep the Tennis Center open during this project, only three courts per week will be resurfaced. Resurfacing will begin in mid-august and will take approximately five weeks to complete.

50. PURCHASE: Promotional Items

APPROVED the Purchase of promotional items, utilizing the use of the State of Arizona and City of Tucson contracts for one year, in a combined amount not to exceed \$40,000.00.

51. PURCHASE: International Corporate Apparel

APPROVED the Purchase of uniform garments from International Corporate Apparel, utilizing the City of Mesa contract, in an amount not to exceed \$45,000.00.

52. PURCHASE: Fencing

APPROVED the Purchase of fencing materials and installation services from Empire Fence and Brown's Custom Fence, utilizing the Mesa Unified School District contract, in an amount not to exceed \$100,000.00.

53. PURCHASE: Bulk Fuel

APPROVED the Purchase of bulk fuel from Western States and Supreme Oil, utilizing the State of Arizona contract, in an amount not to exceed \$270,000.00.

The City purchases bulk diesel fuel for the Fire Department and Water Treatment Plant. The Fire Department has remote fuel facilities at stations 3, 6 and 7, which are used to fuel fire apparatus. It is estimated that the Fire Department will use a total of 45,000 gallons of diesel fuel at the 3 remote facilities annually. The Water Treatment Plant has a fuel tank, which provides fuel for its boiler. It is estimated that the Water Treatment Plant will use 6,000 gallons of diesel fuel annually.

Pricing is based on a weekly index published by the Oil Price Information Service (OPIS) plus a fixed margin, which varies for different delivery locations. The estimate (\$5.29/gallon) is based on an estimated OPIS average of \$4.50 plus the fixed margin. The current OPIS is 4.08.

54. PURCHASE: Data Airtime

APPROVED the Purchase of data airtime for Police mobile data computers from Spring Communications, Inc., utilizing the State of Arizona and Western States Contracting Alliance (WSCA) contract, in an amount not to exceed \$130,260.00.

The Sprint data link network is used by the Chandler Police Department to provide wireless data services to the mobile data computers (MDC) used in police vehicles. Data airtime is required for fiscal year 2008-09 for continued operation of the police mobile data computers. These mobile data computers use this airtime to communicate with the Computer Aided Dispatch (CAD) and Field Reporting systems. These systems are used to send and receive 911 dispatch information, police reports, automatic vehicle location (AVL), tactical field mapping and text messaging on a secure, encrypted network.

The amount includes 167 units at \$65 per month per unit which includes unlimited data airtime and all applicable taxes.

55. PURCHASE: Pervo Paint Co.

APPROVED the Purchase of traffic striping paint from Pervo Paint Co., utilizing the Arizona Department of Transportation (ADOT) contract, in an amount not to exceed \$98,595.00.

56. PURCHASE: ExhibitOne Corporation

APPROVED the Purchase and Installation of an audio/visual system for the Emergency Operations Center (EOC) from ExhibitOne Corporation, utilizing the State of Arizona contract, in an amount not to exceed \$224,542.00.

The Emergency Operations Center (EOC) is a critical facility for the security and safety of the City of Chandler. During large-scale emergencies and disasters, the EOC will become the seat of government and will serve as a central location where critical scene support, emergency operations decisions and emergency declarations can be made. The collection and communication of current and accurate information is critical to the success of any emergency operation. The audio/visual equipment that is currently used in the EOC is outdated and inadequate for current and future operations. This part of the overall EOC project will allow us to upgrade the audio/visual technology for the new EOC. These upgrades are necessary to meet the changing and growing needs of the community. This new technology will provide the means to collect, coordinate and disseminate information during critical operations. It will also allow the EOC Staff to simultaneously use multiple sources of data, information from media and new Crisis Management software to enhance the ability to respond to any emergency promptly and efficiently.

57. PURCHASE: Micon Construction

APPROVED the Purchase and Installation of playground equipment at Mountain View Park from Micon Construction, utilizing the City of Phoenix contract, in an amount not to exceed \$73,600.77.

Mountain View Park is a 19-acre neighborhood park located in the square mile bordered by Chandler Boulevard, McClintock, Pecos and Kyrene roads. The playground equipment at the park was destroyed by fire on April 26, 2008. Since the fire, staff from Community Services, Neighborhood Resources and the Police Department have facilitated public meetings, which led to the neighborhood becoming registered, adopting the park and holding neighborhood functions at the park. Park staff discussed with the residents installing playground equipment that has little or no plastic parts since that was used as the igniter to destroy the old playground. The new playground equipment selected for the park is primarily made of steel.

58. USE PERMIT: Michaels & Associates

APPROVED Use Permit, UP08-0019 Michaels & Associates, extension for the use of a residential home as a commercial business at 200 N. Nebraska Street. (Applicant: Kevin Michaels, Michaels and Associates, Inc.)

City Council approved a one-year Use Permit for the subject site in 2007 to allow for the conversion of a single-family residential home into a commercial business utilizing the Residential Conversion Policy. The subject site, located at the NWC of Chandler Boulevard and Nebraska Street, is approximately 220 feet west of Chandler High School. The site is surrounded by residential homes to the north and east. Directly west, adjacent to the site and along Chandler

Boulevard, are five residential homes that were converted to commercial businesses with Use Permits. South, across Chandler Boulevard is the San Marcos Golf Course.

Currently, there are six residential homes along Chandler Boulevard as part of this residential block. Five of the six homes have been approved with Use Permits for conversion. The subject site is approximately 2,500 square feet on a 9,400 square foot lot and will provide a parking area for four vehicles, with an additional two parking spaces in the garage. In addition to the onsite parking, the applicant has arranged for a parking agreement with the property owner directly east across Nebraska Street for an additional four parking spaces. The home provides five offices and has a large conference room.

The RCP was established in 1989 to allow single-family homes the opportunity to allow small commercial businesses to operate within a residential zoning district with the approval of a Use Permit. Such homes must have direct frontage or access to an arterial street and propose a business compatible with the existing neighborhood. Within this policy, criteria were established to accommodate the conversion of homes into professional offices or like businesses. Such criteria include the requirement of an improved parking lot, preservation of front yard landscaping for the aesthetic streetscape setting of the home and buffering from adjacent residences. This request meets the requirements of the RCP.

The office has been used for administrative insurance and financial services and has a total of three employees. The applicant is requesting approval for an additional three employees. As part of the additional employees, the applicant would like the opportunity to provide legal services associated with the insurance and financial operations to also be performed on-site. The legal services would utilize one of the existing office spaces and similar to the insurance and financial services, customers are by appointment only with the occasional walk-in customer. The hours of operation are generally 8 a.m. to 5 p.m. and closed on weekends. Approximately one to two clients visit the business per day, although the applicant generally visits clients at an off-site location. Staff typically does not acknowledge a parking agreement since the intent of the RCP is to keep the residential scale and feel of the neighborhood. However, due to the types of businesses and low amount of clientele traffic, Staff can support the parking agreement with the condition that the Use Permit extension be granted for one year to allow Staff time to review the use and necessity of the additional parking.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 2, 1007. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, SF-8.5 zoning district and the Residential Conversion Policy, the Planning Commission and Staff recommend approval subject to the following conditions:

1. The Use Permit shall be effective for one (1) year from the date of Council approval. Use Permit extensions, for similar or greater time periods, shall be subject to re-application to and approval by the City of Chandler.
2. Any expansion or modifications beyond the approved exhibits shall void the Use Permit.
3. The Use Permit is non-transferable to any other location.
4. Increases in on-site employment over that represented (6), or the expansion of the home to provide additional office space, shall require Use Permit amendment and approval by the City of Chandler.

5. All additional parking spaced provided in the parking agreement shall meet current City standards for parking surfaces.

59. USE PERMIT: Fresh & Easy Neighborhood Market (Chandler Blvd./Gilbert Rd.)

APPROVED Use Permit UP08-0030 Fresh & Easy Neighborhood Market (Chandler Blvd./Gilbert Rd.), Series 10, to sell beer & wine for off-premise consumption only within a planned grocery store at the NWC of Chandler Boulevard and Gilbert Road. (Applicant: Amy Nations, AZLIC.)

The subject site is located at the NWC of Chandler Boulevard and Gilbert Road, within the Norton's Crossing shopping center. Directly north and west of the site is the Dobson Place single-family residential neighborhood. East, across Gilbert Road at the intersection corner, is a CVS Pharmacy located within the Town of Gilbert. South, across Chandler Boulevard, is a Circle K fuel station, vacant land and an automotive shop, all located in a county island. In addition, there is a small trailer park and the Colonia Coronita single-family residential subdivision, both located within the City of Chandler.

The site will occupy the grocer building that was provided in the commercial portion of the Norton's Crossing development. The grocery store will be open from 8 a.m. to 12 a.m. daily and will employ approximately ten full-time and four part-time persons. With approval of the Use Permit, the grocery store will be able to provide shoppers with a selection of beer and wine for off-premise consumption only. The liquor storage of this facility is approximately 80 linear feet. The store is proposed to be open by October of 2009.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held June 25, 2008. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is granted for a Series 10 license only, and any change of license shall require reapplication and new Use Permit approval.
3. The Use Permit is non-transferable to other store locations.

60. LIQUOR LICENSE: Fresh & Easy Neighborhood Market

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #120199 L10) for Randy D. Nations, Agent, Fresh & Easy Neighborhood Market, Inc., dba Fresh & Easy Neighborhood Market at the NWC of Gilbert Road and Chandler Boulevard. A recommendation for approval of State Liquor License #10075619 will be forwarded to the State Liquor Department. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

61. USE PERMIT: Sauce Pizza & Wine

APPROVED Use Permit UP08-0032 Sauce Pizza & Wine, Series 12, to allow for the sale of all spirituous liquor for on-premise consumption only at a new restaurant in the Downtown Ocotillo development at 2551 W. Queen Creek Road. (Applicant: Amy Nations, AZLIC.)

The Downtown Ocotillo development is under construction. Sauce Pizza & Wine will be one of the first restaurants in this development. Sauce Pizza & Wine is one of several FOX Restaurant Concepts. This is a contemporary, casual, quick gourmet pizza and wine eatery offering beer and wine with lunch and dinner menus.

The restaurant has indoor and outdoor patio dining located along Queen Creek Road and occupies the end tenant of an in-line retail shops building. There is no live entertainment or music.

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 24, 2008. There were no neighbors in attendance.

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Staff recommend approval subject to the following conditions:

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, a bar serving area or the addition of entertainment related uses shall require new Use Permit re-application and approval.
3. The Use Permit is granted for a Series 12 license only and any change of licenses shall require re-application and new Use Permit approval.
4. The Use Permit is non-transferable to other restaurant locations.
5. The patio and site shall be maintained in a clean and orderly manner.

62. LIQUOR LICENSE: Sauce Pizza & Wine

APPROVED a Series 12 Restaurant Liquor License (Chandler #120109 L12) for Randy D. Nations, Agent, Sauce Ocotillo LLC, dba Sauce Pizza & wine, 2551 W. Queen Creek Road, Suite 4. A recommendation for approval of State Liquor License #12077624 will be forwarded to the State Liquor Department. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

63. USE PERMIT: Fresh & Easy Neighborhood Market (Chandler Blvd./McQueen Rd.)

APPROVED Use Permit UP08-0015 Fresh & Easy Neighborhood Market (Chandler Blvd./McQueen Rd.), Series 10, to sell beer & wine for off-premise consumption only within a planned grocery store east of the NEC of Chandler Boulevard and McQueen Road. (Applicant: Amy Nations, AZLIC.)

The subject site is located at the NEC of Chandler Boulevard and McQueen Road within the Santa Maria Village development. The site fronts on to Chandler Boulevard and is adjacent to a proposed "shops" building to the east. Directly north of the site is the medium density residential portion of the site. Beyond the residential component is the Traditions single-family residential

neighborhood. South is Chandler Boulevard with a proposed Quick Trip gas station on the south side of Chandler Boulevard. Directly west is an existing Circle K gas station.

The subject site will occupy the grocer building (Pad B) that was provided in the commercial portion of the Santa Maria village development. The store will be open from 8 a.m. to 11 p.m. daily and will employ approximately 15 full-time and three part-time persons. With approval of the Use Permit, the grocery store will be able to provide shoppers with a selection of beer and wine for off-premise consumption only. The liquor storage of this facility is approximately 80 linear feet.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 29, 2008. The Police Department has been notified of the request and has responded with no concerns. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is granted for a Series 10 license only and any change of license shall require reapplication and new Use Permit approval.
3. The Use Permit is non-transferable to other store locations.

64. LIQUOR LICENSE: Fresh & Easy Neighborhood Market

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #119057 L10) for Randy D. Nations, Agent, Fresh & Easy Neighborhood Market, Inc., dba Fresh & Easy Neighborhood Market, 215 N. McQueen Road. A recommendation for approval of State Liquor License #10075592 will be forwarded to the State Liquor Department. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

65. USE PERMIT: Espinoza's Market

APPROVED Use Permit UP08-0029 Espinoza's Market, Series 10, to sell beer & wine within a neighborhood market for off-premise consumption only at 3863 W. Chandler Boulevard. (Applicant: Larry Espinoza.)

The subject business is a neighborhood market located one block east of McClintock Drive on the south side of Chandler Boulevard. The Series 10 replaces a Series 9 Liquor Store License in place since 1981 that is being sold to another business located elsewhere in the Valley.

The site includes the subject business, a restaurant under the same ownership and a parking lot. The site is bordered by Calle Entrada on the west and single-family residences to the south and east. The store is open 8 a.m. to 9 p.m. Monday through Saturday and 8 a.m. to 7 p.m. on Sundays. Beer is stored in a cooler and wine is stored behind the counter. The neighboring restaurant does not currently sell alcohol.

The site has site maintenance issues not directly related to the Use Permit request that involve damaged roofing/parapets. The applicant is actively working to resolve all of the site maintenance issues. Previous issues that have since been resolved include a low block wall partially located in the right-of-way, patio shade structures that do not meet minimum setbacks and illegal banner signage.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 30, 2008. There was one citizen in attendance in support of the application. The Police Department has been informed of the application and has not responded with any issues or concerns. Staff has received no correspondence in opposition to the request.

Upon finding consistency with the General Plan and Community Commercial (C-2) zoning, the Planning Commission and Staff recommend approval subject to the following conditions:

1. Substantial conformance with approved exhibits (Site Plan, Floor Plan, Narrative) except as modified by condition herein.
2. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.

66. LIQUOR LICENSE: Espinoza's Food Center

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #1693 L10) for Larry Lara Espinoza, Agent, Espinoza's Food Center, 3863 W. Chandler Boulevard. A recommendation for approval of State Liquor License #10075601 will be forwarded to the State Liquor Department. Espinoza's Food Center has maintained a Series 9 Liquor Store Liquor License at this location since 1981. They recently sold the Series 9 Liquor License that allowed them to sell all alcoholic beverages and now desire to replace it with a Series 10 Beer and Wine Store Liquor License that will allow them to sell only beer and wine. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

67. LIQUOR LICENSE: Corner Store #1701

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #120133 L10) for Timothy Lee Holeman, Agent, Diamond Shamrock Arizona, Inc., dba corner Store #1701, 4020 W. Ray Road. A recommendation for approval of State Liquor License #10075642 will be forwarded to the State Liquor Department. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

68. LIQUOR LICENSE: Valero Corner Store #1702

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #120120 L10) for Timothy Lee Holeman, Agent, Diamond Shamrock Arizona, Inc., dba Valero Corner Store #1702, 2955 E. Riggs Road. A recommendation for approval of State Liquor License #10075631 will be forwarded to the State Liquor Department. The Police Department reports no objections to the issuance of this license and no written protest have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

69. CONTINUED LIQUOR LICENSE: Crosswoods Indoor Golf Center

CONTINUED TO AUGUST 28, 2008, Liquor License, Series 7, for Michael Lon Rus, agent, Crosswoods Indoor Golf LLC, dba Crosswoods Indoor Golf Center, 6170 W. Chandler Boulevard to allow the applicant time to complete the requirements for a new Use Permit.

70. LIQUOR LICENSE: Heart Attack Grill

WITHDRAWN, as requested by the applicant, Liquor License, Series 1, for Jesus Manuel Altamirano, agent, HAG LLC, dba Heart Attack Grill, 6185 W. Chandler Boulevard.

71. PRELIMINARY PLAT: Santa Maria Village

APPROVED Preliminary Plat PPT08-0003 Santa Maria Village, for an 18-acre mixed-use development with commercial and residential uses located north and east of the NEC of Chandler Boulevard and McQueen Road. (Applicant: Brennan Ray, Burch & Cracchiolo, P.A.) The plat creates the lots and tracts, construction phasing lines, establishes the necessary easements and dedicates the required rights-of-way.

72. PRELIMINARY PLAT: Shoppes At Chandler Heights

APPROVED Preliminary Plat PPT08-0005 Shoppes At Chandler Heights, for a commercial retail center on approximately 19.5 acres at the NEC of Chandler Heights Road and Arizona Avenue. (Applicant: RCC Design Group, LLC.) The plat establishes property boundaries, necessary easements and dedicates the required rights-of-way.

73. PRELIMINARY PLAT: Ryan Commerce

APPROVED Preliminary Plat PPT08-0006 Ryan Commerce, for an office/industrial/warehouse development on approximately 10 acres located north and east of the NEC of Cooper and Queen Creek roads. (WRG Design.) The plat establishes property boundaries, necessary easements and dedicates the required rights-of-way.

74. PRELIMINARY PLAT: Norton's Crossing

APPROVED Preliminary Plat PPT08-0011 Norton's Crossing, for a retail and multi-family development on approximately 23.5 acres at the NWC of Chandler Boulevard and Gilbert Road. (Applicant: Kimley-Horn and Associates, Inc.) The plat establishes property boundaries, necessary easements and dedicates the required rights-of-way.

75. PRELIMINARY PLAT: Executive Toy Storage

APPROVED Preliminary Plat PPT08-0010 Executive Toy Storage, for a mixed-use development on approximately 9 acres at the NWC of Germann and McQueen roads. (Applicant: Executive Property.) The plat creates the lots and tracts, construction phasing lines, establishes the necessary easements and dedicates the required rights-of-way.

76. PRELIMINARY PLAT: Dobson Center

APPROVED Preliminary Plat PPT07-0053 Dobson Center, for a medical office and retail development on approximately 6.7 acres at the SWC of Dobson and Frye roads. (Applicant: Terrascope Consulting.) The plat establishes property boundaries, necessary easement and dedicates the required rights-of-way.

77. FINAL PLAT: Layton Lakes Phase 1 Chandler

APPROVED Final Plat FPT08-0016 Layton Lakes Phase 1 Chandler for a re-plat of approximately 35 acres of a 342-acre master planned community located at the SEC of Queen Creek and Gilbert roads. (Applicant: Fred Klein, Coe & Van Loo Consultants, Inc.) The final plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

78. FINAL PLAT: Replat of Lot 2 of Opus Chandler Crossing

APPROVED Final Plat FPT08-0022 Replat of Lot 1 of Opus Chandler Crossing, replat of Lot 2 of the Opus Chandler Crossing commercial development on approximately 20 acres at the SWC of Gilbert and Germann roads. (Applicant: Sean Lake, Pew & Lake, P.L.C.) The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way

79. FINAL PLAT: Replat of Lots 3 & 4 of Chandler Corporate Center - North

APPROVED Final Plat FPT08-0014 Replat of Lots 3 & 4 of Chandler Corporate Center – North, for the combination of two lots into a single lot on approximately 3.337 acres within a mixed-use development, which includes industrial, warehouse and office uses located north of the NWC of McClintock Drive and Chandler Boulevard. (Applicant: RG McClintock, LLC.) The replat creates the lot, establishes the necessary easements and dedicates the required rights-of-way.

PUBLIC HEARING:

P.H. #1 ANNEXATION of approximately 30 acres of land located east of the SEC of Cooper and Chandler Heights roads.

Mayor Dunn opened the public hearing at 7:50 p.m.

JEFF KURTZ reported the subject property is 29.6 acres of land at the southeast corner of Cooper and Chandler Heights Road. This is the public hearing only, with no Council action being requested tonight.

COUNCILMEMBER ORLANDO asked if this fit the General Plan for residential in the area and about the timing. Mr. Kurtz said it is planned for low density residential. The developer does plan to develop a single-family subdivision. Mr. Kurtz added this was a deliberate process, the parcel is owned by the Riggs family with the intention of developing in and around the area where family members live.

Background: An aggregation of nine various sized parcels, owned by Chandler Heights Road Investment Group, LLC, et al, is located east of the SEC of Cooper and Chandler Heights roads. Four of the nine parcels contain existing owner occupied residences, which are to be incorporated into the applicant's plan to develop the property into a custom home single-family residential community.

The property is zoned RU-43 within the County. Surrounding and/or adjacent parcel status is as follows: North –Maricopa County RU-43; East – City of chandler PAD Single-family Residential; South – City of Chandler AF-33 Single-family Residential; West – Maricopa County RU-43. The Southeast Chandler Area Plan, a Land Use Element of the Chandler General Plan, does envision the development of stand-alone subdivisions or small residential enclaves within this designates “Rural/Agrarian Character” area when suitable parcels are found.

Staff circulated this request among City Departments and received no negative comments relative to the property’s annexation.

Mayor Dunn closed the public hearing at 7:52 p.m.

SPECIAL ORDERS OF THE DAY

A. Mayor's Announcements:

Mayor Dunn announced that Chandler has won the water donation competition between the Tempe and Chandler SEIU chapters. Tempe collected 423 cases of water while Chandler collected 963 cases of water. The water was donated to the Chandler Christian Community Center, Salvation Army and I.C.A.N.

Mayor Dunn announced the upcoming Primary election on September 2nd and the General Election on November 4th and reviewed the dates for voter registration and early balloting. He also announced the need for poll workers.

Mayor Dunn announced the start of the 13-week Citizen’s Police Academy. Registration is available by contacting the Police Department.

B. Councilmembers' Announcements:

None.

C. City Manager's Announcement:

None.

Adjournment: The meeting was adjourned at approximately 8 p.m.

ATTEST: _____
City Clerk

Mayor

Approved: August 14, 2008

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 31st day of July 2008. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of August, 2008.

City Clerk