

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, September 2, 2009 held in the City Council Chambers, 22 S. Delaware Street.

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

Chairman Michael Flanders
Vice Chairman 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 KELLEY** to approve the minutes of the August 19, 2009 Planning Commission Hearing. The motion passed 5-0 with 2 abstentions (Commissioners Veitch and McClendon were not at the 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 was one action item – item A.

B. DVR09-0020 CALABRIA

Approved.

Request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former AG-1 zoning. The existing PAD zoning is for single-family homes on approximately 30 acres located at the southwest corner of Cooper Road and Brooks Farm Road.

Staff, upon finding consistency with the General Plan, recommends approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

C. PDP08-0004 NOAH'S

Approved.

Request Preliminary Development Plan approval for a 12,490 square foot commercial multi-purpose building on an approximate 2.8-acre site. The subject site is located east of the northeast corner of Cooper Road and Yeager Drive.

1. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
2. Development shall be in substantial conformance with Development Booklet, entitled "NOAH'S", kept on file in the City of Chandler Planning Services Division, in File No. PDP08-0004, except as modified by condition herein.
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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

D. PDP09-0016 365 MAIN EXPANSION

Approved.

Request Preliminary Development Plan (PDP) approval for a 240,000 square foot expansion of the 365 Main facility at the southeast corner of Germann and Price Roads.

1. Compliance with the original stipulations adopted by the City Council as Ordinance No. 2516, case Z94-093 PRICE AND GERMANN, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "365 Main Expansion" kept on file in the City of Chandler Planning Services Division in File No. PDP09-0016, except as modified by condition herein.

3. 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.
4. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
5. **In the case that the site's primary use changes from data center to a use with higher parking generating, additional parking shall be provided up to the amount required by the zoning code as determined necessary by the Zoning Administrator.**

CHAIRMAN FLANDERS stated he does have one speaker card in regards to Item D. The resident does not wish to speak at Planning Commission. He just wanted to let us know that he is in opposition of the project and probably be speaking at the Council meeting.

KEVIN MAYO, ACTING PLANNING MANAGER, said he would add that to the memo going forward to City Council.

E. UP09-0007 DESERT SAGE HERBS

Approved.

Request approval of a time extension for a Use Permit to allow retail sales and personal services within the Planned Commercial Office (PCO) zoning district. The property is located at 1728 N. Alma School Road, south of Warner Road on the west side of Alma School off of Stottler Drive.

1. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. Development shall be in substantial conformance with exhibits and representations.
3. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.
5. Monument signage shall be in compliance with the Sign Code and obtain a sign permit. Wall-mounted building signage including windows signs and banners is not permitted.

F. UP09-0019 IGUANA MACK'S

Approved.

Request Use Permit approval for a Series 6 (Bar) liquor license for on-premise consumption only within an existing restaurant and outdoor patio. The subject site is located at 1371 N. Alma School Road, which is at the southeast corner of Alma School and Knox Roads.

1. Expansion, modification, or relocation beyond the approved exhibits for interior and exterior areas (Floor Plan, Site Plan, and Narrative) shall void the Use Permit and require re-application and approval of a new Use Permit.
2. The Use Permit is granted for a Series 6 license only and any change of licenses shall require re-application and approval of a new Use Permit.
3. The Use Permit is non-transferable to other store locations.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or additional entertainment related uses beyond outdoor speakers and live music shall require reapplication of the Use Permit.
5. The Use Permit is approved for the current business owner only. In the event the business is sold with the Series 6 License, the business shall require reapplication and new Use Permit approval.
6. **The site and outdoor patio shall be maintained in a clean and orderly manner.**

G. UP09-0021 TEMPE KOREAN PRESBYTERIAN CHURCH (REQUEST WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)

Approved to withdraw for the purpose of re-advertising.

Request an extension of Use Permit approval for a modular building used by the church. The property is located at 800 West Galveston Street, which is west of Alma School Road on the north side of Galveston Street.

H. UP09-0027 THE DETOUR RESTAURANT & BAR

Approved.

Request extension of Use Permit approval to sell liquor for on-premise consumption only within a restaurant that includes an outdoor patio (Series 12 Restaurant License). The restaurant is located at 6403 W. Chandler Boulevard, approximately ¼ mile west of Kyrene Road.

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 (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
4. Outdoor music or live entertainment shall be prohibited.
5. No alcohol shall be carried outside of the building into the parking lot or off-premises.
6. The patio and area adjacent to the establishment shall be maintained in a clean and orderly manner.
7. The Use Permit shall not be valid unless additional parking is provided on a permanent basis or through a shared parking agreement with the parcel to the east to account for additional serving area. Additional parking shall be safely walkable for patrons and shall be provided at a ratio of one space per 50 square feet of serving area.

8. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

I. UP09-0044 ZAMMI'S GRILL

Approved.

Request Use Permit approval for a Series 12 (Restaurant) liquor license for on-premise consumption only within an existing restaurant. The subject site is located at 4040 S. Arizona Avenue, Suite #7, which is at the southwest corner of Arizona Avenue and Ocotillo Road, within the Fulton Ranch Towne Center.

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

J. PPT09-0006 CARINO COMMONS COMMERCIAL

Approved.

Request Preliminary Plat approval for a commercial subdivision for a retail development located at the northwest corner of Arizona Avenue and Queen Creek Road.

CHAIRMAN FLANDERS asked the audience if anybody would care to pull any of the items. There were none.

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

CHAIRMAN FLANDERS said in regards to item C he wanted to let the applicant know that they appreciate all of the work they have done on that project as a result of going through the design review. It provided an exceptional building for that area out at the Airpark.

ACTION:

A. DVR09-0015 ROCKEFELLER GROUP CHANDLER 101

Approved.

Request rezoning from Planned Industrial District (I-1) to Planned Area Development (PAD) with a mid-rise overlay and Preliminary Development Plan (PDP) approval for an

office, retail, and light industrial development with potential hotel/conference center uses on 22 acres at the southeast corner of Chandler Boulevard and the Loop 101 Price Freeway.

5. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
6. Development shall be in substantial conformance with Exhibit A and Exhibit B, Development Booklets, entitled "Rockefeller Group Chandler 101", kept on file in the City of Chandler Planning Services Division, in File No. DVR09-0015, except as modified by condition herein.
7. 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.
8. A Traffic Impact Analysis shall be approved by the City of Chandler Public Works Department prior to the recordation of a Final Plat or approval of building permits.
9. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
10. 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..
11. Construction shall commence above foundation walls within five (5) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
8. 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.
12. 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.
13. 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.
14. Raceway signage shall be prohibited within the development.
15. Under Option One, additional parking capacity shall be added to the parking garage in the course of developing Phase Two if existing or anticipated demand warrants, at the discretion of the Zoning Administrator as informed by an updated parking study provided by the Developer (if requested by the Planning Department) or other relevant information. Under Option Two, additional parking capacity shall be added to the parking garage in the course of developing Phase Two or Phase Three if

existing or anticipated demand warrants, at the discretion of the Zoning Administrator as informed by an updated parking study provided by the Developer (if requested by the Planning Department) or other relevant information.

16. The retail (first floor) building signage shall be internally illuminated pan-channel letters with halo illumination.
14. The trees planted to the south, east, and west elevations of the parking garage shall be at least 12' high to top of canopy at planting.
15. The applicant shall work with staff to add additional shade trees (up to four total) to the south of the two restaurant buildings.
16. The applicant shall work with staff to provide architectural features and vertical relief above the exterior staircases on the parking garage.
- 17. Any covered parking will utilize materials, forms, and colors drawn from the main buildings' architecture.**

MR. BILL DERMODY, SENIOR CITY PLANNER, stated this project is located just east of the mall on the other side of the Price Freeway and south of Chandler Boulevard. One of the most significant parts of this proposal is the mid-rise overlay. They are proposing heights up to 160 feet, eleven stories if they go with their first option with a hotel and conference center. Certainly, it will make an impact on the skyline in this area and they think a very positive one. Option one involves a hotel and conference center. He showed the general site layout, hotel and conference center being in the middle. This would be a 300-room hotel, eleven stories high. The conference center is 65,000 square feet and there would be two ten story office buildings as well as some restaurants to be determined later and two story office/light industrial in the rear of the property. The other proposal is basically the same as this but instead of the hotel/conference center they would have another office building in its place. So they would have three large office buildings. In that situation there would be nine stories, eight stories and eight stories. He showed a representation of what this would like. This would be under option 2. The hotel architecture will have to come back through public hearing if that is the development option they go with. He showed a complete representation of what they are proposing at this point. This is a view across Chandler Boulevard. The Price Freeway is just off to the right of the screen.

When they get a mid-rise request such as this they look at a number of things. They look at whether it is eligible of course. What land uses are surrounding it, whether it is appropriate in that context and whether there is some overall benefit either on site or in the general area from increased height. They have been able to answer in the affirmative on all of these questions at this location. It is really not surrounded by residential at all. You have to go quite a ways across retail to get to residential. It is primary retail to the north and to the west and also to the east there is a gas station and to the south and then farther east it's mostly employment/light industrial. It is really the perfect location for the sort of height that is proposed. If it is appropriate anywhere in Chandler, it is probably appropriate right here. With regard to special features that they are able to provide this has very generous pedestrian provisions. You can see them on the

perspective view – very broad sidewalks in front of the building and lots of seating. There is up to 21 tree planters with seating around them in a square formation. They are really looking to make it a very exciting, vibrant mixed-use type of project with retail potentially on the ground floors. Also, it enhances the general sustainability of the area. This is a new type of office and is probably all most certainly going to be Class A office, which they don't have a lot of in Chandler and it is an excellent location for this amongst all the retail. It balances it out and gives some synergy on Chandler Boulevard. Another thing they look at when they are going up this high is obviously you are going to see the buildings and so an important consideration is what they look like. Do they make a positive impact? They are creating a skyline in this immediate area. They would have to answer yes in this instance.

Their commercial design standards for the most part are directed towards two, three or four story buildings. That is what they see more of. They feel that the architects on this, Davis, has done a great job to basically go bold which is what they have to do to meet their commercial design standards for a building of this size. You don't see a lot of the smaller elements like metal overhangs over the windows or canopies. Rather you see curved facades, sloped parapets staggering on the façade so there is a lot of visual interest from all angles. It changed up the materials quite a bit. You see balconies here and so it is not by any means rectangular monoliths that you see on this site. There is quite a bit a visual interest. You see the banding of the different materials. There is the smaller horizontal banding of aluminum on the glass. Down low you see other materials including granite. They feel very positive about what this will mean to the skyline in the immediate area. For all those reasons they do feel that this height is appropriate at this location and will do very well to enhance the sustainability of the area.

Mr. Dermody said he would like to go through some other little site plan details. There is a lot going on in this site so he said he wouldn't cover everything. This is just the hi-lite. There is a parking garage in the center of the site. It is a slightly different formation from the other one but basically the same. Entrances are on the east side and on the west side they have managed to negotiate with ADOT. He is not sure if it is finalized but at least a verbal agreement to get separate access from NIKKO to the south to get direct access to the property that will lead directly into this parking garage, which everybody feels make a lot of sense traffic flow wise. It will reduce confusion and increase efficiency on the site. They have also done a lot of work on the east side to improve what is going on here. He showed the Coronado Street alignment on the east side. It currently dead-ends at Chandler Boulevard and basically serves as the driveway to the gas station and then to the mini-storage east of this property. They are going to be expanding that to six lanes, 4 going out and 2 going in. They have worked a lot with their civil engineers and their traffic divisions to get this alignment down just how they need it in this area. They feel positive that despite all the traffic that is coming in there it will improve the situation there. Everyone agrees that what's there today is a little bit confusing. They have dealt with that as good as possible. They also have an area where cars are not to back up into. They will still be able to maintain full and easy access to the gas station. People coming

in on Chandler Boulevard whether to turn left in or right in will still be able to get straight through to the gas station. The parking garage is accessed from east and west. It's front has lower level retail, which they feel just enhances the viability of the site. There is a little more excitement and presents a better face than just the parking garage on that side. They are happy about that element. These office buildings could also potentially have ground floor retail. He said he should mention that the architecture as well as these two restaurants that are proposed would have to come back before Planning Commission and Council. It is not part of this request.

There is a building to the south of the site proposed. This is Parcel B – that is a future plan. It is not one of the first couple or three phases. It may be developed completely separately. They sort of see it as a separate project. It has different architecture. It is a simpler architecture. He showed a picture of it in the development booklet. It is a simpler architecture that would be very appropriate for a stand-alone office/light industrial building that you would see anywhere else in Chandler. They have gone away from the curbed walls. It is sort of a pentagon shape and they still have the necessary visual interest provided through the aluminum or steel canopies, the staggered facades and so that is very consistent with the commercial design standards. The materials are typical for what you would see on this type of project. There are some similarities to the other one but he should emphasize again that this was viewed as sort of a separate project that happens to be next door and is part of this request.

They do have a number of additional conditions, one of them has to do with signage. There is signage proposed with this, up to 6 tenant panels on 2 monument signs along Chandler Boulevard and the condition has to do with the building signage. The monument signage will be routed out push-thru acrylic letters that will simulate pan channel letters. On the building there will be up to 2 office tenants per elevation on those major office buildings that will utilize four-foot high reverse pan channel letters. It was originally proposed down low to the pan channel letters, just plain pan channel outward broadcast to the light which is very typical. They have suggested a condition to sort of tie these 2 types of signage closer together that would require a halo around this. It would still be pan channel but it would have a halo to tie into the halo that should be up high. The applicant is fine with that

We are suggesting a change to condition no. 7 that the developer be given five years for this zoning rather than the traditional 3 and that is because of the extreme complexity of this project. It takes much longer to build something like this once you even get around to building permits. There are many more reviews. It is not your typical stick frame type of building and so they took that into account and there is a lot of institutional complexity as well. They are dealing with ADOT, SRP and if they go the hotel route, they will be dealing with the city as well. They have felt this is a unique situation and did warrant the extra couple of years. It is barely possible to get it up above foundation walls within 3 years. This is in line with other projects as far as how long they have to get started. They also have other proposed conditions about tree height around the parking garage. There are trees meant to soften the effect of the parking garage to all sides except to the north

where the retail is. The condition would just make sure that those are 12 foot high at time of planting. They have another condition to add shade trees, 2 each, potentially in front of each of the restaurants that will enhance the pedestrian comfort. The applicant will also work on some of the parapet architectural features on the parking garage.

He showed a picture emphasizing the pedestrian environment on this. He said they are proposing these purple orchid trees in all of the 16 to 21 planters and you can see the very broad pedestrian walkway. This is between an office building and a restaurant just off to the left. They are very excited about that. That is better than what you will see on most all other projects and will make this a special site. That is what they are going for. The developer is really trying to make something special, Class A one of a kind and they are all very excited about it. The recommendation is for approval.

CHAIRMAN FLANDERS asked if there were any questions for Staff.

CHAIRMAN FLANDERS asked in regards to the hotel/conference center, he knows there has been talk of this location and other locations, one being in the downtown and he is curious to see how they are going to go about this. Maybe this is a question for Christine Mackey to give them an idea of whether it is a first come, first serve type thing. He knows downtown was looking at it and now they are looking at it here.

CHRISTINE MACKAY said that is a very good question. They had a study done by CSL a number of years ago that suggested several locations for a conference center. This was one of the sites that study did choose and did select. Downtown is another, Arizona Avenue and the 202 is a third. She thought there was also a 4th site in downtown because they had 6 sites total. What they had worked with the Rockefeller Group to provide for is alternatives to zoning. Certainly they understand that the preference is for it to be in downtown and they wouldn't build more than one. The site that would be selected by the City would be that site that would be selected by the city, whether it is a downtown site, the Arizona Ave/202 site or the Rockefeller site, and they would act as a participant only with that one site. They do understand that there are discussions going on with downtown but what they thought would be a good opportunity is in case that doesn't work out and in case that opportunity for a conference facility in downtown with City participation doesn't work out, they would certainly be prepared as a backup site without having to come back through Planning & Zoning Commission and the City Council.

CHAIRMAN FLANDERS said so they are basically getting the element or structure set up if it were to happen on this site? Ms. Mackay said that was correct.

VICE CHAIRMAN CASON asked Ms. Mackay if she could comment on the 3 or 5-year time for developing the conference center? The applicant wants to instead of having a common 3 years increased to 5. Is there anything that she sees from her perspective that would generate that request specifically either from a market standpoint or from what she knows that needs to be done to develop a conference center at this location? Ms. Mackay stated that as we know, the market is pretty challenged today and a project of

this magnitude coming out of the ground within the next 3 years is probably pretty improbable that they would be able to come out of the ground this quickly. If it were the conference center that goes to this facility, there would be negotiations with the City. They would identify the developer that would act as the conference center developer and the hotel developer. So the negotiations would be pretty complex and then once they did all of that they would enter into construction drawings. It is high unlikely that they would get out of the ground within a 3 year period of time.

COMMISSIONER RIVERS said he had a question for Mr. Dermody, Senior City Planner. At some point there was a mention made of a green screen on the south side of the parking garage to sort of soften the landscaping view from the south. Is that still on the table or we haven't put that into a stipulation yet? Mr. Dermody stated that green screen has been discussed. Right now the proposal is for trees. Both the applicant and Staff would be open to the idea of a green screen. It is up to Planning Commission.

VICE CHAIRMAN CASON said he wanted to clarify something that Mr. Dermody had mentioned earlier. If Plan A goes through, then the parking structure as designed for that phase will contain enough parking spots to be able to support the retail that is expected in the parking garage and the parking necessary to support a conference center and the hotel? Mr. Dermody replied that was correct. Each phase will provide sufficient parking per what they have calculated in their parking study.

CHAIRMAN FLANDERS went to the applicant and asked him to step forward and state his name and address for the record.

NICK WOOD, LAW FIRM OF SNELL & WILMER, 1 ARIZONA CENTER, PHOENIX stated he represents Rockefeller. He said in light of the interesting economic times that we are in right now, he believes that the experience, the quality, the financial strength of the developer as well as the developer's commitment to develop the project, is just as important as the quality of the project itself.

Rockefeller is a name that is universally known. They have been a development company for more than 80 years. The Rockefeller Center, which was started by John D. Rockefeller Jr. back in 1928, is a testament to their ability. They have weathered the storm of economic problems beginning with the crash in 1929 and all the way through to today. One of the ways they have done this is they don't believe in debt. Rockefeller owns this piece of land free and clear. Rockefeller's parent is Mitsubishi Estates and Mitsubishi probably owns half of downtown Tokyo. They are the largest developer in the world. As such, what they have here is a developer that has a commitment to quality, commitment to performance, to keeping the promises that it makes and to go the extra mile. In that vein, they have been looking in the valley for a signature mixed-use location. They are already in Chandler. They are already a corporate citizen of Chandler. They have two projects that they already have approval for and over near the airport there is a 70,000 square foot, two story office building they just completed. It is a gorgeous looking building. They also own 80 acres next to Covance and they have two projects in Gilbert

they are working on and one in Tucson. They were looking for something in an urban core, which would be a signature mixed-use project. Now as a signature project, not only is their name on it, but it is going to represent the quality that is the name Rockefeller. There are probably 4 mixed-use signature projects in the valley that everybody knows about and everybody compares other projects to. One is The Esplanade. Another of course, is Kierland. Any time people talk about an open-air mixed-use mall you hear the word Kierland. Hayden Ferry on Tempe Town Lake has received all kinds of awards, articles and other things. In fact, their architect, Davis, designed it. Mr. Wood said that Mike Edwards from Davis was there if they had any questions for him. The other is the Scottsdale Waterfront. Again, a signature mixed-use project. They want this to be one of those mixed-use projects. They want there to be five. They want to set the bar high not only for other mixed-use projects but also for projects in the Chandler area. In this urban core this is a perfect location for that.

It is a 24-acre piece with 8 acres in the back and 16 in the front. He said that Mr. Dermody did such a good job that he made half his presentation for him so he is going to skip ahead on some things. He wanted to touch on a few things to enhance what he mentioned. The reason you see a massing for the hotel is because they have been in discussion with a hotel user. The hotel is looking for a convention center. If the convention center doesn't happen, the hotel won't happen. There is no sense in going through all of the architectural design and all of that work to get to that point. Part of their agreement is that there will be a new application with respect to the architectural design of this project when and if it comes forward. The same thing with the two restaurants.

If the hotel component happens, then the phasing will be basically this 2/3 of the eastern half. It will be the hotel, the convention center, garage, an office building and restaurant. Also, part of the first phase will be called the Loop Road. It is an extension of Coronado that runs to the south around this office building in the back and then out to the west, all the way out to Price. A couple years ago they amended the General Plan and their Street Classification map and they included that road as a public street and as such they are going to not only include that public street in their plan, but they are putting all but about 7,000 square feet of that road onto their property rather than have their property line be the center of that road. That way they complete it all at once and they can control the timing. That will be part of the first phase.

He showed the second phase on the ELMO. He said Mr. Dermody did a very good job of explaining the architectural components and the pedestrian circulation components, etc. The garage of course will hold about 3200 cars when it is completed. They have a provision that says after they do the first phase, whether it is a hotel/convention center or whether it's an office building in the middle, they will take another look at the parking and the parking study they have done. If everyone agrees, especially the City, and they say you didn't have enough parking in their first phase, they will go ahead and add additional parking above and beyond, which was planned. If you look at the net square footage of these buildings, they are parked with close to 5 per thousand. His office is in the Arizona Center downtown. That is parked at a little over 3 per thousand. The

Esplanade is parked at a little over 3 per thousand so they are fairly comfortable. Their traffic engineer, Dawn Cartier is here and she can answer those questions if you have any. They feel they have adequate parking but again, they want to make sure that if there is a potential shortfall, they have the time and ability in order to expand the parking itself.

Their landscape architect is here. He knows Commissioner Kelley is especially interested in this. It is very lush, very high end. There is a grand entrance into the site and again, it speaks to the signature value of this project. In regards to the architecture, just gorgeous buildings – 330,000 square feet in the ten-story building, about 33,000 square feet floor plate. He said Mr. Dermody did a nice job of describing the architecture and if you have any other questions on the architecture, Mike Edwards was there. Mike did a real nice elevation that shows what it would like from Chandler in either development – very impressive and very eye catching. As he mentioned to Vice Chairman Cason when he asked them, they are happy to have a stipulation for the green screen on the upper levels because the trees (4 stories) won't cover it. If it were the two story, which would be the all office building Option B, then of course trees would cover it. They are happy to include this stipulation for the upper two levels to include the green screen on the south side of the building.

With respect to stipulations, they have worked through all of the stipulations with Staff and are in agreement with each and every one of them including the new ones that have been proposed. He thanked Staff because this is a very significant project and it took a tremendous amount of work not only for their team but also City Staff. They have been wonderful to work with and very helpful. They took a problem solving approach which he wishes a lot of other Staff throughout the valley would do and as a result, they come here today with Staff support with a fair set of stipulations and a wonderful project that he thinks will be the signature mixed-use project in the City of Chandler. He said with that he would be happy to answer any questions.

CHAIRMAN FLANDERS stated he wanted to compliment the developer and his architect on the quality of the project. As an architect he has gone through everything there and has looked at the development booklets and the detail and everything else. He appreciates that. He did have the opportunity to experience The Esplanade for 4 years so he was very familiar with the dynamics of the office building, the retail, the restaurants and the parking. In looking at that as a kind of base, he thinks this development and what they have done as far as landscaping and quality materials is an exceptional project in his opinion. He said he knows this is going to be LEED certified and everything else. What is the rating or level they are going for? Mr. Wood replied they are going for silver.

COMMISSIONER RIVERS thanked him for meeting with him and going over this project. He too thinks this is fabulous. Concerning the Coronado Road extension, the road itself is to be built in what phase? Mr. Wood answered it will be in the first phase. **COMMISSIONER RIVERS** asked him 'Office 3' is to be built with what phase? Mr. Wood said Office 3 is kind of a floating phase. It may be built first. It really depends on market demand. If someone steps forward and they like that location, it is a little bit off

of the street but it is next to what will be a pretty tremendous project. They would like to build it and of course, that would be the first one. **COMMISSIONER RIVERS** said he heard mention that approaching this intersection from the south on this new road, which this project's group is building as part of the project. If the staging area for the intersection is blocked off to allow access southbound into the gas station/car wash that currently exists, is there going to be the ability to turn right on red if you are a northbound person on this road? He said maybe the person to ask is Bob Bortfeld.

BOB BORTFELDT, PUBLIC WORKS DEPARTMENT/TRAFFIC ENGINEERING, stated yes traffic could turn right at that location with traffic coming into the driveway to the gas station. **COMMISSIONER RIVERS** asked are they still going to have access to turning right on red? Mr. Bortfeldt said there will be a sign back there when they get into the details saying 'Yield to Cross Traffic'. Originally in the plan they had a striped out area. Kind of like a no man's land where you don't enter while the light is red. Those are the kind of details they get into when they get to the actual final sign plans. **COMMISSIONER RIVERS** said they had discussed prior to this meeting about the desirability if you are a northbound person on that street having the ability to turn right on a red light. He just wanted to be reasonably assured that people would have that opportunity because otherwise it becomes necessary to go into an arrow situation for the left turning people and expanding the right turn lanes. Mr. Bortfeldt said more than likely there would be left turn arrows at that location for both the northbound and the southbound. **COMMISSIONER RIVERS** said that was right but what they had discussed was the ability to turn right on red. He thinks it is very important that traffic have the ability to turn right on red onto Chandler Boulevard. Mr. Bortfeldt said yes sir that was one of the reasons that Rockefeller came forward and moved most of the roadway alignment over onto their property so that transition could occur more gradually through the project and allow that move to occur smoothly.

VICE CHAIRMAN CASON asked Mr. Bortfeldt if a Convention Center is built there and the convention is letting out and all these cars are leaving, then they feel that the queuing that will happen on the street will negotiate well with incoming traffic and people wanting to go to the storage, gas station/car wash? That will mesh o.k.? He said he is o.k. with the road there and everything else like that. They have been negotiating that little area for years and years. Mr. Bortfeldt said for the 5 minutes that everyone is trying to get out at the same time. Like if you are at a Suns game and you are trying to get out of the parking lot all at the same time, there will be some congestion there. They are hoping that most of the people that do come to those types of conventions are staying at that hotel or one of the other hotels in the area and in many cases they will be shuttled to those areas. The shuttle would be routed if they were smart to go in a different location. **VICE CHAIRMAN CASON** asked so he is o.k. with the amount of traffic that would be backed up on the street? Mr. Bortfeldt said they generally don't hit time wise at the same time as there am or pm peak traffic. Generally a convention will let out either earlier or later than the normal traffic and it will stagger over a period of time.

CHAIRMAN FLANDERS went to the audience to see if there was anybody that wanted to speak regarding this item. There were none. He asked if there were any additional questions for the applicant?

VICE CHAIRMAN CASON asked if the hotel developer had been intimately involved with the design of these buildings so they have an understanding that when they come through with their hotel that it is going to have to match these buildings in a lot of ways. Mr. Wood said he would like to ask his boss.

MARK SINGERMAN WITH ROCKEFELLER GROUP, 2375 E. CAMELBACK ROAD, PHOENIX, answered yes they have been involved. In fact, they were extremely impressed with the architecture. However, this is a national hotel operator. He said he cannot stand there and guarantee him they will be exactly the same. Hotels tend to have different floor heights; they tend to (at least in his experience) put most of their money on the inside of their building. Frankly, if you look at most hotel buildings they are really not impressive from an architectural side. If you look at the new Sheraton downtown, it is gorgeous inside but from the outside it is rather bland in his opinion. They understand fully that they will be coming back through PDP for their building. He certainly expect that there will be elements that from their buildings that they will be asked emulate and but he can't tell you they will look exactly like the middle office building that they designed.

VICE CHAIRMAN CASON asked Mr. Wood that on Parcel B there is no real shading on those buildings? He is presuming that one is going for a LEED certification. Could they get some type of shading over the windows? Maybe some wrought iron or metal shading or something for those buildings on all sides? The way it is oriented it is going to get sun except on maybe one side of that multi-sided building. He would like to see if they could get some shade on that building. Mr. Wood said he would like Mike Edwards from Davis, their architect, to explain those things to him.

MIKE EDWARDS, DAVIS, 60 E. RIO SALADO, TEMPE, stated to address his question if it is Rockefeller that develops that building and they don't sell the property to another developer, it will be a LEED certified building with the level of silver. They could entertain looking at some additional shade elements on the building. They were trying to keep it fairly neutral in the event someone does come back through and wants to modify it to fit their architectural desires or need. They added trellis elements at the entrances of the building per Staff's request and comments. Other than that it is basically what the shade elements would be at this time. **VICE CHAIRMAN CASON** stated normally for buildings of that size they usually always require some sort of shade element over the window, at least that he could recollect. Whether it is LEED certified or not isn't shading of the windows for southern and western exposures a big point factor in LEEDS certification? Mr. Dermody said he doesn't know how big of a factor it is, but it is a factor. Also, specifically in regards to previous approvals it is not a commercial design standard per say to provide shading in those directions. That was discussed when the Green Building Program came out a year or two ago but it is not specifically required by

the City. They often see those on buildings as ways to break up the façade and that is how they end up there. **VICE CHAIRMAN CASON** asked if that building was to sell to somebody else being a part of this PDP, then if they made that a condition then that condition would follow on this property to the next owner? Mr. Dermody said that was correct, it would stay with the property. **VICE CHAIRMAN CASON** said he would like to see if they could get some shade on those windows. He can appreciate certainly the LEED certification. He thinks that is a wonderful avenue to pursue. In case the property gets sold, he would to have that condition on that property as well. There is a lot of different ways they can do that. Certainly, some more economical than others. Mr. Singerman stated he would like to point out that they just recently completed what they call their Chandler Corporate Center, which is a very similar size building that is in the northwest quadrant of McClintock and Chandler Boulevard. That is a 70,000 square foot building, two story. The one they are talking about here is 65,000 square feet, two story. They are anticipating LEED silver on that building. It does not have shading on the windows. Due to the advances in technology on glazing on windows as well as the light colored roof and insulation, he has been amazed at the difference between the heat gain and a LEED certified building versus a Non-LEED certified building. They talked about this issue in the design of this building and they liked the cleaner look of the building without the shade structures over the window and they learned since doing the other building that you really don't need it to deal with the southern and western exposures. **VICE CHAIRMAN CASON** asked Staff if they concurred with the findings with the new science and glazing? Mr. Dermody replied that they weren't qualified enough in LEED.

KEVIN MAYO, ACTING PLANNING MANAGER, said they do have in their Long Range Planning Division, two Planners are certified for that. They have made substantial steps forward in building materials, glazing designs, roofing materials and it is very surprising how far you can take a building without having shade on it and take it to reduce its heat gain. He would concur in general with the statements the applicant has made.

VICE CHAIRMAN CASON asked if they have any of those people that look over these projects as they are coming in with LEED certification and do they have an opportunity to look over the project and give their stamp of approval? Mr. Mayo said if they pursue this through their Green Building Program, then yes they do. If they just strictly build it, they would see it through the building permit process, but it would not be reviewed from a LEED standpoint unless it was trying to comply with our Green Building Program. If they went that route, which he would encourage them to do if they are going to go for LEED silver anyway, then yes they would. **VICE CHAIRMAN CASON** said but if they don't apply for that then nobody would review it from our standpoint? Mr. Mayo said they would just review it as part of a normal building permit submission and they would see the materials but they wouldn't be looking at it from a standpoint from a LEED accreditation. **VICE CHAIRMAN CASON** said he thinks he will step away from his shading concerns then. As the parking grows, are they going to offer covered parking

on the top floor? In their rendering it is not there and it would just confuse the heck out of them if it were. Is there going to be some type of parking covers on the top floor? It would be nice to see those parking covers that have a design that is similar to the building whether they are curved or match some of the colors – just not straight, flat, seemed ceilings but something nice and curvature that matches the building so that when you are approaching on the freeway it has a nice curve linear look to it and kind of takes out the squareness of the top of the building. Was there any consideration for that? Clearly, in none of the packages does he see a plan for covered parking on the top floor. **MR. SINGERMAN** replied they discussed having covered parking on top of the garage and what they are investigating and technology will change probably as they get further into this is maybe having solar panels on those parking canopies. They want the parking canopies to look nice and fit in with the architecture particularly because the office buildings will be looking down on it also. That is why they purposely didn't show anything in the package. When they come back through for the building permit process, which could be 2 or 3 years from now, technology will probably change and they will look at that situation at that time. If they decide not to go with solar panels, they will do something that is architecturally compatible with the project. **VICE CHAIRMAN CASON** asked him if he would have a problem stipulating to at least covered parking in some form or another? If it turns out not be solar panels that first of all there will be some type of cover on the top floor of the parking garage. Second, it will be in an architecturally conforming design.

NICK WOODS, stated that they completely agree with him and they would be happy to do that.

VICE CHAIRMAN CASON stated one thing he thought would be unique about the building and he doesn't see it there and he knows it is a huge space, is he thinks it would be great to have a walkway between the parking garage and its associated office building. He knows that by even making the suggestion he just added a whole bunch of money to the project. He thinks when it all gets built out hopefully it will become a hotel and convention center (personally he thinks that is the best place in town for it). To be able to go to the office buildings with not having to go onto the ground if you don't want to and you don't want to be down in that public space and you just want to go right from the parking garage right into the office building, he doesn't know whether the plans will even allow something for that. He thinks that would be a very, very interesting add to the project. By just having the arches in the walkway between the parking lot and the building would kind of add an entrance when you are coming in from those sides. Something that you could really do something great with and it would provide the opportunity for people that are parking in the garage not necessarily have to go down into either the public area or go down to the bottom floor to come up to the second floor. It would just add grandness to the building overall. Is that something they would consider? **MR. SINGERMAN** said he offices at 24th and Camelback as well and he walks out from his building to his parking structure and he hits that sauna everyday as he comes out of that building. He hears what he is saying. The interesting thing about the site is that as it is built out, they think most of the site at 5:00 quitting time when people are really

walking out in the heat of the day, will be in shade which is a distinct advantage to this site. They didn't feel that a covered walkway as a shelter from the sun was really needed in this situation. Yes, there will be times during the day when it is sunny. The mass exodus out of the building every night should be in shade. He asked the Vice Chairman if he was talking about an at grade covered connection or a bridge? **VICE CHAIRMAN CASON** said this would be a bridge. Mr. Singerman said that was what he was thinking. **VICE CHAIRMAN CASON** stated that was a good point, the massiveness of the buildings will provide shade between those two locations. He accepts that point as a solution to the issue. He just wanted to bring it up because the arching part of it might just be something that adds to it. It is certainly not anything that he is going to pursue at this time. He thinks the point of shade is well taken. Mr. Singerman said what they wanted to do is animate the retail space at ground floor. If you look at their site plan, they have the garage coming out and you basically have to walk through and around the retail to help energize that space. They would like to keep the pedestrians down so they are coming by that retail space. **VICE CHAIRMAN CASON** said that makes perfect sense. He asked Staff if they got the stipulation? Mr. Dermody said a potential stipulation, no. 17 could read:

17. Any covered parking will utilize materials, forms and colors drawn from the main buildings' architecture.

Mr. Dermody stated then beyond the stipulation and just for the record, there would be an understanding that would not in any way preclude solar being placed on top of these.

VICE CHAIRMAN CASON said he understood and thanked him very much.

CHAIRMAN FLANDERS asked if there any more questions from the applicant. There were none. He closed the floor for discussion and motion.

VICE CHAIRMAN CASON said he thinks it is a wonderful project and he will go on the record by saying this is the perfect place for a convention center in the City of Chandler. It keeps people localized to the freeway and it allows the downtown to stay more of an intimate location. If people locally were coming into the downtown and that was the only use for the convention center, he would say that downtown would probably be a better place for it. When you have people that will be coming to the center from out of town, people coming in from the airport and staying there, but even local people coming in from places in the valley to go there, they are going to come in and leave. He thinks that people that would frequent this are more likely to want to eat at places that are their franchisees and established eating places, so the convention center actually fits better down there. It is an advantage to the restaurants and the establishments that they like downtown and that are more of a mom and pop atmosphere and like that 'Chandler family' that they so much like down there. He really likes the plan and the look. He hopes it can be a convention center and a hotel. With that he said he would like to make a motion.

VICE CHAIRMAN CASON moved to approve DVR09-0015 ROCKEFELLER GROUP CHANDLER 101, with all of the stipulations as read in by Staff, seconded by **COMMISSIONER HARTKE**. The item passed unanimously 7-0.

CHAIRMAN FLANDERS thanked the applicant and his Staff for the quality of the design. He thinks this is and will be a place in the valley that will be one of those signature projects. He also thanked Staff and their hard work that they went through with the applicant in bringing this forward. He asked Staff when this was going to Council? Mr. Dermody answered that would be going to Council on Thursday, September 24.

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 September 16, 2009 at 5:30 p.m. in the Council Chambers, 22 S. Delaware Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 6:29 p.m.

Michael Flanders, Chairman

Jeffrey A. Kurtz, Secretary