

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 15, 2016 held in the City Council Chambers, 88 E. Chicago Street.

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

Commissioner Katy Cunningham  
Commissioner Bill Donaldson  
Commissioner David Rose  
Commissioner Devan Wastchak

Absent and Excused:

Chairman Matthew Pridemore  
Vice Chairman Andrew Baron

Also present:

Mr. Kevin Mayo, Planning Manager  
Ms. Jodie Novak, Senior City Planner  
Mr. Erik Swanson, Senior City Planner  
Ms. Susan Fiala, City Planner  
Mr. Glenn Brockman, Asst. City Attorney  
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER DONALDSON**, seconded by **COMMISSIONER ROSE** to approve the minutes of the June 1, 2016, Planning Commission Hearing. The motion passed 4-0. (Chairman Pridemore & Vice Chairman Baron, Absent. One vacancy)
5. ACTION AGENDA ITEMS  
**COMMISSIONER CUNNINGHAM** informed the audience 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.

- A. APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT/DVR16-0010 QUIKTRIP

**Approved. (REQUEST CONTINUANCE TO THE JULY 20, 2016, PLANNING COMMISSION HEARING)**

Request Area Plan Amendment to the Peterson Farms (Section 7) Area Plan from Low Density Residential to Commercial, along with rezoning from Agricultural to Planned Area Development for commercial uses including a fuel station for 24-hour uses under the Late Hour Business

Policy, and Preliminary Development Plan approval for site layout and building architecture for a fuel station. The subject site is located at the northeast corner of Gilbert and Queen Creek roads. **(REQUEST CONTINUANCE TO THE JULY 20, 2016, PLANNING COMMISSION HEARING)**

B. DVR15-0042/PPT16-0003 SANTAN CROSSING PLAZA/VALERO-CORNER STORE

**Approved.**

Request rezoning from Planned Area Development (PAD) for Community Commercial to PAD (Community Commercial and Gas Service) with Preliminary Development Plan (PDP) for site layout and building design for a commercial development including a gas station, convenience store, inline shops building, and drive-through restaurant located at the southeast corner of Pecos and Cooper roads.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "SANTAN CROSSING PLAZA/VALERO-CORNER STORE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0042, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
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. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. 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.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "SANTAN CROSSING PLAZA/VALERO-CORNER STORE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0042, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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. Raceway signage shall be prohibited within the development.
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 site shall be maintained in a clean and orderly manner.
6. Landscaping shall be in compliance with current Commercial Design Standards.
7. Dissimilar land use buffer trees adjacent to residential shall be a minimum of 12 feet in height at time of planting and planted at a maximum 20 feet on center and shrubs planted at a rate of 4 per 20 lineal feet.
8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
10. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
11. Gasoline tank vent piping shall be internalized within the gas canopy columns.
12. Gas canopy lights shall be flush with the bottom of the canopy.
13. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

**Preliminary Plat**

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

C. PDP16-0009 ALLRED PARK PLACE

**Approved.**

Request Preliminary Development Plan (PDP) approval amending the site plan and building architecture for a portion of the Allred Park Place business park on approximately 20 acres located at the southeast corner of Price Road and Spectrum Boulevard.

**Preliminary Development Plan:**

1. Development shall be in substantial conformance with the Development Booklet, entitled "PARK PLACE SEC LOOP 101-202 & PRICE ROAD AREA 2" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0009, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

D. LUP16-0013 QUIKTRIP

**Approved. CONTINUED TO THE JULY 20, 2016, PLANNING COMMISSION HEARING**

Request Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store. The subject site is located at the northeast corner of Gilbert and Queen Creek roads. **(REQUEST CONTINUANCE TO THE JULY 20 2016, PLANNING COMMISSION HEARING)**

E. ZUP16-0005 NORTH PRICE STABLES

**Approved.**

Request Use Permit time extension approval to continue horse boarding for up to 22 horses on an approximately 4-acre site in the Agricultural (AG-1) zoning district. The property is located at 2885 North Price Road, south of Elliot Road and on the east side of the Loop 101 Price Freeway.

1. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to any other location.
3. The number of horses shall be limited to 22.
4. Riding activities shall be limited to a maximum of three days per week.
5. Riding activities shall cease by 9:00 p.m. each night.
6. The site shall be maintained in a clean and orderly manner.
7. The riding area shall be watered down prior to riding activities.
8. The property shall remain in compliance with any applicable Maricopa County Air Quality Department regulations.
9. The Use Permit shall remain in effect for five (5) years from the 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.

**MOVED BY COMMISSIONER DONALDSON** seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 4-0 (Chairman Pridemore & Vice Chair Baron, Absent. One vacancy).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing to report

7. CHAIRMAN'S ANNOUNCEMENTS

**COMMISSIONER CUNNINGHAM** stated the next regular meeting is July 6, 2016 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:45 p.m.

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Matthew Pridemore, Commissioner

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Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, July 6, 2016 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Matthew Pridemore  
Vice Chairman Andrew Baron  
Commissioner Katy Cunningham  
Commissioner Bill Donaldson  
Commissioner David Rose

Absent and Excused:

Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Kay Bigelow, City Attorney  
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES - **MINUTES WERE NOT VOTED ON.**

**KAY BIGELOW, CITY ATTORNEY** stated there were less than the majority of the members of the commission that voted on the minutes and the rules require that the majority of the members of the commission vote on them.

**CHAIRMAN PRIDEMORE** stated that it was his understanding that it is based on who was in attendance at that time. There were only four members present at that meeting so there are three of the four that were able to vote on it.

**MS. BIGELOW** stated that the rule requires “the majority of the member’s should constitute quorum for transacting business”. So the two that were not present and took themselves out; resulted in no quorum to vote on the minutes. She suggested for the minutes to reappear next agenda. She also mentioned there is no legal reason or obligation to take themselves out of the voting. Also, they can vote again with the majority voting or have it reappear on the next meeting. She apologized for interrupting.

**CHAIRMAN PRIDEMORE** stated that personally he would want to wait so Commissioner Wastchak could be a part of it and will still choose to abstain. They will defer the voting of minutes to the next meeting.

5. ACTION AGENDA ITEMS

**CHAIRMAN PRIDEMORE** informed the audience 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.

A. DVR16-0004 INNOVATION SQUARE

**Approved.**

Request rezoning from Planned Area Development (PAD) for office and data center uses to PAD for an employment business park campus with employment, office, service retail and hotel uses including a Mid-Rise Overlay for buildings up to 150 feet in height, on approximately 15.6 acres located north of the northwest corner of Price and Queen Creek roads.

**Rezoning:**

1. Development shall be in substantial conformance with the Development Booklet, entitled "I2 Innovation Square" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0004, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
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. The exhibits and representations submitted herein are found to be in compliance with the requirements for Conceptual Development Plan approval. However, this does not constitute approval of the PAD Final Development Plan (Site Development Plan) by the Planning Administrator. A future Preliminary Development Plan(s) shall be required.
4. 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.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.
6. Unless otherwise included as part of the City's Capital Improvement Program, the developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
9. Notwithstanding any provision of the Development Booklet or of any other conditions of the Rezoning, no data center use of any type, unless ancillary and secondary to a primary use, shall be a use permitted for the property that is the subject of this Rezoning.
10. Maximum building height shall be limited to 150-feet.

**B. LUP16-0016 ZESTY ZZEEKS PIZZA & WINGS**

**Approved.**

Request Liquor Use Permit approval to sell and serve spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The new business is located at 960 East Warner Road, Suite 1, the northwest corner of Warner and McQueen roads.

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

**C. LUP16-0017 STREETS OF NEW YORK**

**Approved.**

Request Liquor Use Permit approval to sell and serve spirituous liquor for on-premise consumption indoors as permitted under a Series 12 Restaurant License. The existing restaurant is located at 5965 West Ray Road, Suite 22, the southeast corner of Ray and Kyrene roads.

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

**D. LUP16-0018 HOME2 SUITES BY HILTON**

**Approved.**

Request Liquor Use Permit approval to sell beer and wine for off-premise consumption as permitted under a Series 10 Beer and Wine Store License. The new hotel is located at 2490 West Queen Creek Road, west of the northwest corner of Dobson and Queen Creek roads.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 10 Beer and Wine Store license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.
5. 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 re-application and approval of a Liquor Use Permit.

E. LUP16-0019 SANTAN CROSSING PLAZA/VALERO-CORNER STORE

**Approved.**

Request Liquor Use Permit approval to sell beer and wine for off-premise consumption as permitted under a Series 10 Beer and Wine Store License within a new fuel station convenience store located at 1015 South Cooper Road, the southeast corner of Cooper and Pecos roads.

1. The Liquor Use Permit is granted for a Series 10 Beer and Wine Store License only, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to other locations.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

F. LUP16-0021 PIEOLOGY PIZZERIA

**Approved.**

Request Liquor Use Permit approval to sell and serve spirituous liquor for on-premise consumption indoors and within a new outdoor patio as permitted under a Series 12 Restaurant License. The restaurant is located at 3450 West Chandler Boulevard, Suite 5, the northwest corner of Chandler and Metro boulevards.

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

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 re-application and approval of a Liquor Use Permit.
5. The site shall be maintained in a clean and orderly manner.

G. LUP16-0023 FRY'S FUEL CENTER

**Approved.**

Request Liquor Use Permit approval to sell beer and wine for off-premise consumption as permitted under a Series 10 Beer and Wine Store License within a new fuel station convenience store located at 2955 East Ocotillo Road, the southwest corner of Ocotillo and Gilbert roads.

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

H. ZUP16-0009 PREMIUM COACH GROUP

**Approved. CONTINUED TO THE JULY 20, 2016, PLANNING COMMISSION HEARING)**

Request Use Permit approval for a recreational vehicle sales, service, and storage business within a Planned Area Development zoned district that allows for business park uses. The subject site is located at 1825 East Germann Road, within Metro Chandler Airport Center, west of the southwest corner of Germann and Cooper roads. **(REQUEST CONTINUANCE TO THE JULY 20, 2016, PLANNING COMMISSION HEARING)**

I. PPT16-0013 THE ENCLAVE

**Approved.**

Request Preliminary Plat approval for a multi-family residential development located at the southeast corner of Arizona Avenue and Chandler Heights Road.

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

**CHAIRMAN PRIDEMORE** asked the audience if anyone had any questions on the consent agenda or want any items pulled for a full presentation. There were none.

**MOVED BY VICE CHAIRMAN BARON** seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Commissioner Wastchak, absent, one vacancy).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

**CHAIRMAN PRIDMORE** stated the next regular meeting is July 20, 2016 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.

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Matthew Pridemore, Commissioner

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Jeffrey A. Kurtz, Secretary