

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 17, 2009 held in the City Council Chambers, 22 S. Delaware Street.

1. Chairman Flanders called the meeting to order at 5:30 p.m.

CHAIRMAN FLANDERS stated that before they get started he wanted to mention that they have found the remains of Mark Irby, their friend and fellow Planning Commissioner. He said he would like everyone to stand and take a moment of silence and then they will go to the Pledge of Allegiance, which will be led by Commissioner Kelley.

2. Pledge of Allegiance led by Commissioner Kelley.
3. The following Commissioners answered Roll Call:

Chairman Michael Flanders
Vice Chairman Michael Cason
Commissioner Leigh Rivers
Commissioner Kristian Kelley
Commissioner Stephen Veitch
Commissioner Christy McClendon
Commissioner Kevin Hartke

Also present:

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

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN CASON, seconded by **COMMISSIONER VEITCH** to approve the minutes of the June 3, 2009 Planning Commission Hearing. The motion passed 7-0 unanimously.
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 was one action item.

A. DVR09-0006 MAPLEWOOD COURT

Approved to continue to the July 15, 2009 Planning Commission Hearing.

Request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former Agricultural District (AG-1) zoning. The existing PAD zoning designation is for a 15-acre, 32-lot single-family residential neighborhood. The subject site is located at the southwest corner of Maplewood and Vine Streets, which is located south and east of the southeast corner of Alma School and Willis Roads. **(REQUEST CONTINUANCE TO THE JULY 15, 2009 PLANNING COMMISSION HEARING.)**

B. DVR09-0011 SANTE CHANDLER

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) Multi-Use for Assisted Living, Nursing, and General/Medical Office uses on approximately 9.7 acres located at the southeast corner of 94th and Fairview Streets (1/4-mile north and west of the northwest corner of Dobson and Pecos Roads). In addition, request Preliminary Development Plan (PDP) approval on approximately 5 acres of the 9.7-acre site for the construction of a transitional rehabilitation center.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SANTE CHANDLER " kept on file in the City of Chandler Current Planning Division, in file number DVR09-0011, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. 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.
6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
7. Completion of the construction, where applicable, 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.

8. 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.
9. The project landscaping shall comply with the Commercial Design Standards.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
11. The parking shade canopies shall utilize elements and material found upon the building.
12. The site shall be maintained in a clean and orderly manner.
13. **All offsite improvements along 94th and Fairview Streets shall be installed as part of Phase I.**
14. **The applicant shall work with Staff to provide window shade detailing along the southeast and west building elevations. Details to be worked out with Staff.**
15. **The applicant shall work with Staff to adjust the tree planting locations along the south façade to provide additional building shading.**

C. PDP09-0005 OPUS AT CHANDLER AIRPORT CENTER

Approved to withdraw for the purpose of re-advertising.

Request Preliminary Development Plan (PDP) approval to allow a surface parking lot in conjunction with an existing office development. The property is located west of the northwest corner of Cooper Road and Northrop Boulevard in Chandler Airport Center. **(REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**

D. PDP09-0008 THE CROSSINGS AT GILA SPRINGS

Approved.

Request Preliminary Development Plan (PDP) approval for site layout and building architecture for two retail buildings on approximately 2.5 acres located west of the northwest corner of Chandler and Gila Springs Boulevards.

1. Development shall be in substantial conformance with exhibits submitted as part of this application and shall be kept on file in the City of Chandler Planning Services Division, in File No. PDP09-0008 THE CROSSINGS AT GILA SPRINGS.
2. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
3. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. 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.
6. The landscaping shall comply with the Commercial Design Standards.
7. The freestanding monument sign tenant panels shall utilize routed out copy with push-through plex lettering.

E. UP09-0011 SHARNET'S CHILD CARE LLC

Approved to continue to the July 1, 2009 Planning Commission Hearing.

Request Use Permit approval to allow residential childcare for up to ten children in a single-family home. The subject site is located at 4904 W. Buffalo Street, which is located south of the southeast corner of Chandler Boulevard and Rural Road. **(REQUEST CONTINUANCE TO THE JULY 1, 2009 PLANNING COMMISSION HEARING.)**

F. PPT09-0003 CHANDLER CHRISTIAN CHURCH

Approved.

Request Preliminary Plat approval for an expansion of the Chandler Christian Church campus located at 1825 S. Alma School Road, north and east of the northeast corner of Germann and Alma School Roads.

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

CHAIRMAN FLANDERS asked the audience if anyone wanted to pull any of the items. There were no items pulled.

MOVED BY COMMISSIONER RIVERS, seconded by **COMMISSIONER HARTKE** to approve the consent agenda as read into the record by Staff. The consent agenda passed unanimously 7-0.

6. DIRECTOR'S REPORT

Mr. Mayo said there was nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN FLANDERS announced that the next regular meeting is July 1, 2009 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:35 p.m.

Michael Flanders, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, July 1, 2009 held in the City Council Chambers, 22 S. Delaware Street.

1. Chairman Flanders called the meeting to order at 5:42 p.m.
2. Pledge of Allegiance led by Commissioner Hartke.
3. The following Commissioners answered Roll Call:

Chairman Michael Flanders
Vice Chairman Michael Cason
Commissioner Leigh Rivers
Commissioner Kristian Kelley
Commissioner Stephen Veitch
Commissioner Kevin Hartke

Absent and excused:

Commissioner Christy McClendon

Also present:

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

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER RIVERS, seconded by **COMMISSIONER VEITCH** to approve the minutes of the June 17, 2009 Planning Commission Hearing. The motion passed 6-0 unanimously. (Commissioner McClendon was absent.)
5. ACTION AGENDA ITEMS
CHAIRMAN FLANDERS informed the audience that prior to the meeting Commission and Staff met in a Study Session to discuss each of the items on the agenda and the consent agenda will be approved by a single vote. After Staff reads the consent agenda into the record, the audience will have the opportunity to pull any of the items for discussion. There were no action items.

A. DVR09-0009 BLUE STAR GATEWAY

Approved to continue to the July 15, 2009 Planning Commission Hearing.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan (PDP) approval for a new 2-story office building. The 1.1-acre site is located at 99 E. Willis Road, approximately 400 feet east of Arizona Avenue. **(REQUEST CONTINUANCE TO THE JULY 15, 2009 PLANNING COMMISSION HEARING.)**

B. PDP08-0041 THE OFFICES AT SPRINGFIELD MARKETPLACE

Approved.

Request Preliminary Development Plan (PDP) approval for an office and retail development on property located at the southeast corner of Gilbert and Riggs Roads.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Offices at Springfield Marketplace", kept on file in the City of Chandler Planning Services Division, in File No. PDP08-0041, except as modified by condition herein.
2. Compliance with the original stipulations adopted by the City Council as Ordinance No. 2879, case PL98-0045 Springfield Lakes except as modified by condition herein.
3. Sign panels on the monument signs shall have a decorative panel with tile or stone until a tenant name is located on the sign.
4. Raceway signage shall be prohibited within the development.
5. The commercial development standards shall be in accordance with the requirements of the Southeast Chandler Area Plan.
6. Landscaping shall be in compliance with current Commercial Design Standards.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The site shall be maintained in a clean and orderly manner.
9. The parking space canopies shall incorporate building materials, forms, and colors to match the development.
10. **All buildings with this project shall be designed to be consistent in the level of quality, detail, building materials, paint colors, height, and the like as established in the Development Booklet. The developer shall work with Staff to review and approve the building elevations for those not provided in the Development Booklet prior to construction plan submittal.**
11. **Shade trees within pedestrian gathering/seating areas shall be a minimum height of 12 feet at time of planting.**
12. **All landscape planter islands shall meet the required length and width in accordance with Zoning Code.**
13. **Wall-mounted business name signs on wall planes facing directly or partially residential properties along the development's south and east sides shall be non-illuminated.**

14. **Adjust the north elevation of Office Condo 1 and east elevation of Office Condo 2 providing a tilted wall element.**
15. **The developer shall work with Staff to enhance the landscape focal point feature off of Gilbert Road.**
16. **The development shall work with Staff to relocate covered parking thereby providing more customer parking closer to the medical office buildings.**

Not conditions but required by Commission to be completed with Staff checking for compliance:

1. **That any Texas Ebony plants in pedestrian areas need to be eliminated and replaced with a thornless species of plant. Applicant agreed to this.**
2. **Provide a “row of crops” landscape design element in multiple locations to be in compliance with the applicant’s written representation in the Development Booklet Narrative page 2. The applicant conveyed they would do this along the right of way of both streets.**

C. UP09-0011 SHARNET’S CHILD CARE LLC.

Approved.

Request Use Permit approval to allow residential childcare for up to ten children in a single-family home. The subject site is located at 4904 W. Buffalo Street, which is located south of the southeast corner of Chandler Boulevard and Rural Road.

1. The residential childcare home shall have no more than ten (10) children at any time.
2. Should the applicant sell the property, this Use Permit to operate a childcare home shall be null and void.
3. This Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to an approval by the City of Chandler.

D. UP09-0018 NATE’S THIRD BASE RESTAURANT

Approved.

Request Use Permit approval to allow liquor sales and service as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio at a new restaurant. The property is located at 1949 West Ray Road within the Boardwalk at Andersen Springs at the southeast corner of Ray and Dobson Roads.

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

6. There shall be no live entertainment outdoors including acoustic groups, bands, and the like.
7. Indoor music is limited to an acoustic group and karaoke no more than once a week for each. Any change in entertainment including pool tables, arcade games, live music, and the like shall require re-application and new Use Permit approval.
8. Noise shall be controlled so as to not cause a nuisance for nearby residences.

CHAIRMAN FLANDERS asked the audience if anyone wanted to pull any of the items. There were no items pulled.

BRENNAN RAY, BURCH & CRACCHIOLO, 702 E. OSBORN ROAD, on behalf of the applicant stated he had a couple of questions. He said he saw on the memo there was a condition no. 10 which he didn't think was read in. Ms. Novak said she forgot to include no. 10, which would have preceded all the other ones that she read in the record. It is in the addendum memo that she provided the Commissioners. Mr. Ray said that was fine. The second question he has deals with no. 16. He wanted to be sure he understood the wording that was read in. Ms. Novak said no. 16 was referring to the parking next to the medical offices. The stipulation read as follows:

16. The developer shall work with Staff to relocate covered parking and provide more customer parking closer to the medical office building.

Mr. Ray stated he was concerned with the 2nd half of that stipulation to provide additional parking. He doesn't know what that means. To him it sounds like providing more parking spaces. The first half of the stipulation to relocate that covered parking. That is something they are o.k. with. He thinks he knows what Vice Chairman Cason was alluding to in the discussions he has had with him.

KEVIN MAYO, ACTING PLANNING MANAGER, said he thinks this can be resolved by changing one word and adding a few letters on to another. It should read as:

16. The developer shall work with Staff to relocate covered parking thereby providing more customer parking closer to the medical office buildings.

CHAIRMAN FLANDERS stated he wanted to make one comment in regards to Item B, THE OFFICES AT SPRINGFIELD MARKETPLACE. As long as he has been on Planning Commission, the Southeast Area Plan and the type of architecture has always been important to Planning Commission, Council and Staff. This particular project with the architecture and style takes it another step forward. It is almost an evolution of that agrarian style of architecture. He wanted to compliment the developer, his architect and the applicant and everybody for doing a good job on this. He stated this is really nicely proportioned and easy to look at. He looks forward to seeing the project when it is completed.

MOVED BY VICE CHAIRMAN CASON, seconded by **COMMISSIONER RIVERS** to approve the consent agenda as read into the record by Staff. The consent agenda passed unanimously 6-0. (Commissioner McClendon was absent.)

6. DIRECTOR'S REPORT

Mr. Mayo said they would be having a heavy agenda for the July 15 hearing and more than likely they will be having a 4:00 p.m. Study Session.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN FLANDERS announced that the next regular meeting is July 15, 2009 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:52 p.m.

Michael Flanders, Chairman

Jeffrey A. Kurtz, Secretary