

Info #1

August 14, 2008

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, July 16, 2008 held in the City Council Chambers, 22 S. Delaware Street.

1. Chairman Flanders called the meeting to order at 5:31 p.m.
2. Pledge of Allegiance led by Vice Chairman Irby.
3. The following Commissioners answered Roll Call:

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

Absent:

Commissioner Angela Creedon

Also present:

Mr. Kevin Mayo, Acting Planning Manager
Ms. Jodie Novak, Senior Planner
Mr. Bill Dermody, Senior Planner
Mr. Erik Swanson, City Planner
Ms. Mary Wade, City Attorney
Ms. Joyce Radatz, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CASON, seconded by **COMMISSIONER KELLEY**, to approve the minutes of the June 18, 2008 Planning Commission hearings. The motion passed unanimously 6-0.
5. ACTION AGENDA ITEMS
CHAIRMAN FLANDERS informed the audience that prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After Staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion. There were no action items.

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

A. DVR07-0028 RIGGS GATEWAY

APPROVED.

Request rezoning from General Industrial District (I-2) to Planned Area Development (PAD) for a commercial retail center with Preliminary Development Plan (PDP) approval on approximately 30 acres. The development is located on the northeast corner of Arizona Avenue and Riggs Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Riggs Gateway," kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0028, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. The developer shall coordinate with Public Works for the future traffic signal at the proposed median break along Arizona Avenue.
5. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
8. 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.
9. Landscaping shall be in compliance with current Commercial Design Standards.
10. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a property owners' association.
11. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
12. The site shall be maintained in a clean and orderly manner.
13. 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.

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. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
16. The site's address shall be provided at the top of freestanding monument signs.
17. Raceway signage shall be prohibited within the development.
18. The freestanding pads along the perimeter of the development shall carry an equal architectural level of detail on all four sides as the main center as represented in the Development Booklet.
19. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

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

20. **The applicant shall work with Staff to provide additional shade trees within special feature areas 4 and 5 as exhibited in the Development Booklet.**
21. **The applicant shall work with Staff to replace the Foothills Palo Verde tree in special feature and pedestrian common areas with a hybrid thornless Palo Verde tree species.**

22. **The 6-foot high perimeter screen walls on the north and east sides of the development shall match the parking screen wall design as exhibited in the Development Booklet.**
23. **The applicant shall work with Staff to incorporate Palm tree varieties within the development to emulate the crossed-palm theme logo.**
24. **Add shade trees in between Date Palm trees along both boulevard entrances.**
25. **Relocate the special feature in front of Anchor A southward to serve as a focal point at the terminus of the boulevard entrance drive.**
26. **Add Date Palm trees along Anchor A to emphasize the entrance area.**
27. **Add a “green screen” feature to match the center’s screen to the freestanding monument signs.**

B. DVR08-0001/PDP08-0002/PPT08-0008 TRE VICINO

APPROVED.

Request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former General Industrial District (I-2) and Regional Commercial District (C-3) zoning districts. The existing PAD zoning is for a Low-Medium Density Residential Development on approximately 50-acres south and east of the southeast corner of Knox Road and Arizona Avenue. Additionally, request Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for site layout and building architecture for the residential development.

1. Development shall be in substantial conformance with Exhibit A, 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 limited to single-story only.**
4. **No more than 2 (two) two-story homes shall be located side-by-side along the arterial street.**

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.

C. DVR08-0020 WESTERN STATE BANK

APPROVED.

Request rezoning from Planned Area Development (PAD) to PAD Amended zoning with Preliminary Development Plan (PDP) approval for a new bank on 1.0 acres at the northeast corner of Chandler Boulevard and Alma School Road.

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Western State Bank", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0020, except as modified by condition herein.
3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
7. Approval by the Director of Planning and Development of plans for landscaping and perimeter walls and the Director of Public Works for arterial street median landscaping.
8. The 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 applicant shall work with staff to improve the landscape design near the intersection corner.**
10. **Landscaping shall comply with the Commercial Design Standards.**
11. **Building signage shall be reverse pan-channel.**

D. DVR08-0022 PALM COURT CENTER

APPROVED.

Request rezoning from Planned Area Development (PAD) to PAD Amended zoning to expand the list of permitted uses for a building at 255 W. Warner Road.

1. Development shall be in substantial conformance with the application materials, except as modified by conditions herein.
2. Permitted uses shall be those allowed in the Community Commercial (C-2) zoning district, plus high schools.
3. Compliance with the original conditions adopted by City Council through Ordinance No. 1849, in case Z87-0021 PALM COURT CENTER, except as modified by the subject application and conditions herein.

E. PDP08-0005 ADVANTAGE BUSINESS PARK

APPROVED.

Request Preliminary Development Plan (PDP) approval to construct an office and retail development on an approximate 13-acre site. The property is located south and east of the southeast corner of Alma School and Pecos Roads.

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 Exhibit A, 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 PDP08-0005, 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 carwash.
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 sign's 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.**

F. PDP08-0008 ALOFT/DOWNTOWN OCOTILLO
APPROVED TO CONTINUE TO THE AUGUST 6, 2008 PLANNING COMMISSION HEARING.

Request Preliminary Development Plan approval for a five-story, 144-unit hotel on approximately 4.2 acres. The subject site is located south and west of the southwest corner of Dobson and Queen Creek Roads. **(REQUEST CONTINUANCE TO THE AUGUST 6, 2008 PLANNING & ZONING COMMISSION MEETING AGENDA.)**

G. PDP08-0012 WESTECH BUSINESS CENTER
APPROVED.

Request Preliminary Development Plan (PDP) approval for two multi-tenant industrial buildings on approximately 9 acres at 300 E. Palomino Drive, ½ mile north of Warner Road and 1,000 feet east of Arizona Avenue.

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 2858, in case PL98-0020 WESTECH PAD.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “Westech 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.**

H. PDP08-0013 SATURDAY BAY PERSONAL STORAGE

APPROVED.

Request Preliminary Development Plan approval for a self-storage facility on a 5-acre parcel. The subject site is located northwest of the northwest corner of Chandler Boulevard and McClintock Drive, within the Stellar Business Park.

1. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
2. Development shall be in substantial conformance with Exhibit F, 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 spaces 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.

I. UP08-0015 FRESH & EASY NEIGHBORHOOD MARKET
(CHANDLER BLVD./MCQUEEN ROAD)

APPROVED.

Request Use Permit approval to sell beer & wine for off-premise consumption only within a planned grocery store (Series 10 Liquor License) located east of the northeast corner of Chandler Boulevard and McQueen Road.

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.

J. UP08-0019 MICHAELS & ASSOCIATES
APPROVED.

Request Use Permit extension approval for the use of a residential home as a commercial business. The subject site is located at 200 N. Nebraska St.

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 spaces provided in the parking agreement shall meet current City standards for parking surfaces.**

K. UP08-0029 ESPINOZA'S MARKET
APPROVED.

Request Use Permit approval to sell beer & wine within a neighborhood market for off-premise consumption only (Series 10 Liquor License) at 3863 W. Chandler Boulevard, one block east of McClintock Drive.

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.**

L. UP08-0030 FRESH & EASY NEIGHBORHOOD MARKET
(CHANDLER BLVD./GILBERT ROAD)

APPROVED.

Request Use Permit approval to sell beer & wine for off-premise consumption only within a planned grocery store (Series 10 Liquor License) located at the northwest corner of Chandler Boulevard and Gilbert Road.

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.

M. UP08-0032 SAUCE PIZZA & WINE

APPROVED.

Request Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for the sale of all spirituous liquor for on-premise consumption only at a new restaurant in the Downtown Ocotillo development. The property is located at 2551 West Queen Creek Road, the southwest corner of Queen Creek and Dobson Roads.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit re-application and approval.
2. Any substantial change in the floor plan to include such items as, but not limited to, 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.

N. PPT08-0003 SANTA MARIA VILLAGE

APPROVED.

Request Preliminary Plat approval for a mixed-use development with commercial and residential uses located north and east of the northeast corner of Chandler Boulevard and McQueen Road.

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.

O. PPT08-0010 EXECUTIVE TOY STORAGE

APPROVED.

Request Preliminary Plat approval for a mixed-use development located at the northwest corner of Germann and McQueen Roads.

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

P. PPT07-0053 DOBSON CENTER
APPROVED.

Request Preliminary Plat approval for a medical office and retail development located at the southwest corner of Dobson and Frye Roads.

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

Q. PPT08-0011 NORTON'S CROSSING
APPROVED.

Request Preliminary Plat approval for a retail and multi-family development located at the northwest corner of Chandler Boulevard and Gilbert Road.

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

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

He stated he does have a "conflict of interest" on several items on this agenda – items A, I, L, M and Q. He stated even though he was not personally involved in any of those projects, the firm that he works for is. He will not be voting on those particular items. He then entertained a motion.

MOVED BY VICE CHAIRMAN IRBY, seconded by **COMMISSIONER RIVERS** to approve the consent agenda with the added stipulations as read into the record by Staff. The consent agenda passed unanimously 6-0.

6. DIRECTOR'S REPORT

Mr. Mayo stated there was nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN FLANDERS announced that the next regular meeting is August 6, 2008 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:42 p.m.

Michael Flanders, Chairman

Jeffrey A. Kurtz, Secretary