

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 5, 2008 held in the City Council Chambers, 22 S. Delaware Street.

1. Chairman Flanders called the meeting to order at 5:36 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  
Commissioner Christy McClendon

Also present:

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

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIRMAN IRBY**, seconded by **COMMISSIONER RIVERS**, to approve the minutes of the October 15, 2008 Planning Commission hearing. The motion passed unanimously 6-0. (Commissioner Rivers abstained, as he was not present at that meeting.)
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 two action items - Items C and D.

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

B. DVR06-0022 CHANDLER AIRPARK VILLAGE

**Approved to continue to the November 19, 2008 Planning Commission Hearing.**

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan (PDP) approval for a mixed-use development consisting of retail, medical/general office, and multi-family residential uses on approximately 30-acres located at the southwest corner of Germann Road and the Consolidated Canal (1/4 mile east of McQueen Road). **(REQUEST CONTINUANCE TO THE NOVEMBER 19, 2008 PLANNING COMMISSION HEARING.)**

E. PDP08-0015 LOT 4 – STELLAR BUSINESS PARK

**Approved.**

Request Preliminary Development Plan (PDP) approval for a warehouse/office building on Lot 4 within Stellar Business Park. The property is located west and north of the northwest corner of Chandler Boulevard and McClintock Drive.

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3301 in case DVR01-0021 Stellar Business Park, except as modified by condition herein.
2. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. Raceway signage shall be prohibited within the development.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The site shall be maintained in a clean and orderly manner.
7. **The applicant shall work with Staff to provide vertical parapet relief on all four sides of the building.**

F. UP08-0047 FLORIDINO'S PIZZA & PASTA

**Approved.**

Request Use Permit approval to sell liquor for on-premise consumption only within an expanded service area of Floridino's Pizza and Pasta (Series 12 Restaurant License). The restaurant is located at 590 N. Alma School Road, approximately 650 feet south of Galveston Street.

1. The Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.

5. The area adjacent to the establishment shall be maintained in a clean and orderly manner.

**CHAIRMAN FLANDERS** entertained a motion for the consent agenda.

**MOVED BY VICE CHAIRMAN IRBY**, seconded by **COMMISSIONER CASON**, to approve the Consent Agenda with additional stipulations as read into the record by Staff. The Consent Agenda passed unanimously 7-0. **COMMISSIONER KELLEY** said he had to abstain from Item F due to a conflict of interest.

**CHAIRMAN FLANDERS** stated that as a result of being employed by the architect of record he has a conflict of interest on Action Item C. He turned the chair over to Vice Chairman Irby.

**ACTION:**

C. DVR07-0028 RIGGS GATEWAY

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. "Anchor A Expansion Area" shall be in substantial conformance with the plans and building elevations as represented in the Development Booklet. If this 'expansion area' changes beyond what is represented and approved in anyway including the maximum building square footage and interior wall locations of Anchor A at 114,000 square feet plus a 17,100 square foot future expansion area, the change shall come back as a separate Preliminary Development Plan request for review and approval.

**21. The landscape tract along the site's east side directly east of Minor A shall have additional trees to screen the rear loading areas behind Minor A and Major A.**

**22. A pedestrian link shall be provided to and from Shops B and Pad A.**

**MS. JODIE NOVAK, Senior City Planner,** stated the application back before them is Riggs Gateway, DVR07-0028. Planning Commission had this application before them at their July 16, 2008 meeting. Planning Commission unanimously recommended approval of this project for both rezoning the land as the well as the Preliminary Development Plan, which includes all building design as well as the site design of the project. This case did also go before the City Council on August 14, 2008. City Council had reviewed this case but had approximately 3 or 4 specific site design related comments that they requested this case come back to Planning Commission to address. Their specific design standards were dealing with landscaping, shading, pedestrian walkway linkages and breaking up the main parking field reducing some of the parking spaces that were in the project. Since the City Council meeting, the applicant has gone back and incorporated all the design standards that City Council has recommended, which she will read into the record in a few moments. They have also gone ahead and added in all the design standards. There were 7 stipulations that Planning Commission had initially added in their request. They have gone ahead and incorporated all those items into this project as you are seeing today. With the stipulations in this particular request, those that Commission had originally recommended have now been removed because they are in compliance with them.

Some of the standards that City Council was asking Planning Commission to go back in and implemented into the site design was adding additional pedestrian colonnade design features such trees to provide shading and this will be provided along the main center where your major and minor shops are located on the project. They have gone ahead and

added trees on either side of the colonnade and they have doubled up the row of parking planters on the main drive aisle off of Riggs Road and created additional trees that would create more shade. They have reduced the parking spaces in the overall parking area; over 100 spaces have now been deleted from the project and been replaced specifically with landscaping areas and pedestrian walkway areas. Another thing that City Council was requesting with the parking spaces being reduced is that they utilize that area for shade. What they have done is added pedestrian walkway linkages from the main shopping center, pretty much from Anchor A, directly west to Shops B. Just north of Major A all the way west towards the Boulevard entrance are shade trellis elements which are long spans of really nicely designed trellis features that have lighting and vines that will grow on them in decorative column features with screens for planting. These shade areas are similar that they have seen in other projects throughout the valley that are very accommodating for pedestrian to get to and from and stay cool and have some shade when it is our hot temperatures here in the summertime. Those are some great design features that have added to the project that they have incorporated to address some of Council's concerns. They have also gone ahead and widened the landscaping areas in various locations along the boulevard entrances off of Arizona Avenue and Riggs Road, added additional landscaping on the south side of Shops B and have really created an environment that has more lush landscaping, additional shading and reduced parking which are the main components of what City Council wanted them to do in the site design for Commission to review the request.

She said she wanted to briefly go over some of the site design changes as well that they have done addressing Commission's initial zoning conditions. Those would be replacing some trees that had thorns with thornless hybrid trees and making sure they represented that the perimeter walls that are 6 feet would match the design elements of the low 3-foot screen walls along the street frontages. They have added additional landscaping including trees and certain special feature areas that they had concerns with. They have added Desert Museum trees in between the date palm trees that are aligning our boulevard entrances. They have incorporated design features and additional "cross palm logos", which is their theme design for the center. It wasn't requested by either Commission or Council but they have added them even further on all of their buildings, added additional cross palms that area going to grow in a cross configuration to match their special feature design that they have inlaid into the ground on fence structures and on the buildings as well. It is like the center's logo.

This case is a request for rezoning. It is right now zoned I-2, which was the zoning that was provided to it when they annexed it and gave it initial city zoning. They want to rezone it to PAD specifically to allow a commercial retail shopping center. The site plan and development plan does represent an anchor tenant as well as major and minor shop tenants in multiple free-standing PADS. The anchor tenant is not a big box as defined under the City of Chandler zoning code, which they define as a large single use retailer. That would have to be a building that is at least 150,000 square feet in size and that would also include any garden centers or outdoor areas that they have. That is not a part of this application request. They are not asking for a user of that size. Their largest user

is 117,000 square feet. They do have 114,000 square feet and it has a 14,100 future expansion area for additional square foot as exhibited as a garden area. What Council had asked is a stipulation, which is still before them today on their current recommendation, is that if that expansion area changed aesthetically or in size any differently than is in this development booklet which they are stipulated to be in conformance with, then it would have to come back with a new PDP. In response to some of Commission's concerns they have since modified condition #20 and that condition will include some specifics in regard to the square footages of what they are representing in the development today. Basically, the condition would read is:

Anchor A expansion area shall be in substantial conformance with the plans and building elevations as represented in the development booklet. If the expansion area changes beyond what is represented and approved in any way including the maximum building square footage and interior wall locations for Anchor A, which is 114,000 square feet plus a 17,100 square foot future expansion area, the change shall come back as a separate Preliminary Development Plan request for review and approval which would come back through Planning Commission as well as City Council.

They further added language to number 20. She said she would get into some additional conditions that they have recommended as well. As they can read in the development request, there has been a substantial amount of neighborhood work. Some of the key neighborhood residents in the area that have concerns about the project have been in touch with the applicant. She has been getting the correspondence to and from both of them. They have been meeting since before this went to Planning Commission and Council and even following Council's action before coming here today. The applicant has met and has had discussion about some of the concerns they have had with some site design features. Her understanding is their primary concern is a fear of a specific business that would locate as the anchor in this particular shopping center. She hasn't received any phone calls from anybody in regards to being opposed to this but there has been a long trail of e-mails that have come through to the City Council office and City Manager's office which they have provided to the Planning Commission. As of today, they did get a letter of support from Scott Ward with Ward Real Estate Development. He is a developer just down the street on the south side of Riggs Road building a custom home subdivision. She believes the name is Galileo. He is in support of this project. He feels it is a great asset. It has always been planned as a commercial retail corner. It is in the adopted Area Plan as that and he thinks it is a great use to have in the area to support some of the additional residential that is going to be building over there. There are some residents that are here today that she is familiar with and have met over the time working on this that would like to speak on this request as well. The conditions that they have are 1 through 20. The first 19 are typical boilerplate zoning conditions and the additional one Planning Commission has recommended is number 21. She has met with the applicant and they are in agreement. It reads as follows:

***The landscape tract along the site's east side directly east of Minor A shall have additional trees to screen the rear loading area behind Minor A and Major A.***

Also, they would add in number 22 in which the applicant is in agreement with which would read:

***A pedestrian link shall be provided to and from Shops B and Pad A.***

There is an appropriate area where they could do that on the west side of the Pad and it would connect to an existing walkway area that is already adjacent to Shops B. Staff is recommending approval of this request as they did the initial time it had come before them. Ms. Novak stated that they have met our commercial design standards and they have gone above and beyond our standards and they have a lot of special features in this project. There has not been a concern from City Council members or Staff with their architecture. They have addressed Council's initial concerns during the annexation to really create a theme and a character design with this project. She thinks adding in the additional concerns that Council had with landscaping and pedestrian walkways and shaded areas that they have really created an even more unique development for this particular project. They are recommending approval and if they have any questions, she would be happy to answer them.

**VICE CHAIRMAN IRBY** stated that architecturally it was a very nice looking project when it first came through and obviously they have spent more time on it. It has gotten better. He has some of the same issues and he thinks they have covered them with the stipulations. He asked if there were any comments or questions to Staff from any of the Commissioners.

**COMMISSIONER CASON** asked Ms. Novak on item 20, the alignment separates Anchor A from Major A - that can't be moved without coming back before the Commission? Ms. Novak said that was correct.

**VICE CHAIRMAN IRBY** went to the applicant to tell about his project.

**DAVID CISIEWSKI** on behalf of Riggs Gateway, **11811 N. TATUM BOULEVARD, PHOENIX**, stated the project before them tonight is essentially the same project they saw and voted unanimously to approve in July. It is a land use question of "is it appropriate to down zone an I-2 industrial zoned property to PAD commercial to accommodate a retail center"? His answer to Commission is going to be yes, it is an appropriate use. Based on the 2001 General Plan and 2008 General Plan that was just adopted yesterday, this intersection has been designated as a commercial node. Under the commercial node guidelines retail centers are appropriate the intent being focusing the larger retail operations at key intersections throughout the city to avoid direct impact in the neighborhoods to the mid section streets and the smaller streets in town. Specifically, under the 2008 plan there is a reference in the commercial nodes that would allow retail centers in excess of 300,000 square foot single user. As Jodie mentioned and has Staff has mentioned throughout this project over the last two years, they have attempted to accommodate the concerns that the neighbors brought a number of years ago

that they do not want a large single use retailer at this location. They are worried about various issues, traffic and congestion not the least of which. They have tried to design a project with a very small anchor tenant or a project that is 30 acres. The reason for the need for an anchor tenant is, as many of them may know, retail projects have to be sustainable. It makes no sense to design a retail project and go to the extent his client has over the last 2 years working with Staff and neighbors and architects trying to design a very, very beautiful project. At the end of the day, you cannot sustain it because there is not enough activity. You cannot attract viable tenants and therefore you are not attracting consumers.

The anchor tenant that is shown on the plan tonight at 114,000 square feet they believe is truly a small anchor tenant. It is well below the city established standard for large retailers. They are in agreement with Staff stipulations that have been now for months that they are essentially locked into the plan. Planning Commissioners and Council had raised some concerns if can they co-mingle Anchor A and Major A and so forth to accommodate a much larger single use tenant. The answer to that question as Staff has said numerous times is no. The plan before them tonight is the plan before them tonight. If they come in and try and do a 145,000 square foot anchor or want to do some substantial changes to the footprint to the outside walls and interconnect the buildings, that project will be back before them and back before the neighbors through public process again. They are in agreement with that. As Jodie has detailed some of the changes that they have accommodated, he pointed out a few things so everyone understands that they really have and his client has really tried to go to the 'nth' degree to work with Staff and accommodate Planning Commission comments from July as well as Council comments in terms of making this a truly pedestrian friendly connection throughout the development making excessive shade, not making this a standard plain retail center with lots of parking and stark buildings. He said just wanted to point out a few of the items that have been changed, Jodie hit most of them.

One of the stipulations as they may recall that Planning Commission requested was with respect to signage that they add some green screens and foliage to the signage. Again, the intent to break up the plain Jane signs that you see on many retail developments. What has been designed and Staff is in agreement with is, green screen with foliage and it will be at the base of the smaller monument signs as well as the taller monument signs throughout the project. In addition in terms of landscaping, there were a number of stipulations previously provided by Planning Commission in July and Jodie hit on a few them. Originally, when the plan was brought before them this is the perspective of the drive from Arizona Avenue entering into the main center moving east to west or west to east as the case may be (shown on Elmo). You can see the signage with the green screens on it. Originally, they had the row of palms on the side and then there was some low foliage landscaping. At Commission's request, they have now gone through and integrated different species of trees to give both a low level landscape with the tree canopies as well as a high landscape with a perspective of the palms. In addition as Jodie noted, the perspective that he showing them now is the view from the Riggs Road main entrance that will be moving northward from Riggs Road into the development. Again,

they have integrate lower level tree canopies throughout the palms to give a stacked appearance to the landscaping again, to provide as much lush landscaping as they can on this development to make it as aesthetically pleasing as possible from the streetscape.

As Jodie mentioned, one of the things that his client chose to do on this is as they work through the project months ago with Staff, Staff had suggested that they come up with a theme for the project and the theme for the project is an oasis. With this cross palm logo that has been incorporated on most of the building fronts, in the sidewalks, actually stamped into the sidewalks, they have also agreed to do an actual physical cross palm set up. There are 3 on the development. There will be one at the entrance off of Riggs Road as you move northward, there is one at the terminus of the drive into the main drive coming in off of Arizona Avenue into where the drive would terminate in front of Anchor A. They will have another cross palm feature and then again at the corners. Again, trying to take this project one step above the normal retail center and adding some of these very special unique features that you normally see. They have agreed that the entire perimeter of this project will be surrounded by six-foot high screen wall and that will include both the entire east property line as well as the north property line. We are obviously doing this for a number of reasons most predominately a screening to the rear of the buildings to the neighbors and the golf course to the east. Again, the wall shown before you is a significantly enhanced wall other than your standard 6-foot block and stucco wall. As was mentioned by Jodie again, a lot of the focus from Council and Commission the last time they were here was with regard to the building elevations in terms of their harshness, their starkness. What they have tried to do along the colonnade is to incorporate a substantially increased landscaped pallet to accomplish two things; One to soften and give some depth and some life, if you will, to the main building elevations. As you see, there is a substantial amount of landscape along the front of the buildings here as was stipulated by last Planning Commission, palms have been incorporated on either side of the main entrance to Anchor A and again, the twin palms feature is incorporated at the terminus of the drive as it enters into the project. Again, from an elevation standpoint, the palms really focusing the attention of the development as people come into the main entrance of Anchor A to focus the consumers attention and the twin palms logo at the terminus of the drive.

One of the biggest things that Council had asked to try and address was again, pedestrian connection, shade, softening the parking lot look if you will. We have attempted to as was noted by Jodie, we have incorporated 2 walk areas is you will. Those areas run from the front of Anchor A out to Shops B and again, on the south side of the main drive off of Arizona Avenue for what would be the southern part of Anchor A outward toward Shops C and D. What they are proposing and what Staff is in agreement to do is a trellis structure with green screens and vines growing over the top. There is a substantial amount of landscape. The intent is a couple of things; to soften the whole development. This is not a sea of parking but a lush landscape area with sufficient pedestrian connections for people to migrate from Anchor A out to the shops and restaurants and back and forth from their vehicles.

They have eliminated over 100 parking spaces, which is approximately a 1/3 of what was over parked. The two connection areas here, again they have eliminated parking spaces to add a 1/3 connection from the main parts of the center out to Shops C and D. By eliminating the parking they have been able to widen the sidewalks substantially and add in a significant amount of landscape in. Again, you are walking along the sidewalk with double row landscaping on either side in providing a connection again from the southern end of the main center out to Shops C and D. Lastly, at the intersection they have attempted to incorporate the cross palm logo again trying to draw the entire theme through the project.

Having dealt with this project now for more than 2 years, having gone through numerous revisions with Staff and numerous comments from Planning Commission, Council and from the neighbors, they really do believe the project before you tonight will establish a new benchmark in Chandler for retail projects. It has gone above and beyond as Staff has mentioned in terms of architectural design, landscape design and special features. As he mentioned earlier, the request before you is a land use question. Is it appropriate to allow a retail development and rezone the property from I-2 Industrial to PAD Commercial to allow this development to go in. As he mentioned, the previous General Plan and the currently adopted General Plan do support that. It is designated as a commercial node. Arizona Avenue is designated to the high traffic corridor through the city and if you look at the 2008 General Plan nodes it is also designated as a commercial gateway. They really do believe the Riggs Gateway project will be a gateway feature at the southern end of Chandler. We believe the project has gone above and beyond the design standards of the city. They have addressed all of your comments from the previous meeting, Council's comments in terms of pedestrian connections softening the look of the center and making it a very customer friendly and neighbor friendly development. As Jodie mentioned with the new stipulations, they are in agreement with all three stipulations. He said he would be glad to answer any questions and requests their approval.

**VICE CHAIRMAN IRBY** said he thinks it is a very nice looking project and the more he has studied it he wonders if they can afford to build it. He asked if there were any questions of the applicant from Commission.

**COMMISSIONER CASON** asked regarding the trees that cross are they Mexican or Date Palms? Mr. Cisiewski said he believes they are Date Palms. He didn't think they were allowed to do Mexican Fans. **COMMISSIONER CASON** asked how big would they be at planting - not so much the ones that are in the rest of the property but the ones that are supposed to cross? Mr. Cisiewski said they haven't established plant size but his guess would be 20 to 25 feet in height. It will take some work but he has seen this done at another development, Paradise Valley Mall. On the northeast corner they did this very feature. He wasn't sure it was with Date Palms or Mexican Fans. He remembers the cross palm feature and there was quite a bit of work going in to get those to line up and to brace them correctly so they would grow. That was about two and a half years ago. They have grown well. Again, it is going to take some effort on his client's part in terms of working with their landscape architects and the actual landscape installers to make

sure this happens correctly. **COMMISSIONER CASON** asked how many years is it going to take to look like that because they are Date Palms? Aren't they talking about a long time? Ms. Jodie Novak said they double-checked and it is actually a Mexican Fan Palm and they are naturally really tall.

**VICE CHAIRMAN IRBY** said all the other trees are Date Palms.

**COMMISSIONER RIVERS** said from their conversation yesterday, he wondered if he had given it any more thought to moving Shops A and B south slightly to allow access for truck traffic on that northern drive aisle? Also, removing some of the parking places if necessary but having that to be the truck entrance instead of the southern entrance off of Riggs Road? Mr. Cisiewski said after they spoke he did take his comments under advisement and talked to their civil engineers and traffic engineers. He was looking at Exhibit 4. He said they will notice there are some dashed lines, dashed curb lines and what that represents are exactly his concern – that is truck turning movements the width of the drive and the curvature of the drives are designed to accommodate that. He asked his engineers a specific question. Is this drive as designed, if he had a tractor trailer coming southward on Arizona Avenue and making a left hand turn, can they come down this drive and make their way around the back of Anchor A as sort of the entrance for deliveries? His engineers said that will be no problem at all. It was intentionally designed with the Anchor spaces and this parking area shoved southward to really accommodate that. The intent would be that most of these parking spaces up here are employee parking spaces for the various retail tenants here and that this becomes sort of the drive aisle that is separated from the balance of the consumer parking to avoid usual conflicts of cars and larger tractor trailers. They think they can answer your question, “Can tractor trailer trucks and delivery trucks make that movement coming down this drive and coming around the back where this drive would become more of an exit for the delivery trucks. The answer to your question is yes they can. **COMMISSIONER RIVERS** said without any movement of buildings or parking places or anything? Mr. Cisiewski replied based on what his traffic engineers and their civil engineers are telling them, there should be no problem at the turning movement. **COMMISSIONER RIVERS** asked in regards to their pedestrian feature that runs across the northern side of the parking lot from Anchor A out to Shops B and A, he is just curious to know why that jogs over instead of just going in a straight line. Mr. Cisiewski it is jogged there to accommodate the actual pedestrian path. The way Shops B are lined up to try to keep the size of the shops small and incorporate the 3 trees that you are seeing which is a previous Planning Commission request, the sidewalk there has been shrunk a little bit and so to make that jog it simply lines up this walkway across the drive aisle directly onto the sidewalk. **COMMISSIONER RIVERS** said thank you he was just curious.

He asked Staff if they need to put in a stipulation as far as arranging so that delivery trucks will use that north entrance off Arizona Avenue rather than the northbound entrance off Riggs Road? Ms. Novak replied from a Staff standpoint this project has been designed for access on both the major arterial streets. To restrict that could create further implications. Mr. Kevin Mayo, Principal Planner, stated from a circulation

standpoint assuming that the concern would be trucks coming in off Riggs Road on that eastern most drive just west of the Southern Pacific Rail (right-in, right-out only), more than likely the trucks will be coming from a freeway location and more likely the 202 then down Arizona Avenue. For them to physically get in there they would have to go down Riggs go past it and flip back to come make a right into that drive or come down McQueen, Cooper or Gilbert Roads to head westbound on Riggs Road to then turn into it. There natural path of traffic would be more than likely coming southbound on Arizona Avenue and they will pick up that first median break which is at the very north end, come into the site, exit out onto Riggs and immediately head back towards Arizona Avenue to get back to the freeway. The truck traffic in their experience is that they do a very good job of minimizing their turn movements and minimizing the number of miles they have to drive and they try to keep it very efficient. There isn't anything east of here that would be in a route from another place to feed this one, so he would imagine that the truck traffic is coming from Arizona Avenue and will naturally work that way. **COMMISSIONER RIVERS** said that the discussion he had with the developer yesterday was if trucks came in off Riggs Road northbound in the back of the property, they would have to make a total u-turn behind Major A to enable themselves to back their trailers into that parking ramp. At the time he was unaware that this was a right-in right-out situation. It just seemed to him it would be more logical as they just stated that they are going to come off the 202 on Arizona Avenue and they are going to encounter that northern entrance on Arizona Avenue first and he just wondered if there was some way other than just waiting until the truck drivers figure it out for themselves. To let them be aware that this everybody's preferred means to getting into this development. Mr. Mayo said he agrees with him that if they did come off of Riggs Road they would be forced to do a full u-turn, which is not an easy task in an 18-wheeler and then get yourself straightened back up into the loading dock. It is much more natural to come off Arizona Avenue on that north end, come past the building back into the slip and then go back out to Riggs and head right back to Arizona Avenue. Mr. Cisiewski said to Commissioner Rivers that if his concern is directing the trucks and getting them to know here is where they are going to deliver, his client would agree to do some sort of posting or signage up there that says 'delivery entrance' or 'truck entrance' or something to that effect that would queue a driver to point to where he was going for deliveries. **COMMISSIONER RIVERS** said he thinks that left to their own devices they would figure this out in a very short amount of time but anything they can do to steer them that way would be helpful.

**VICE CHAIRMAN IRBY** stated his experience is that usually when they are stocking the store in the beginning long before people visit, they learn real quickly how to get in and out of a facility. I see most of the trucks coming off of Riggs and turning north on Arizona Avenue and pulling into that north entrance. They look for perimeter entrances because they don't want to end up in the middle of cars. He thinks 99% of the trucks are going to be using that access point.

**COMMISSIONER CASON** asked Ms. Novak if this applicant would have to widen the railroad tracks or widen the road across the railroad tracks? Ms. Novak replied that they do not have to immediately. She believes it is part of the improvements for Riggs Road.

Their traffic department will determine if they need to provide additional funding. It is not a direct request for this project. **COMMISSIONER CASON** said the property next to it is city property. That would have to be a city project all the way up to the property line then – a citizen funded or bonded road improvements? Nothing is improved in front of the gold course. Ms. Novak said Riggs Road has that CIP project for all the improvements across it, so she is wondering if that was just recently done. She thinks the railroad crossing was already improved. They just completed the CIP from Arizona Avenue over (she wasn't sure how far over) and now they are doing the rest of the length of it on the east end from Gilbert always east. She thinks it was already completed. Mr. Cisiewski said through working on this project with Public Works in terms of the drives and access locations off of Riggs Road that was one of the constraining factors as to where the entrance drives would be. The improvements along Riggs Road had already been completed and they were being tied to existing improvements. That is exactly why the widening of the railroad crossing didn't come into play on their project. In terms of traffic's determination the project had been completed already.

**VICE CHAIRMAN IRBY** stated he had a large stack of speaker cards. Many just want to go on record that they are in favor or opposed to the project. He read those speaker cards. They were:

<i>Rosalyn Walker, 774 E. Aquarius Place</i>	<i>opposed</i>
<i>Larry Walker, 774 E. Aquarius Place</i>	<i>opposed</i>
<i>Stephen Shumate, 737 E. Scorpio Place</i>	<i>opposed</i>
<i>Philip Yee, 981 E. Taurus Place</i>	<i>opposed</i>
<i>Brad Cwikla, 874 E. Sagittarius Place</i>	<i>opposed</i>
<i>John Paeth, 42 W. Elmwood Place</i>	<i>opposed</i>
<i>Dolores Paeth, 42 W. Elmwood Place</i>	<i>opposed</i>
<i>M. Stanley, 4641 E. Torrey Pines Lane</i>	<i>opposed</i>
<i>Dolores Stanley, 4641 E. Torrey Pines Lane</i>	<i>opposed</i>
<i>Nick Miller, 693 E. Aquarius Place</i>	<i>opposed</i>
<i>Lisa Byrne, 5856 S. Robins Way</i>	<i>opposed</i>
<i>Paul Byrne, 5856 S. Robins Way</i>	<i>opposed</i>
<i>T. Parra, 723 E. Las Colinas Place</i>	<i>opposed</i>
<i>L. Nuszloch, 675 E. La Costa Drive</i>	<i>opposed</i>
<i>Steve Hirdes, 694 E. Bellerive Place</i>	<i>opposed</i>
<i>Sandy Hirdes, 694 E. Bellerive Place</i>	<i>opposed</i>

**VICE CHAIRMAN IRBY** said he would start calling on the people that wanted to speak. He said to please state their name and address for the record.

**STEPHEN DOERING, 1875 E. SCORPIO PLACE, CHANDLER**, stated he was originally opposed to the project and thought it might be overkill with having the stores within several miles of each other. In the light of the changing economy and in the light of the slowdown of development around the area, he has moved over into the side of being in favor of this development. He feels it would be a great value added to the

community for convenience sake. He thinks it would be added value for revenue. He thinks it would be added value just growth in the area as well. He thinks there are probably quite a few others. He took a small survey in the Sun Lakes area and was at the McDonalds asking if they heard about the development. One gentleman said no, the other one said yes they had heard about it and they were opposed to it. The third person said they would like to see it go in. That was a random sample. He said he is definitely in favor of it.

**JOSHUA POWERS, 5721 S. CROSSBOW PLACE, CHANDLER,** stated he was there on behalf of the horribly named Riggs Residential Diversity. Their primary concern is the intensity of the use. What they have here is 131,000 square foot major anchor. He has been involved in this project for well over 5 years. He is the anonymous person who brought it up in February 2008 to Council. They are very, very familiar with this. They see that the Anchor A seems like it is a single large area. It is going to be hard to be filled by any single tenant. The developer has consistently stated that there is no tenant scheduled. So as Commissioner Rivers brought up they are expecting that major trucks will end up coming in through the north side including the most convenient way for them to exit. It's going to be the south side off of Riggs Road. There was a question earlier on about how Riggs has been developed. He agrees completely with the developer that he doesn't see that Riggs has to be expanded. Those who aren't familiar with that area, that is 3 lanes divided on each side – a six-lane total. The problem he sees is that the easiest way for the trucks to exit is right through here (he showed where on the Elmo). The speed limit on that road is 45 miles an hour, which may very well get you rear-ended if you attempt to maintain that. It comes over the railroad track, which is an elevation. What he thinks you will end up seeing, and strikes him as a potential concern, is people coming in excess of speed over that railway and 18-wheelers pulling out. That is the first thing. The second thing was actually brought up by one of the other items that they discussed. When he looks at the north elevation on Anchor A what he sees is for the rest of the elevations he sees good vertical relief. When you look at that northern elevation, he doesn't see that same vertical relief. They have a very flat roofline in the back. Although they have that good vertical element and relief everywhere else, he doesn't see it there and that might be something that needs to be addressed. Since this came out of Council and back to Planning Commission for their review (about 6 weeks), they have had some preliminary discussions with the developer. They are all familiar with us. The options here are either this PAD or industrial. Industrial would have to come before here anyway for the landscape portions. They are not opposed to that either.

**PATRICIA MARSH, 11518 E. SANTAN CT., CHANDLER,** stated she currently lives there with her husband, Dr. Paul Marsh and they have lived in Chandler for many years. His concerns from what he read in the papers and what she has seen tonight are very different. She was very concerned about industrial development. At this point, her largest concern is that along Arizona Avenue there are strip malls on every corner. There is not a single one of them that is at full capacity. There are vacancies of up to 60% in some of those. There is a 'Fresh and Easy' at the corner of Chandler Heights and Arizona Avenue that was scheduled to open in August, which has never opened. They

have two home developers that aren't building because one went bankrupt. There is lots of vacant land there. There is another strip mall behind the McDonalds on Arizona Avenue, south of Riggs, that was started and for 2 months there is nothing going on. There is another strip mall being constructed on the northeast corner of Chandler Heights and Arizona Avenue across from where the 'Fresh and Easy' is and catty-corner from the post office that they are doing construction on. They have all this empty, vacant space. What is their guarantee if they start this construction that it is going to continue. If the Home Depot and the Lowe's mall have empty spaces, some of which have never been completed, and they have been in business for over 2 years. How does this look to Chandler or people coming into Chandler if this is the "gateway to Chandler" from the south on Highway 87? What type of guarantee do they have from the developer that this building will be completed and there will be space rented in there? What kind of welcome is this to your city? Is this what you want people to see? All this half building and this awful monstrosity behind the Chandler Fashion Mall that has been there for several years that started and wasn't finished. There is a development at Frye and Ellis that was started and there has been many months, probably close to 6 months, and there has been nothing done on that. When does it stop? When do we stop building and make use of what they already have? That is her main concern. What the developer put out tonight was considerably better than anything she has read in the newspaper. She is very much opposed to a box store but understands that is not going to be allowable. She really has a concern with all the vacancies and she understands we are having hard economic times. There are businesses going out all the times in these little malls. If this is going to go ahead is there anyway to get a guarantee from the developer so that this has to be completed? She doesn't know how all this works. Are there going to be additional stoplights put in? They exit in and out of their subdivision on Riggs Road and the traffic is fast – 45 miles an hour is going slow. It's really an issue there. You have times when the golf course is really heavy and generates a lot of traffic there also. Those were her concerns and thanked the Commission for her time.

**VICE CHAIRMAN IRBY** said he has always been amazed at retail developers. You get a shopping center on all four corners and you have almost identical tenants on all four corners and how they make it he doesn't know. He thinks there is not a lot the city can do as to whether a project gets built completely or not. Usually they are financing and the level of tenants dictate whether they start a project or don't. There are no controls over pulling a permit and starting construction. He asked Staff to clarify that. Ms. Novak answered that when any property comes before Planning Commission and City Council to rezone the land, that zoning is valid on that land for 3 years. There is always a standard zoning condition that's adopted that states the development shall start construction above foundation walls within 3 years. Typically, once a case goes to City Council, it will not be building within a couple of months. It could take them approximately a year before you actually even see any dirt moving on the property. They have to go through a lot of the construction building plan review stages, their marketing their properties; they are getting financing or whatever else is entailed on the private sector side of the development. They don't regulate exactly when they start. They don't regulate whether they should build or not build because of other commercial

developments in the area being successful. Marketing is part of the private consumer and the private developer. Research and understanding where the market is, they look at this from a land use standpoint of what the City's vision is. They want this to be a commercial corner. It may not be built in a year but maybe it will be built within the 3 years. If it doesn't as with many other projects over the years that have come forward if they haven't built, they get a time extension and just maintain the zoning on the land until the appropriate time arrives for that property to develop. They have seen that success over the years where today may not be the right day to develop and they have a good project to prove for it and then it winds up coming back and developing a little bit later. It is still in conformance with the city's long-term vision of the site.

**GIGI STACY, 672 E. TORREY PINES PLACE, CHANDLER** thanked them for taking the time to listen to all the concerns. The lady just before her pretty much said it all. They have a 55-mile an hour speed limit and if you can do barely 55 miles an hour you are lucky. It is 45 miles-an-hour. If they do not have more streetlights and traffic control on Arizona and on Riggs, the insurance rates of people that live out in this area is going to climb and the accident rate will also climb because people do not do 45 miles-an-hour on Riggs. The pollution is going to rise out in this area and that is one of the reasons they moved out here to begin with - cleaner air. The retail is great and she was for it the last time. They need some kind of traffic control along there to be able to control the madness that is going to happen.

**VICE CHAIRMAN IRBY** said it is his understanding that they are adding a traffic light at Arizona Avenue for this project. There will be one north of there if he is reading the drawings correctly.

**SCOTT WARD, 565 W. CHANDLER BOULEVARD, CHANDLER**, said he doesn't know the developer personally but he thinks this is an outstanding project for the City of Chandler for a couple of reasons. The first one is this is a 'gateway' into the City of Chandler from Maricopa County. The black and white exhibits that are in their packet don't do this project justice. They have done a tremendous job with Kirk Reed and Associates to make this one of the finest looking retail centers that will be in the southeast valley if not the City of Chandler. It is surely so much better than the industrial zone. If you drive down and look at the rest of Maricopa County down Arizona Avenue and you see the rain for rent facilities in Gold Canyon Candle manufacturing, you will see some of the lack of creativity and beauty that you will see in this retail center, especially as lush as it is landscaping wise. The second reason he is in support of this is they have County residents in Sun Lakes to their west. He lives in Ocotillo and he has gotten to know a lot of those people very well and there is a real need for inexpensive retail in the area. There is a tremendous sales tax base there that they could take advantage of. As a citizen of Chandler, they have the ability of doing something very magnificent on an entry corner. They have the ability to create a project that is going to create sales tax revenue, as the city costs get higher and higher. Chandler is a magnificent place to live because of its parks, because of the expanded streets, all the things that Public Works does and the library facility. This will create revenue. Lastly,

he is developing a project across the street called Galileo. It will be 38 high-end custom homes. The market is not right for that right now. They have gone and pushed that project back because we are in an economic season that is just not right. At the time when the season is appropriate and the economy will get better. We haven't been in this entire of environment for a long time and the economy will get better. He wanted to come and say this is a tremendous asset for the City of Chandler and he applauds the applicant for doing this. When we look back and see this finished he thinks this will be a real asset for the neighbors in the City of Chandler.

**COMMISSIONER RIVERS** said that Mr. Ward made reference to inexpensive retail at this location. What did he mean by that? Mr. Ward said when you look at a big box like this you have to be realistic. It's going to be a Wal-Mart or a Target, probably not Kohl's but it's going to be the type of facility that will be affordable retail. I shop at those types of facilities. He has four kids and he thinks it's a tremendous asset. They developed the San Tan Vista Communities and the Lagos Vistoso Communities that are along Riggs Road and when they developed those there was a cry for more affordable retail in the area. If you go into Fry's, they built a Fry's Marketplace at the southwest corner of Riggs and McQueen. It's packed constantly. There are a number of Sun Lakes residents that travel there because it's easily accessible, it's affordable. He said we are back to affordability in America and he thinks the more affordable you can make anything is better. If you go into the Fry's center, the biggest thing about it is it doesn't have enough parking to it. That is an affordable large retailer that the Pads and the shops space are doing very well. He thinks if they put affordable retail in this location and buttress it with really good shops this is going to be a very, very successful shopping center.

**KIRK SIBLEY, 5846 S. ROBINS WAY, CHANDLER,** part of the Paseo Crossing homeowners association east of Bear Creek golf course. They have been working on this case for about 4 years. Their group represents over 800 people that have signed up to voice their opinion on this project all the way back to 2004 and an active list that still maintains itself. Their organization is continuing to push forward on making sure they get something out there that is a good fit for the community, that fits the city's General Plan and that also fits the city's Southeast Area Plan. There are some specific stipulations that he will bring up in a minute. They continue to want to see commercial at this location as well. They all moved out there when they were the only ones there. There wasn't even a Frye's built and of course it always made sense to get something closer in. The question has always come down to what, what size and what use. Over the past few months they have continued to work with the developer on this. There are not a whole of problems with the number of trees, it has not really been a big issue that they have brought up in person. What they get down to is intensity and size of the project. While this major anchor does not meet the big box stipulation, in no way is this to be considered a small project. They are talking a 130,000 to 131,000 square feet with the considered expansion area. When they get into that size range and you are talking about retail uses out there, there are really only small subset of retailers out there that will fit something of that size. These are not considered small unless you consider a Best Buy, the Home Depot, Lowe's or any kind of regular sized Wal-Mart. These are destination

style shops. Just because it doesn't meet the big box it doesn't mean it's not a big development anymore than the hybrid escalade should be sold off as getting good gas mileage when it gets 20 miles a gallon.

So working on this with Commission they wanted to continue to point out some of the comments they made to the developer and make them known to you on public record. Their biggest sticking point is the overall intensity of the project. The big box design of the shopping center promotes destination shopping and not neighborhood shopping. Examples of neighborhood shopping continue to be things like the Casa Paloma, the center that went up at Chandler Heights and Alma School Road, which has the AJ's Shopping Center and the Downtown Ocotillo. This is what they consider to be neighborhood type shopping where it serves as a general region and is not typically a magnet for people outside of a certain demographic or range or distance from that or population density. Again, looking at that major anchor size this is something that is even larger than a football field in size. They do not believe it is the vision of the Southeast Area Plan (he brought it up as an example on the Elmo). He served on the updated General Plan Oversight Committee with Christy and Steven. He is familiar with them. They had a good year at working on this thing. They wanted to make sure that the Southeast Chandler Area Plan was brought up because this is something they wanted to highlight as a special area the city wants to keep as what they consider to be agrarian. He showed an example on the Elmo. It talks about existing development as rural agrarian in nature and when getting into non-residential development in a low intensity manner and based on input received from neighborhood residents, the input they continue to drive to this developer is that they do not want something of this size. They want something that is going to be more neighborhood and 130,000 square feet doesn't seem to fit that. What they are talking about is the correct land use. They have called it out specifically in the Southeast Chandler Area Plan for a specific reason because of the past history they have had with this. They want to make sure this kind of input is gathered from the community and put into what the developer puts into this spot. If they want to consider what represents the community in that area, he can present to them an active list of people who have signed up to oppose this project and to remain on our mailing list and remain in contact. These are the ones that are continuing to send them e-mails saying that they don't believe this project really fits the area and what they would like to see. They do want commercial but as the gentlemen also pointed earlier and being a developer himself, there really are only a couple of tenants that will go out there. If anyone here believes that's not what they're talking about, this is a very large tenant that they are looking at. The attorney asked to move this to get more of the community input into the plan. They have not ever brought up to the attorney or the developer that they want more trees. They actually think that the project looks nice. They keep driving home to them that it is the intensity of the project and it is still a very large project. In response to that an industrial sign was put up on that corner. He is not sure if it was intended to coerce. This is actually something that is on their site and it made a lot of residents out there nervous.

Just to draw your attention to it this is on their site and it is also the alternative to the project they have brought forward. This is the Riggs Gateway Industrial Center, which

basically brings up the worst-case uses you would ever see of an industrial. He doesn't believe the City of Chandler allows for these kinds of design standards anyhow. So whether or not it is industrial zoned he thinks a good industrial project like Intel that makes the value around it the top and most expensive neighborhood in Chandler rather than uses such as a truck, rail, freight yard or terminal, inner city bus station, dairy product processing, dry cleaning, industrial manufacturing repair, boat building repair and storage. While this land has a lot of different uses in that zoning, the developer felt it very necessary to shop this to possible industrial tenants. He doesn't believe that is something the developer wanted to do to shop to interested parties and it seems more like a scare tactic to strong arm the community into submission of taking this plan or this because they own the land and it currently doesn't require anymore rezoning because it is already zoned this way. This doesn't sit well with the community and it doesn't site well with them especially when the Southeast Area Plan calls for them to work with them. It makes things unsettling. In closing, they want to continue to work with the developer and getting them to putting in some of that low intensity as they have brought up before. There are a lot of concerns with that traffic. A lot of that traffic gets routed up on to Arizona Avenue as they head toward the 202 and many people go up to work in the Scottsdale area and access the 202 to the 101. That right lane gets filled up with people as they try to merge over there. It is going to be a considerable traffic challenge out there and they feel after 6 weeks later after the developer had postponed this to incorporate their concerns, they feel like their concerns are still not being put into this project. Although it looks nice, the intensity is still there and it is still a very large project. They would like to see something that subdivides that major anchor into smaller shops to provide for more of a neighborhood deal. Give them something like a Casa Paloma, the AJ Shopping Center, and the Alma School shopping center at Chandler Heights or Downtown Ocotillo. These are unique gateway shopping experiences and when they are talking about Gateways also in your Southeast Area Plan, commercial doesn't desire any big use it just states that it is a commercial node and it can be used for commercial purposes. The city does want to see something that reflects community and a major entry gateway is supposed to communicate the sense of arrival and express to all it is a unique place. It should invoke a memorable gateway statement. A large traffic mess and a large tenant doesn't seem to do that even if it is covered up by nice trees. They will continue to have a sticking point and an impasse on this plan because of the size and intensity. The plan right now does put them in more of a destination than a neighborhood and they would like to see neighborhood shopping for that corner.

**MARY MACLEAN, 20951 E. VICTORIA, IN GILA BUTTE ESTATES**, which is located on the southwest corner of Riggs and Arizona Boulevard. Their street is directly on the opposite corner of the development we are talking about. It is a County island and horse property currently so she has a couple of concerns. One being that the primary entrance to the residential development where they all live is off Riggs Road. On Arizona you can go in and out on Cloud onto Arizona but that being a divided road it is probably limited. Her concern is with the light is where will that light go and how will that impact the traffic in and out of that neighborhood. It does border the Ironwood Golf Course of which she is located near and it also borders Arizona. Most of those streets are

no outlet streets so if they have a lot of traffic into the neighborhood it is a residential area and that is her first concern. Her second concern is with the lighting from the development being in that community. There are no sidewalks, there are no streetlights probably by design and the concern of how much of that lighting will be in that neighborhood.

**VICE CHAIRMAN IRBY** asked if Staff wanted to respond to any of those comments. Ms. Novak stated in terms of the traffic signal, our traffic department has thoroughly reviewed this application and what the current capacities for vehicular traffic are on both of the major arterial roads. Actually Arizona Avenue is a state highway so you have more traffic than a typical road because it is a highway. Riggs Road is a major arterial road that was expanded to 6 lanes. That is our maximum width of an arterial road in Chandler currently. They are considered roads that are intended specifically to accommodate high traffic. With that being said there is no additional signal on Riggs Road. From Arizona Avenue to the railroad tracks there is a full movement median break for traffic to go in either direction from the south side of Riggs Road and the north side of Riggs Road. At a time that the city feels the road would warrant a signal then they would lack at opportunities if one were needed. Based on current traffic capacities and the fact that they just improved or widened this road to 6 lanes this project will not have any major impact to the traffic ability for Riggs Road and what it can handle. On Arizona Avenue at the intersection of Riggs Road that is an existing traffic signal light intersection. If you go a couple hundred feet north of Riggs Road there will be another major intersection that will be built with this project that will have a traffic signal at that entire intersection. The midway point of this project on Arizona Avenue is where the city does feel a traffic signal is warranted to accommodate traffic coming in and out off of Arizona Avenue into this site.

Ms. Novak stated that her comment in regards to lighting on the project this development is similar with other developments. Their lighting will be light poles that will be in the parking lot and any lighting that is going to be on the building is all downwardly lit. The city does not allow any lights to shine up or outward. They may see a light pole from far away and know it is a light pole but that light will not be shining onto anybody's property and going beyond the boundaries of the commercial itself. What they are proposing is consistent with all of the other commercial shopping centers and the type of lighting fixtures that the city restricts in terms of how they are oriented. It's really up to the development if they want to do smaller poles or slightly taller or less illumination. In most of their developments there is a typical standard for safety in terms of the light fixtures they put in their parking areas.

**COMMISSIONER RIVERS** asked Ms. Novak if she could go to the Elmo and show him where Cloud Road is and how close it is to where this new traffic light will be. He said he was looking Exhibit 2 in their book. Ms. Novak said it wasn't on the map because it is beyond the boundaries of that area. **COMMISSIONER RIVERS** said he was confused. The lady was saying that the light might affect traffic into her neighborhood. Ms. Novak pointed out the county island and said they may have a Cloud

Road alignment. In the City of Chandler square mile area they do not have Cloud Road that comes through into the projects area. It is not a city road and it does not extend into the City of Chandler. It is just a private road for that county island. No, there is not a Cloud Road that runs in the City of Chandler through any of this property here. They don't even have the alignment over here until you get to another county island. **COMMISSIONER RIVERS** said his question had been answered. The light that is going to go in for this development won't have any effect to the entrance to that subdivision. Ms. Novak said no that is an access for them. Whenever this land develops, the city will coordinate with the County in terms of where driveways will be located. There are certain standards on where they put signals. For this project, she showed the existing signal and the other signal that would be going in directly across from another industrial use across the road.

**KEVIN MAYO, PRINCIPAL PLANNER**, said for a little more clarification on Cloud Road. Cloud is the half-mile road – one-half mile north of Riggs Road. It would be a natural place. The quarter miles, eighth miles, half miles are the natural places to have signals. In the future when the property on the east side of Arizona Avenue would develop, it more than likely would arrange its main entrance with Cloud Road to eventually be signalized. At this time, he said he would imagine the traffic counts from Arizona Avenue to Cloud are far below the warrants needs for a signal, but it would be the natural place for a signal in the future.

A woman from the audience came up and said her concern was the light they said they would put in to go into the mall. There are 2 lanes going south on Arizona Avenue. Just before the intersection there is a third left turn lane and she is not sure if there is a right hand turn lane there or not. That left hand turn lane to turn left onto Riggs going east from probably 3:00 p.m. on you are into one of the straight on southbound lane. The traffic is very heavy there. If they are going to put a stoplight there, what happens to the left hand turn lane? They are going to have another left hand turn lane to go into the mall. That left hand turn lane accommodates probably 8 to 10 cars maybe. If they are pretty big SUV's or big pickup trucks, it doesn't accommodate that many. That left hand turn lane every single afternoon when people start coming home at 3:00 p.m. until 6:30 p.m. is full. It is very rare that you can make it through in one left arrow.

**MS. NOVAK, SENIOR PLANNER** stated that is pretty typical with major arterial streets where there is traffic at peak hours. The turn lanes are not intended to accommodate every amount of vehicle that would be making a left. With having that extra traffic signal just to the north of Riggs Road with this project, it is actually going to break up the traffic and what happens is yes, there is a left turn lane that would allow people to pull into this center and then you have your other thru traffic lane. That allows the queuing for all those vehicles so when the light does turn green for them to go southbound that is when they would merge over and get themselves into the left turn lane as they do with any of the other intersections found within Chandler.

**GARY LOCH, 221 WOOD DRIVE, CHANDLER**, on the southwest corner of Chandler Heights and Arizona in the community of Ironwood Vistas right behind the post office. It is about  $\frac{3}{4}$  of a mile up from the proposed site. He has lived in the area for 4 years and one of the reasons he moved down there was the low density of the area. It was very appealing to him. He comes from southern California so he familiar with some of the things that happen when you put in destination places as Kirk was talking about and how it can totally change not only the traffic but the demographics of an area. It is a very big concern of his. One of the concerns that wasn't brought up is Arizona Avenue is currently only 2 lanes and it is 55 miles per hour. There is a school that was just put in at Fulton Ranch, a day care center at the corner of Chandler Heights and Arizona. Those are just some of the things that have already increased the traffic in the area substantially from when he moved in. On the crossroad, Chandler Heights – that road can barely support the traffic that is currently there. The other thing brought up and expressed so well by the lady earlier was the amount of open retail and stores that are continuing to fail in the area. As you all no, Circuit City just shut down all the stores and one of those he believes is across the street from Chandler Mall. It is a very large empty PAD now that will be there. There is the other stuff that has been proposed. The one she mentioned was the one he was going to bring up on the northeast corner of Chandler Heights and Arizona. They haven't even filled the stuff they have. As you head up Alma School Road to Queen Creek where there is a center just north that they put in which is medical or business type. Those are all open. On Alma School and Riggs on the northeast corner there are a lot of medical buildings and those are all empty. He personally at this point with retail not going he is totally against the development of the rezoning. The center they are designing is absolutely beautiful. It is an absolutely beautiful center but he is against the rezoning at this point. He doesn't see any need to even do it. If it were to be rezoned he would go with what Kirk said with very small local shops. He loves the shops on Chandler Heights and Alma School. He goes over to the Starbucks over there 3 times a week and a little restaurant there. If they were to go forward and be rezoned, that would be the only thing he could support. Other than that, he is totally against it. Personally, oil barracks would look better than a big box.

**LOIS LOCH, 221 WOOD DRIVE, CHANDLER**, stated that like Gary,  $\frac{3}{4}$  miles away from the proposed project here, there were a couple points that came up for her in the discussion. When they were just showing the proposed light that could be put in for this project, it didn't line up with the driveway on the north side of this project that would be necessary for trucks coming southbound on Arizona to go into this facility. They would have to make a u-turn to get into the driveway. The picture he showed us showed the traffic light not at that location. **COMMISSIONER RIVERS** pointed out the light would not be at that location. You can still make a left turn at that location across traffic. It just wouldn't have a light. Ms. Loch said they are going to have a left turn lane before the light. **COMMISSIONER RIVERS** said again, another 300 feet. There is only going to be one traffic light and it will be at the main entrance of the project. The northern most entrance is not the main entrance of the project. There will be a left turn lane there. Ms. Loch said she disagreed with the gentlemen earlier that talked about the Fry's Marketplace down the street from there being affordable shopping. She was

surprised to hear the wording. She has shopped there a number of times and it has been very busy. To her that store is not in the category of what she would call affordable shopping. It is a very nice store and has very nice items but not low priced by any means. That does not compare to a Wal-Mart or a Target in her mind at all. Lastly, she agrees that it is a very beautiful project. She loves the design and the trees and the cross palms, but if a Wal-Mart was to be put in there and she has seen a lot of them in her life and every single one of them have looked quite dingy from the outside – the parking lot, the buildings and the whole area. If you dress up a Wal-Mart, it is still a Wal-Mart. It won't stay beautiful in her mind. She has never seen one that looked nice at all or nice to shop in.

**VICE CHAIRMAN IRBY** closed the floor and asked the applicant to come back up and address some of the comments that have been made.

**DAVID CISIEWSKI** stated he listened to the residents and some of them didn't like retail, some liked retail, but the predominant comments came across in terms of traffic and congestion and the intersections are bad enough as they are. They say this will exacerbate that issue. He can tell you through the 2 years of the design phase of this project, they have spent an inordinate amount of time with Public Works and the city traffic engineer working out the various details of ingress and egress into this site. Originally, when this project was first proposed almost 2 years ago, there were several additional drives that his client would certainly love to have from a retail perspective. You obviously want to get people in and get people out as effectively as possible. They had originally proposed an additional drive here as well as another drive on Riggs Road. Based on the traffic studies that were provided for this project, based on real traffic counts that exist today and through the various design standards put on them by the City of Chandler the drive locations that they are seeing here, the 3 full access points and the locations of the lights, the decel lanes, the acceleration lanes, all these traffic mitigation measures accomplish what the city traffic department has determined as reasonable and prudent. The lady who spoke a few moments ago was concerned that trucks would have to come down and do a u-turn. Obviously, that is not the case. It is determined based on traffic to put the light here and that it lines up with existing cuts to the west. As he mentioned earlier with the Riggs Road improvements just recently being done this main drive was almost a fixed point that they had to design around and that was based on city traffic standards. Again, as developers and landowners of retail, they need to be able to provide a good project. That not only means building design and landscape design, it means efficiency in terms of traffic flow being able to get people in and get people out. Having done a number of commercial projects over the year he can tell you that any retailer will tell you that if it is inconvenient or hard for customers to get in and out, customers are simply not going to go there. They do believe that the design that is provided here and has been approved by the City of Chandler's traffic department based on a number of research elements and traffic studies will not have any significant impact on the traffic situation down there. As Commissioner Rivers brought up earlier in terms of trucks moving in and out, this again was designed to keep the trucks out of the development. They are not running trucks down the main entrance boulevard where they

will have conflicts with pedestrians walking across in smaller vehicles and so forth. Again, there have been a lot of design elements and a lot of things done here to accommodate and mitigate any kind of traffic concerns that may arise from this development.

In terms of land use and General Plan there were a number of comments in terms the land should be used for neighborhood commercial. What they have is landowners and what they all have is what is Chandler going to grow into is the General Plan. The 2001 General Plan that was approved a number of years ago designated this intersection and this property as a commercial node. The General Plan that was approved yesterday continues to designate this property and this intersection as a commercial node. As he mentioned earlier, the purpose and intent of that is obviously to focus retail uses and intensity of retail uses at major intersections. So you keep it off the quarter mile, the half-mile streets and you keep it away from a direct impact on residential properties. With respect to the Southeast Area Chandler Plan, if you read that plan that plan specifically states it incorporates all the design elements, all the elements of the overall General Plan into that specifically being let's focus larger retail projects at commercial nodes and avoid conflicts with residential properties. One thing he would like to point out is specifically in the 2008 General Plan. Arizona Avenue has been designated in the plan and is termed a large traced growth area. If you read that section of the General Plan, it says these large traced growth areas in the southern part of Chandler afford the city a commercial gateway. Again, Arizona Avenue has been designated as a high intensity traffic corridor. All these issues in the General Plan which was developed by groups of citizens and was voted and acted upon by City Council and adopted by the voters focuses the attention on the intensity of use at high traffic intersections and avoid conflicts with residences. In the General Plan in terms of commercial nodes and this is clearly designated as a commercial node, commercial nodes allow community commercial developments up to an excessive 300,000 square feet of retail. The intent is to put the commercial at the corners and avoid the conflict. In looking at the General Plan and the Southeast Chandler Area Plan, the design of this project, the size of the buildings, it is absolutely in conformance with what everyone believes this corridor to be. That is a retail commercial corridor. The overall building size here is well below the allowable amount of retail as designated by the General Plan.

In terms of meetings with neighbors and trying to address neighborhood comments. Over the course of 2 years they have had at least 2 formal neighborhood meetings. He has met independently with a number of individual neighbors. His client has talked to a number of the individual neighbors. Most recently and he believes it was late August or early September of this year, he met with 4 or 5 of the neighborhood leaders. The intent was give me your input and he understands their concerns in terms of anchor and size, but give me your input in terms of the development. What are the things that still bother you? At that meeting, the issues that were brought up were as Planning Commission noted, the plants and trees had thorns. They don't want that since you may have little kids running here if they are walking down the pathways. They don't want anybody getting hurt. Those were removed. They want more shade and make this a pedestrian friendly

environment. It's a 110-degrees out here in July and August. If people are walking from Anchor A and want to go out to Shops A, make it pedestrian friendly. They have eliminated parking and they have incorporated a number of pedestrian amenities into this development and an excessive amount of shade. They really do think this will accomplish just that and make it a great environment for people to come and spend time shopping, go to the restaurants and make this a true community center.

In terms of the comments that they have lots of vacant retail throughout south Chandler. He believes that comment goes to his earlier point that for a retail project to be successful, it has to be sustainable. Sustainability comes from design. What they are seeing before them here they believe represents a quality design project well below what city has determined as big box. He said he knows that we can have our own definitions of what is big and how big should big be and so forth. They as developers have to comply with city ordinance. The city ordinance establishes a 150,000 square feet as a large single use retailer. This project is well below that. Again, for sustainability a project on a 30 plus acre site and a high traffic commercial corner, they have to be able to attract a decent anchor tenant, some major tenants, some minor tenants to be able to make this a viable project. It simply does not work from a commercial retail development standpoint and his client has done this for a number of years to come in and fill this up with small shops. Ultimately, what is going to happen if that is the case, this project will fail. This project will only exacerbate the other issue and he would agree that there are lots and lots of these strip malls. Strip malls are an archaic 1970 retail development concept now. Why you see them vacant is exactly for that reason. What is brought before them tonight they believe is a minimum anchor size well below what is defined in the code. It is well screened, well complimented by the adjoining majors and minors, there is a significant amount of shop space that will house and operate the neighborhood commercial that the residents want – the restaurants, the small business operators and the variety of things that make a retail center vibrant and successful. They have reduced the parking, they have try to address all these issues that folks focus on in terms of they don't want the plain Jane big box development here that you can see for a mile because of all the lighting and no landscaping.

Again, what they bring before them tonight is a project they saw a number of months ago, approved unanimously and they think it is that much better tonight. They have tried to incorporate all their comments, comments from City Council, comments received from the neighbors, comments from Staff to even make this project that much better. He said he would close with the fact that one of the ladies had said is this what they want to see as someone comes into the southern gateway of Chandler. He would propose to them when this project is built that would be a beautiful view for someone to see coming into the southern view of Chandler.

His last comment is that there seems again to be some confusion in terms of timing. Why would they build this today? They have no intention of building this today. Their intention is his client has owned this property and it is an investment. They are trying to put an investment into productive use. The market is down right now and it is an

opportune time to go through the very detailed, very extensive Planning and Development process in the City of Chandler. This has now taken them almost 2 years, which exactly goes to his point that he is trying to make opportunity here happen. Take something and make it viable. The intent as he has mentioned to Planning Commission, to the neighbors and to Council is to obtain an approved plan. A plan that is set in terms of overall building size and building orientation and landscape and building design, everything so that the neighbors know what is going to be built here. What is this thing going to look like when it is built? Once they have obtained those approvals, they have the ability to go to market and start talking to tenants and say here is what they can offer them. This plan is approved. Do you have an interest in being in an 114,000 square foot or 20,000 square foot or one of the PADS? It becomes something viable. If that is the case and the current conditions of the market, it is probably 6 to 12 months before they have as a developer enough tenants that would make this thing viable to start coming out of the ground. Once that occurs they can move forward in terms of final development plan, construction documents and permits.

As Jodie commented, that is not a short process in of itself. That is going to take an extensive amount of time to really define all the very small details and how all this gets built and the sizes of everything and all the criteria that goes into a true set of construction documents. His belief is this is probably another 6 to 8 months after the first section. Once that is approved, they can start construction on this assuming they have enough tenants and they get financing for this project based on the tenants and everybody is ready to go. All that being said that is a function of the market. Again, they are trying to time this, if you read the papers (Wall Street Journal, The Trade Press) everyone does believe the market is going to start turning around and different people will say it is late 2009, its mid 2010 or whatever the case may be. If you look at the basic processes they have yet to go through, this project probably won't even come out of the ground until late 2010 or early 2011 with a 12 to 15 month build time. Again, they are trying to time this thing where they can go out and market it to prospective tenants, make sure they are o.k. make any additional plan changes they need to and then move this project forward so that when the retail markets come back they can start construction on this and when it opens it can be a fully occupied retail center that looks as you see there on the plan. They believe it will be a great project for the City of Chandler, for the Southeast Chandler Area Plan and for Arizona Avenue as a gateway into the community. He requested their approval and they are in agreement with Staff's additional stipulations.

**VICE CHAIRMAN IRBY** asked if any of the Commissioners had questions or comments. He closed the floor and entertained a motion.

**COMMISSIONER KELLEY** stated he looks at this specifically as a zoning issue and he looks at 2 major roads that intersect and adjacent to it is a railroad, beyond that a golf course. He is thinking is it appropriate for a retail center to get that location and he thinks the answer to that would be yes in his mind.

**VICE CHAIRMAN IRBY** said he would agree. When he looks at these projects he doesn't look at who the tenant is, he looks at trying to develop and is it the right use for the property and the right location for the city for that type of use. His next priority is to make sure it is the most well designed, best looking project and the most successful looking project so that it will become a success. He agrees that it would meet this character and requirements.

**COMMISSIONER RIVERS** stated he has to agree with Commissioner Kelley that this is a highway and a major intersection and again specifically this fits the land use exactly. Again, Commission has no control over tenants or selection of tenants and as land use it is appropriate and he thinks it is very attractive. He thanked Dave Cisiewski for addressing his concerns.

**COMMISSIONER VEITCH** agreed that the land use question has been answered and he thinks that the stipulation no. 20 particularly as strengthened by the additional language that Jodie read into the record. It gives us about as much control as they can to be sure that the breakdown of the floor area, which he agrees is not very intense compared to what's allowable. The way that is broken down between the various uses can't be changed without coming back to the process.

**MOVED BY COMMISSIONER CASON**, seconded by **COMMISSIONER KELLEY** to approve DVR07-0028 RIGGS GATEWAY with all of the stipulations as read in by Staff. The item passed unanimously 6-0 with 1 abstention (Chairman Flanders). The case was approved and will be forwarded to City Council November 20, 2008.

**VICE CHAIRMAN IRBY** told the audience they are a recommending body and to show up at City Council if they still have questions or concerns. They will make the final recommendation for approval or denial.

D. DVR08-0017 CHANDLER CHRISTIAN CHURCH

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) zoning for church uses on approximately 10 acres located east of the northeast corner of Germann and Alma School Roads. Also request Preliminary Development Plan (PDP) approval for the entire 25.6-acre site north and east of Germann and Alma School Roads.

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Christian Church", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0017, 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. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

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

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 canvas shade elements shall be maintained in a manner similar to that of the time of installation.
- 10. The applicant shall work with staff to enhance the south façade of Building D in order to provide further visual interest and avoid blank, monotonous expanses.**
- 11. The northern elevation of Building E shall not have pictorial graphics on the eastern portion's upper set of windows.**

**VICE CHAIRMAN IRBY** turned over the floor back to **CHAIRMAN FLANDERS**.

**CHAIRMAN FLANDERS** said before they get started on the next item they would take a 10-minute break.

**CHAIRMAN FLANDERS** stated the next action item is D. He asked if the neighbors were still here because Planning Commission is in favor of the project. He said he knows Bill Dermody had some additional stipulations that they can read into the record. He asked the audience if there were any neighbors that would care to speak in regards to this item. No one wanted to speak. He asked Mr. Dermody to give a brief update.

**BILL DERMODY, SENIOR CITY PLANNER**, stated the neighbors that pulled the item did go home and he and the church will be working with them if they have any concerns.

Mr. Dermody said this is a rezoning of 10-acres in the southern portion of the site along Germann Road and the Preliminary Development Plan for the entire 25-1/2 acre site near the northeast corner of Alma School and Germann Roads. This will accommodate a church expansion that includes a 26,000 square foot Youth building and a 19,000 square foot children's building and a 67,000 square foot Worship Center. All three of those are shown on the site plan. The architecture is approved for the first two while the larger Worship Center would have to come back for it's architecture to be approved in the future under separate application. Staff does recommend approval of the request with a couple additional stipulations.

*No. 10:*

*The applicant shall work with Staff to enhance the south façade of Building D in order to provide further visual interest and avoid blank, monotonous expanses.*

*No. 11:*

*The northern elevation of Building E shall not have pictorial graphics on the eastern portion's upper set of windows.*

Again, recommendation is for approval.

**CHAIRMAN FLANDERS** stated that in regard to the new parking area it is not required to do a stipulation but they need to be aware that all parking lots and planters will adhere

to the commercial design standards. As he had mentioned in Study Session, it looked like some of those planters in the existing area may not achieve that requirement. Just as a note as they go through the process of approving it for permit they just need to make sure that those items are taken care of. Mr. Dermody said they would do that.

**CHAIRMAN FLANDERS** asked if Commission had any questions for Staff or the applicant. He moved to entertain a motion.

**MOVED BY COMMISSIONER KELLEY**, seconded by **COMMISSIONER RIVERS** to approve DVR08-0017 CHANDLER CHRISTIAN CHURCH. The item passed unanimously 7-0.

**CHAIRMAN FLANDERS** thanked the applicant for staying so long. It looks like it is going to be a nice project.

6. DIRECTOR'S REPORT

Mr. Mayo said he wanted to make sure that the Commissioner's received the e-mail notifying them of the upcoming Planning Commission Staff Retreat on December 13.

7. CHAIRMAN'S ANNOUNCEMENTS

**CHAIRMAN FLANDERS** announced that the next regular meeting is November 19, 2008 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 7:40 p.m.

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Michael Flanders, Chairman

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Jeffrey A. Kurtz, Secretary

Planning & Zoning Commission

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