2016 Planning & Zoning Commission Minutes

Regular Meetings

January 6, 2016

January 20, 2016

February 3, 2016

February 17, 2016

March 2, 2016

March 9, 2016 General Plan

March 16, 2016

April 4, 2016 u rum

April 20, 2016

May 4, 2016

May 18, 2016

June 1, 2016

June 15, 2016

July 6, 2016

July 20, 2016

August 3, 2016 Cancelled

August 17, 2016

September 7, 2016

September 21, 2016 Cancelled

October 5, 2016

October 19, 2016 Cancelled

November 2, 2016

November 16, 2016

December 7, 2016

December 21, 2016 Cancelled

These minutes are fully searchable within this year by using the “Find Feature”.

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

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

2. Pledge of Allegiance led by Commissioner Wastchak.

3. The following Commissioners answered Roll Call:

Vice Chairman Andrew Baron
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and Excused:

Chairman Matthew Pridemore
Commissioner Katy Cunningham

Also present:

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

4. APPROVAL OF MINUTES

MOVED BY COMMISSIONER RYAN, seconded by COMMISSIONER WASTCHK to approve the minutes of the December 16, 2015 Planning Commission Hearing. The motion passed 4-0. (Commissioner Donaldson abstained, since he was absent on Dec 16. Chairman Pridemore and Commissioner Cunningham, absent)

5. ACTION AGENDA ITEMS

VICE CHAIRMAN BARON 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. APL15-0006 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0027 CANAL VIEW HOMES

Approved. (CONTINUED TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING)

Request Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential, along with rezoning from Agricultural to

Planned Area Development for single-family residential and Preliminary Development Plan approval for subdivision layout and housing product for an 8-lot single-family residential subdivision. The subject site is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment. **(REQUEST CONTINUANCE TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING.)**

The applicant requests a continuance to the February 3, 2016, Planning Commission hearing in order to further discuss the development with the adjacent residents. Accordingly, Planning Staff recommends a continuance to the February 3, 2016, Planning Commission hearing.

B. APL15-0008 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0031 VILLAS AT CHANDLER AIRPARK

Approved.

Request Area Plan Amendment to the Chandler Airpark Area Plan from Special Use Commercial to High Density Residential, along with rezoning from Planned Area Development (PAD) for multi-family residential and commercial to PAD for multi-family residential, and Preliminary Development Plan approval for site layout and building architecture. The subject site is located east of the southeast corner of Germann and McQueen roads.

Area Plan Amendment

Planning Staff recommends Planning Commission motion to recommend approval of APL15-0008 CHANDLER AIRPARK AREA PLAN.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Villas at Chandler Airpark", kept on file in the City of Chandler Planning Division, in File No. DVR15-0031, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
7. 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.
8. The multi-family apartment manager shall display, in a conspicuous place within the rental office, a map illustrating the location of the Villas at Chandler Airpark Multi-Family Apartments in the context of the Chandler Airpark Area Plan. The map shall identify the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by Chandler City Council (Resolution No. 2590, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan. Such map or aerial photo shall be a minimum size of 24" x 36". Compliance with this condition shall be demonstrated by the property owner or multifamily apartment manager submitting to the Zoning Administrator of a signed affidavit and photograph that acknowledges such map is on display prior to beginning any rental activity.
9. Prior to execution of any lease, prospective apartment tenants shall be given written disclosure in their lease and in a separately signed disclosure statement acknowledging that this apartment community is located proximate to the Chandler Municipal Airport that includes a heliport, aircraft engine testing facility, and an aircraft storage facility, that an avigational easement exists on the property, the property lies within the Chandler Municipal Airport Impact Overlay District, and that the property is subject to aircraft noise and over flight activity. The requirement for such disclosure shall be confirmed in an avigation notice covenant that runs with the land and is recorded with the Maricopa County Recorder prior to issuance of the first Building Permit for this development.
10. The developer shall provide the city within an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
11. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.
12. The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text: "This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."
13. The development shall not be subdivided to allow individual dwelling unit ownership.
14. All leases at the Villas at Chandler Airpark multi-family apartments shall provide that all questions, concerns, or complaints any tenant may have about the Chandler Municipal Airport of the operation of aircraft landing at, taking off from, or operating at or on Chandler Municipal Airport shall be directed solely to the manager of the Villas at Chandler Airpark development and not to the Chandler municipal Airport, the city of Chandler, the FAA, any aircraft owner, or any pilot. All leases shall also provide that it shall be within the sole and absolute discretion of the manager of Villas at Chandler Airpark (and not the tenant) to determine (after the manager's due consideration of all airport related acknowledgments and disclosures that are required by the Zoning Stipulations and consideration of all information known to Villas at Chandler Airpark

Manager) whether or not, when, and how to communicate any tenants question, concern, or complain to the manager of the Chandler Municipal Airport.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Villas at Chandler Airpark", kept on file in the City of Chandler Planning Division, in File No. DVR15-0031, except as modified by condition herein.
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 applicant shall work with Planning Staff to incorporate airport observation areas within the development.**

C. DVR15-0032/ PPT15-0014 PARKVIEW PLACE

Approved.

Request rezoning from Agricultural to Planned Area Development for single-family residential with Preliminary Development Plan approval for subdivision layout and housing product and Preliminary Plat approval for a 50-lot single-family residential subdivision. The subject site is located approximately one-half mile south of the southeast corner of Ocotillo and Basha roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Parkview Place", kept on file in the City of Chandler Planning Division, in File No. DVR15-0032, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
7. 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.

8. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
9. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Parkview Place", kept on file in the City of Chandler Planning Division, in File No. DVR15-0032, except as modified by condition herein.
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 same elevation shall not be built side-by-side or directly across the street from one another.
4. The perimeter wall along the north property boundary shall be painted to be consistent with the color scheme of the community.
5. The applicant shall work with Planning Staff to provide additional pavement enhancements along the drive corridors between the residential blocks.

Preliminary Plat

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

D. DVR15-0034 THE ENCLAVE

Approved. (ITEM WITHDRAWN)

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 Conceptual Planned Area Development (PAD) for commercial with a transit-oriented multi-family residential overlay. The existing PAD zoning designation is for multi-family residential on an approximate 21.7-acre site. The property is located at the southeast corner of Arizona Avenue and Chandler Heights Road.

Planning Staff recommends a withdrawal of this item. The property has been issued building permits to commence construction, therefore, the PAD zoning is vested and this case no longer requires a zoning time extension.

E. PDP15-0006 SAN TAN PLAZA

Approved.

Request Preliminary Development Plan (PDP) approval to allow additional freestanding multi-tenant monument signs for an existing development located at the northwest corner of Arizona Avenue and Willis Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "San Tan Plaza", kept on file in the City of Chandler Planning Division, in File No. PDP15-0006, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3396 in case DVR02-0017 KOHL'S CENTER, except as modified by condition herein.
3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
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. 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.
6. **The applicant shall work with Planning Staff to relocate the solar panel associated with the northernmost Sign A. The solar panel shall be relocated north of the adjacent retail buildings.**

F. PDP15-0010 SAN TAN SUPER STORAGE & INDUSTRIAL

Approved.

Request Preliminary Development Plan (PDP) approval for building design and site layout of recreational vehicle (RV) storage buildings and a multi-tenant light industrial building. The property is located approximately one-quarter of a mile east of the northeast corner of Arizona Avenue and Willis Road.

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "San Tan Super Storage & Industrial", kept on file in the City of Chandler Planning Division, in File No. PDP15-0010, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 1644 in case Z86-25 LARRY S. LAZARUS, except as modified by condition herein.
3. The site shall be maintained in a clean and orderly manner.
4. 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.
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.
7. 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.
8. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
9. 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.

G. PDP15-0017 FIRST CREDIT UNION PLAZA

Approved. (CONTINUED TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING)

Request Preliminary Development Plan approval for building mounted signage. The subject site is located at 25 S. Arizona Place, east of the northeast corner of Arizona Avenue and Boston Street.

The applicant requests a continuance to the February 3, 2016, Planning Commission hearing in order to finalize design details. Accordingly, Planning Staff recommends a continuance to the February 3, 2016, Planning Commission hearing.

H. LUP15-0021 PAYLESS MARKET

Approved.

Request Liquor Use Permit approval to sell beer and wine for off-premise consumption only under a Series 10 Beer and Wine Store License. The new convenience store is located at 405 South Arizona Avenue, south of the southeast corner of Arizona Avenue and Frye Road.

1. Expansion or modification beyond the approved exhibits (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 any other location.
4. The site shall be maintained in a clean and orderly manner.

VICE CHAIRMAN BARON stated there was a comment card from a Chris for Item E, and wanted to note that he is in favor of the item but did not wish to speak.

VICE CHAIRMAN BARON stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

VICE CHAIRMAN BARON abstained from voting on Item B, since his firm provided design services for the project.

COMMISSIONER WASTCHAK abstained from voting on Item B, since he worked on the project.

MOVED BY VICE CHAIRMAN DONALDSON seconded by **COMMISSIONER RYAN** to approve the Consent Agenda and the modified stipulation No. 3 for Item B and added stipulation No. 6 for Item E as read in by Staff. The Consent Agenda passed 5-0.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated he wanted to advise Vice Chairman and Commissioners that they are well underway with the 60-day review period with the General Plan update. March will be the month when they will be coming to Planning Commission which state required hearings. They have to be at separate places so they can't use a regular Planning Commission hearing and then two weeks later another regular Planning Commission hearing. At this point, they are targeting Wednesday, March 9th and the then normal Planning Commission hearing the second one, the week after that. March 9th, they are looking into having the meeting in West Chandler, most likely at the Sunset Library that has a good media room at a probable time of 5:30pm. He thanked them in advance for their time.

VICE CHAIRMAN BARON asked what the purposes were for the two meetings.

Kevin Mayo stated it was to gather input from Planning Commission and also provide two separate public forms for the final comments prior to sending the draft forward to Council. He will try to target the first hearing on March 19th, which will take public testimony and that will result in some levels of changes to the plan or recommendations coming forward, then the second hearing, all of that will be packaged up as an item. That is the approach.

7. CHAIRMAN'S ANNOUNCEMENTS

VICE CHAIRMAN BARON stated the next regular meeting is January 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 5:39 p.m.

~~Matthew Pridemore~~, Chairman
ANDREW BARON, VICE CHAIRMAN

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, January 20, 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 Wastchak.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak

Absent and Excused:

Commissioner Phil Ryan

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Susan Fiala, City Planner
Ms. Lauren Schumann, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES

MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER DONALDSON to approve the minutes of the January 6, 2016 Planning Commission Hearing. The motion passed 5-0. (Chairman Pridemore and Commissioner Cunningham abstained, since they were absent on January 6, 2016.

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. DVR15-0033 FRYE ROAD BUSINESS PARK (SANTAN TECHNOLOGY PARK)

Approved. (CONTINUED TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING)

Request rezoning from Planned Area Development (PAD) for light industrial to PAD for light industrial and billboards along with a Preliminary Development Plan (PDP) for two 70 foot tall

digital billboards. The site is located at the northeast corner of 56th Street and Loop 202 Santan Freeway. **(REQUEST CONTINUANCE TO THE FEBRUARY 3, 2016, PLANNING COMMISSION HEARING.)**

The applicant requests a continuance of this case to the February 3, 2016 Planning and Zoning Commission meeting due to their scheduling conflicts. Accordingly, Planning Staff recommends a continuance to the February 3, 2016, Planning and Zoning Commission meeting.

B. DVR15-0035/PPT15-0015 MAINSTREET TRANSITIONAL CARE FACILITY

Approved.

Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Commercial/Medical Related Uses with Preliminary Development Plan (PDP) approval for a transitional health care facility and other associated uses with Preliminary Plat approval on approximately 8 acres located at the southeast corner of Arizona Avenue and Queen Creek Road.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MAINTSTREET TRANSITIONAL CARE FACILITY", kept on file in the City of Chandler Planning Division, in File No. DVR15-0035, 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. 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 Plans

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MAINSTREET TRANSITIONAL CARE FACILITY", kept on file in the City of Chandler Planning Division, in File No. DVR15-0035, except as modified by condition herein.

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 site shall be maintained in a clean and orderly manner.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. 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.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
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.
9. **The applicant shall work with Staff to enhance the pad buildings' architecture to include adding materials, paint colors, and forms to match the care facility as well as provide enhanced elevation design adjacent to residential lots.**
10. **The applicant shall design the four courtyard areas as useable open space with turf and/or hardscape as represented in landscape plan L1.0 dated September 29, 2015, as submitted to Planning Staff.**

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. LUP15-0023 BELLA GUSTO

Approved.

Request Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for on-premise consumption indoors at a new restaurant located at 1964 N. Alma School Road, Suite 1, southwest corner of Alma School and Warner roads.

1. The Liquor Use Permit is granted for a Series 12 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 store 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. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

D. ZUP15-0006 VERIZON AT CONGREGATIONAL CHURCH OF THE VALLEY

Approved.
Request Use Permit approval to install a monopalm wireless communication facility at 240 South Cooper Road, located south of the southwest corner of Cooper Road and Chandler Boulevard.

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. Use Permit 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 Use Permit shall apply.
3. The two 25 foot tall live palms shall be maintained at a level consistent with or better than at the time of planting.

E. ZUP15-0017 VERIZON – HUNT HIGHWAY

Approved. CONTINUED TO THE FEBRUARY 17, 2016, PLANNING COMMISSION HEARING)
Request Use Permit approval to install a monopalm wireless communication facility on property located east of the northeast corner of Cooper Road and Hunt Highway. **(REQUEST CONTINUANCE TO THE FEBRUARY 17, 2016, PLANNING COMMISSION HEARING)**

This case was continued from the December 16, 2015, Planning and Zoning Commission meeting to the January 20, 2016, Planning and Zoning Commission meeting. The applicant requires additional time to conduct further neighborhood outreach to address neighborhood concerns and issues. Accordingly, Planning Staff recommends a continuance to the February 17, 2016, Planning and Zoning Commission meeting.

F. PPT15-0017 VILLAS AT CHANDLER AIRPARK

Approved.
Request Preliminary Plat approval for a 504-unit apartment complex located on an approximate 29-acre site. The subject site is located east of the southeast corner of McQueen and Germann roads.

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

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

CHAIRMAN PRIDEMORE stated there was a comment card for Item D and wished to speak. He also mentioned that Commission did receive the letter the speaker submitted to staff.

MS. MONTE BARNES, 4722 S. OLEANDER DR thanked Chairman, Commissioners and any other persons of interest for allowing her to speak on the matter of the cell tower proposed at 240 S. Cooper Rd, The Congregational Church property. She stated she is a Chandler resident since

birth. As a child, her family lived on California St. and she walked across the street to attend grammar school and afterschool hours, she played in the school playground. She stated she graduated from Chandler High School and married and raised her family in the community and both of her sons attended and graduated from Chandler High. She was a part of the very first Tumbleweed Christmas tree lighting, she shopped at the JCPenny store and went to the only theatre downtown, every weakened. She stated for her entire life she has been part of the history of Chandler and watched it grow from a small quiet rural community to a very large extensive City. Her parents were Mr. and Mrs. O.W. Kirkpatrick who purchased 11 acres on the west side of Cooper Rd. The Congregational Church that is located on part of their original property and their home at 220 S. Cooper is immediately north of the church. In 1992, after the passing of her mother and father, she inherited the Kirkpatrick residence and 1 acre known as 220 S. Cooper Rd. Over the years, improvements by the City and SRP easements and right of ways have benefited the use of the property but in exchange a considerable portion of the original acre has been lost. She stated she offered the background so they can understand her familiarity and love of the City. The land in questioned where the Cell tower is to be built in her property used to be part of a lovely little farm where her dad and mom tenderly cared for their farm animals, grew vegetables and worked the land with love. Her father taught the boys to ride horses and care for them, also baby calf's they raised. Her dad raised every animal, even chickens and her two boys played in the field and learned to ride their dirt bikes along the canal.

The history and love they have for the land there goes back two generations. It is difficult to see how the growth around her family's place has adversely changed from the pleasing agricultural environment it used to be. Her family is greatly disturbed to think that the Cellular monopalm tower is being proposed for the Congregational Church property. The tower is personally offensive and reduces and inhibits the enjoyment of her and neighboring property owners, compromising specially her liberty and right to peaceful use of her land and it visually unobstructed neighborhood. The tower is environmentally unpleasant, objectionable and could expose unsuspecting public with possible health risks. It is extremely visually invasive in a result in to diminish of property value. The church apparently received some monetary benefit and incentive for having the tower placed on their property. Perhaps their financial stability relies on the proceeds they gained for sacrificing part of their land. Her objection is for the unsightly intrusive impact it has for her property as it changes the nature appearance and complexion of the neighborhood. It appears that the consuming public has set no recourse against large cooperates cellular companies spending millions, spreading the universe with never ending implantations of those eyesores. She stated, what does it take to present unlimited unrestricted construction of the ubiquitous cell tower installation. She recognizes that there is a need for everyone to have cellular technology in everyday lives, however to what expense when the rights of the individuals and home owners are completely disregarded. How many cell towers will invade your community? She asked how many in the meeting and to raise their hand, would like to have a 55 or 48ft monopalm cell tower in the lot next to your property. She wants to go on record, if concessions are made by the city to approve the tower, she would ask for some compensation from the cellular company to satisfy me for changing the ambiance and character of the land and for the obstruction towering over the earth from the childhood memories were made and for the intrusive visual environment it creates for everyone from now on. She thanked the Commissioners.

CHAIRMAN PRIDEMORE asked if anyone had a question for the speaker.

COMMISSIONER CUNNINGHAM asked staff during study session they mentioned that the tower looks almost like a smoke stack about 40 ft. however; if it was the AT&T existing cellular tower on the property so there will be an additional one added how many feet away?

MS. SUSAN FIALA, CITY PLANNER referred to sheet C-1, the overall site plan, it illustrates the existing pole is and the parking space, so approximately about 65 to 70ft west.

COMMISSIONER CUNNINGHAM asked if the AT&T tower was 70 ft. west or the proposed one. And asked if the resident in opposition home was north if so how many feet between her property and the AT&T tower.

MS. SUSAN FIALA, CITY PLANNER stated the subject tower was approximately 70ft west. And her home was north and referred to the site plan and it explained it is slightly south of the subject monopalm, so given that is approximately 204 ft. from the north property line and there is an additional 20ft.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda and the two additional stipulations to the PDP No. 9 & 10 on Item B as read in by Staff. The Consent Agenda passed 6-0 (Commissioner Ryan, absent)

CHAIRMAN PRIDEMORE informed the audience that Planning and Zoning Commission has a narrow purview and explained that all items that come before them also go to Council on February 11, 2016. He encouraged them to speak there as well.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated he wanted to advise Vice Chairman and Commissioners that they are about ready to start the General Plan update public outreach meetings. He inferred that they will have two trips to Planning Commission with the draft General Plan update, he was hoping to get one at the Sunset library, but they weren't able to get the location and date time work. However, they do have the regular Planning Commission Hearing, the first Wednesday of March; the first General Plan update meeting will be the second Wednesday, which is March 9th at 6 p.m. will be held at the Tumbleweed Recreation Center in the Cotton Room on the first floor. There will be signs that will guide everyone back there. The second hearing of the General Plan update will be the third Wednesday of the month will be a normal Planning Commission Hearing at 5:30pm.

CHAIRMAN PRIDEMORE stated everyone should have received a copy of the General plan book since his was mailed because he was absent last meeting.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is February 3, 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 5:48 p.m.

Matthew Pridempre, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, February 3, 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 Ryan.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and Excused:

Vice Chairman Andrew Baron
Commissioner Ryan Foley

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Lauren Schumann, City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES

MOVED BY COMMISSIONER CUNNINGHAM, seconded by COMMISSIONER DONALDSON to approve the minutes of the January 20, 2016 Planning Commission Hearing. The motion passed 4-0. (Commissioner Ryan abstained, since he was not present on January 20, 2016. Vice Chairman Baron and Commissioner Foley, absent.)

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. APL15-0006 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0027/PPT15-0013 CANAL VIEW HOMES

Approved.

Request Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential, along with rezoning from Agricultural to Planned Area Development for single-family residential and Preliminary Development Plan approval for subdivision layout and housing product and Preliminary Plat approval for an eight-

lot single-family residential subdivision for an 8-lot single-family residential subdivision. The subject site is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment.

Area Plan

Planning Staff recommends Planning Commission motion to recommend approval APL15-0006 CHANDLER AIRPARK AREA PLAN.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Canal View Homes", kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
8. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
    a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorders Office upon sale of the property.
    b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal

Airport, F.A.R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.

d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.

e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.

f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.

g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:
"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and over flight activity, and is encumbered by an avigational easement to the City of Chandler."

7. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a heliport at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Canal View Homes", kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, except as modified by condition herein.

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 applicant shall work with Planning Staff to ensure the landscape palette is consistent with the adjacent neighborhood.
4. The applicant shall work with Planning Staff to address the design elements requested by the adjacent neighborhood as outlined above.

Preliminary Plat

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

B. DVR15-0033 FRYE ROAD BUSINESS PARK (SANTAN TECHNOLOGY PARK)

Approved. CONTINUED TO THE FEBRUARY 17, 2016, PLANNING COMMISSION HEARING

Request rezoning from Planned Area Development (PAD) for light industrial to PAD for light industrial and billboards along with a Preliminary Development Plan (PDP) for two 70 foot tall digital billboards. The site is located at the northeast corner of 56th Street and Loop 202 Santan Freeway. **(REQUESTS CONTINUANCE TO THE FEBRUARY 17, 2016, PLANNING COMMISSION HEARING)**

The applicant requests further continuance of this case to the February 17, 2016, Planning and Zoning Commission meeting to address business owner concerns. Accordingly, Planning Staff recommends a continuance to the February 17, 2016, Planning and Zoning Commission meeting.

C. PDP15-0017 FIRST CREDIT UNION

Approved. CONTINUED TO THE FEBRUARY 17, 2016, PLANNING COMMISSION HEARING

Request Preliminary Development Plan approval for building mounted signage. The subject site is located at 25 S. Arizona Place, east of the northeast corner of Arizona Avenue and Boston Street. **(REQUESTS CONTINUANCE TO THE FEBRUARY 17, 2016, PLANNING COMMISSION HEARING)**

The applicant requests a continuance to the February 17, 2016, Planning Commission meeting in order to post the site for the public hearings. Accordingly, Planning Staff recommends a continuance to the February 17, 2016, Planning Commission meeting.

D. LUP15-0024 STARBUCKS

Approved.

Request Liquor Use Permit approval to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio at an existing restaurant located at 4985 W. Ray Road, southeast corner of Rural and Ray roads.

1. The Liquor Use Permit is granted for a Series 12 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 store 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.

CHAIRMAN PRIDEMORE stated there was a speaker card for Item A, Seth Grainger in opposition of the item that stated the proposed density does not fit with existing neighborhood homes to the east.

MR. SETH GRAINGER, 1530 S. VELERO PL, LOT 236 stated he bordered the proposed property and there was a couple of reason why he opposed to it, but mostly because of the density of the neighborhood that was being presented. It was proposed at 8 homes, which he considers fairly small lots. He was not opposed to having homes behind him, however, not that kind of density. With the decompression that they have to make to make 8 homes work such as private streets, he was not interested because it doesn't flow with the current design of the area. All the high density homes are much closer to Cooper Rd. where the new apartment complex that is going up and the higher density homes that are north of that. He stated he was opposed of it.

CHAIRMAN PRIDEMORE asked if anyone had a question for the speaker. There were none.

CHAIRMAN PRIDEMORE stated there was another comment card for Item A, Eric Goodman that was also in opposition of the item and did not wished to speak.

CHAIRMAN PRIDEMORE announced a third speaker card for Item A, Luis Zendejas that was in favor of the item and did wish to speak.

MR. LUIS ZENDEJAS, 1488 E. WILDHORSE PLACE stated he lives right next to where the buildings are going to be built. He stated the reason why he wanted to speak a little bit about it was because he has been there for few years and is tired that it has been alone, by itself. He has been kicking out prostitution and drugs and everything else that goes in that area. He explained 4 months ago, he got robbed over $100,000 dollars. He stated it's an empty lot and he stated there is no lighting so he is definitely in favor to get some lighting and homes in there and actually getting some neighbors. The amount of houses and all that stuff is up to developers, it doesn't matter if it is one or 8, it doesn't matter, as long as it is nice lit up and neighbors that can watch that area of the property he's been robbed through.

CHAIRMAN PRIDEMORE asked if anyone had a question for the speaker. There were none.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

COMMISSIONER RYAN wanted to make a comment relative to the first speaker. He referred to the aerial photo and explained there are 4 existing homes that back up to the proposed homes. The lots might not be exactly as wide and the density might be more than what's there but at least there are 4 homes that back up to it. He thinks it is comparable.

MOVED BY COMMISSIONER RYAN seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Vice Chairman Baron and Commissioner Foley, absent)

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated he wanted to clarify the small confusion about the General Plan Update meetings that are scheduled. They will be occurring in March, one will be a regular scheduled Planning Commission Hearing, March 2, 2016 at 5:30pm. On March 9th, it will be the first Planning Commission Meeting for the General Plan Update and it will be the special meeting held at Tumbleweed at 6 p.m. and the second Planning Commission meeting will be a regular meeting on March 16, 2016. All of the scheduled meetings, they anticipate the majority of public testimony to occur on the special meeting on March 9th, since it will be the only agenda item and any follow up public testimony will go to the March 16th meeting.

CHAIRMAN PRIDEMORE stated that the March 9th will be an actual meeting that will need to meet a quorum.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is February 17, 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 5:47 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, February 17, 2016 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Pridemore called the meeting to order at 5:37 p.m.

2. Pledge of Allegiance led by Vice Chairman Baron.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent and Excused:

Commissioner Ryan Foley

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. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES

MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER WASTCHAK to approve the minutes of the February 3, 2016 Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron abstained, since he was not present on February 3, 2016. Commissioner Foley, absent.)

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.

B. PDP15-0014 TOWNEPLACE AT THE MET

Approved.

Request Preliminary Development Plan (PDP) approval for site layout and building design of a commercial development with a hotel and inline shops. The property is approximately 4 acres located at the southeast corner of Chandler Boulevard and Hearthstone Way.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Towneplace at The Met", kept on file in the City of Chandler Planning Division, in File No. PDP15-0014, except as modified by condition herein.
2. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
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. 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. Raceway signage shall be prohibited within the development.
6. Tenant panel lettering on all monument signs shall be ¾-inch routed-out push-through.
7. **Date Palm trees shall be added at the Chandler Boulevard entry continuing along the boulevard entry drive south to the hotel.**
8. **Add a permanent shade structure over the water feature or relocate the water feature to a pedestrian-oriented location within the development that incorporates shade.**

C. PDP15-0016 RHYTHM

Approved.

Request Preliminary Development Plan (PDP) approval for one-story housing product within a component of the Rhythm residential development located at the northwest corner of 56th Street (Priest Drive) and Orchid Lane, north of Ray Road.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Rhythm", kept on file in the City of Chandler Planning Division, in File No. PDP15-0016, except as modified by condition herein.

D. PDP15-0017 FIRST CREDIT UNION PLAZA

Approved. APPROVED TO CONTINUE TO THE APRIL 6, 2016, PLANNING AND ZONING COMMISSION HEARING FOR THE PURPOSE OF CONDUCTING A DRC MEETING.

Request Preliminary Development Plan approval for building mounted signage. The subject site is located at 25 S. Arizona Place, east of the northeast corner of Arizona Avenue and Boston Street.

E. ZUP15-0017 VERIZON – HUNT HIGHWAY

Informational. APPLICATION HAS BEEN WITHDRAWN

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff and the noted additional conditions 7 and 8 to Item B. Vice Chairman abstained from voting on Item C, since he provided consulting services. The Consent Agenda passed 6-0 (Commissioner Foley, absent)

ACTION:

A. DVR15-0033 FRYE ROAD BUSINESS PARK (SANTAN TECHNOLOGY PARK)

Approved. ITEM DENIED

Request rezoning from Planned Area Development (PAD) for light industrial to PAD for light industrial and billboards along with a Preliminary Development Plan (PDP) for two 70 foot tall digital billboards. The site is located at the northeast corner of 56th Street and Loop 202 San8662tan Freeway.

Rezoning

Planning Staff recommends Planning Commission motion to recommend denial of DVR15-0033 FRYE ROAD BUSINESS PARK (SANTAN TECHNOLOGY PARK).

Preliminary Development Plan

Planning Staff recommends Planning Commission motion to recommend denial of DVR15-0033 FRYE ROAD BUSINESS PARK (SANTAN TECHNOLOGY PARK).

MS. SUSAN FIALA, CITY PLANNER stated the Fry Road Business Park is better known as Santan Technology Park. It is rezoning from Planned Area Development for light industrial and billboards along with a Preliminary Development Plan for two 70 foot tall billboards. The site is located northeast corner of 56th St. and loop 202. Within the industrial park tract is used for retention. She provided more information about the industrial development, it was approved back in 1999, with approximately 30 acres and it has been fully built out within the last few years. Some of the businesses include Botanicare, AvAir and Brycon construction. Surrounding this area, there are other industrial developments. South of the 202 is the Gila River Indian Community and further to the west is Interstate 10. Within that, there are existing billboards along two of the interstates and freeways. There are 4 static message billboards located to the southwest of the site and most of them are in county land or tribal land and another 12 billboards along the south side of the 202 that are in the Gila River Community. The tract that is used for retention is about 2.4 acres and with that as well east of the property is City owned land and vacant.

There are two conditions in the City's sign code that must be met for billboards to be approved within the city and those conditions are related to the location and the processing. The locations are permitted along Chandler Blvd and Arizona Ave with a use permit application and review of that. The proposal for the 270 foot tall billboard is being proposed as double-sided design, each sign faces the approximately 672 square feet, which a exceeds that per the city code, which allows a max 320 square feet. The height is limited to billboards of 45 feet and the proposed is 70 feet however, that is partially due to the land being suppressed below the freeway area. Other

regulations and the proposal is contained within the development booklet such as the separation and the distance to the location from the ground, street and other criteria as related illumination the changing of the message on the digital billboard as well. The project did go through public participation process. There was no neighborhood meeting as there is no residential in the area, the residential is approximately 1 mile to the east, however, based on the phone calls and input from some of the business owners within the industrial park. There are two business owners that are opposed to the request to have billboards. One is AvAir and the other is Pensetc which included a letter that is attached to the staff memo. Some of the issues Pensetc cited were, there are too many existing billboards along the freeway, it shades their solar panel, too many distractions for drivers along the freeway and also as well they just do not want it in their industrial part, for it does not enhance it. She stated Planning Staff; recommends denial for it is not consistent with the General Plan and the other items that were aforementioned. She concluded the presentation.

CHAIRMAN PRIDEMORE asked staff if all of the existing billboards along the 202 and at the intersection of the I10 are currently on County land and reservation.

MS. FIALA stated that was correct.

COMMISSIONER WASTCHAK asked Staff if they knew the heights of the other billboards and how they compare to the proposed.

MS. FIALA stated she had no specific information regarding the heights or size of the billboards on the Gila River Land.

ADAM BAUGH, 2525 E. AZ BILTMORE CIR began his presentation with illustrating exhibits of the proposed billboard. He stated there were some questions that were raised hoped to answer those while going through his presentation. He said it is true that they are proposing two billboards in the Frye Rd Business Park, it is zoned industrial through a PAD process, and it is along the freeway and an industrial area. It is an important distinction, if the City were to approve billboards, in his opinion; there is no better location than in an industrial area along the freeway. The question is the appropriateness of the request, located on the freeway, in an industrial area, on an industrial zoned property where there are no residential uses nearby and is adequately spaced. He stated the request is unique probably the first to come up with this however, is a little different from regular freeway advertising than being next to onsite business. He stated he appreciated Staff's comments as they explained how the code currently reads and the processes for that and the other way would be through the PAD and PDP process. The code is more than 30 years ago and the city determined, if they were going to have billboards it made sense to have them to have them on the main transportation corridors. Then they adopted some guidelines to direct that. The policy attempt for the original code was to direct them towards the main corridors. He stated that it is still the case today but the corners have simply changed, moved and addressed. He stated they are not applying for a CUP because they are not on Arizona Ave or Chandler Blvd. He believes apparently that the signs are better designed, better located and more compatible than the regular location where you expect to see them today up and down the freeway across the valley than on city owned streets.

He stated if one considers the existing city's inventory today, there is currently a development at the southwest corner of Arizona Ave and Chandler Blvd, through an RFP site 1, 2, and 3, the recent development agreement was to give them up to 3, 2,000 square feet of digital signage, which comes out to be 3 digital signs that are 14 x 48. He stated if the city can recognize those are appropriate in Chandler, he asked than why a digital sign can't be appropriate on a freeway where they are expected to be seen, and in an industrial area far away from residential. He stated that would be the appropriate location. He explained that there are multiple of billboards in that area along the freeway. The billboards where the county properties are located are lower than what is being requested because where they are situated on onramps at grade level that do not need to be taller than the necessity in order to be seen. Some of them of 14 x 48 and 10 x 30. He referred to the exhibit and shows where all the residential area is to the east and to the west is the industrial area. He stated he is not asking to place a sign where is not appropriate but believes the industrial west area is the appropriate placement not on the residential area on the east.

He explained the ambient conditions such as freeway frontage, property zoned PAD for industrial and a large industrial area with no residential uses nearby and an existing billboard inventory. So it is not something new that is not already present in the area, it is just the first time the city's happen to see on its own property. He understands and appreciates Staff's position, however, respectfully disagreed because he does not think it is inconsistent with the General Plan. He stated the General Plan recommends employment for the area. He stated those types of uses create advertising for local businesses. He stated they are not asking to put it in pads or developed areas or parks, but in an existing retention area where there will not be neighbors coming into the retention area. He displayed the site plan exhibit of the location of the proposed signs, both in the existing retention area. He stated the request for 70ft is not because they want to have the biggest sign in the area, but because if someone travels on the westbound direction, the freeway starts to elevate onto an over path and the whole point of a billboard is for visibility for advertising. If you can't see the sign there is no point in having one. However, the minimum height has to be at least the height of the freeway. Also, along the freeway, there's landscape, trees and vehicles, so there's got to be a sign that is sufficiently legible at least above those things, so that is how it came to the request.

He stated in the last couple of weeks, he understands there was feedback from business owners in the area. He stated they did a little bit of analysis and took a crane to do a height study to determine if there was any way to lower the height of the sign. Through the height study, that was the exact height that would be sufficient to be seen above the tree canopy and any intervenient vehicles that would come between both east and westbound direction. During that time they also had a chance to visit the owner of the property and reached out to the property owners, his understanding was whatever concerns they had were resolved. He stated as for Mr. Harris, the honesty was to participate in the cash flow of the property, because they were not willing to share that. Usually billboards are two structures with an 8 shape and a big bolt on top, they are proposing something more industrial that fits in the character of the area and it is also digital. Because the retention basin is recessed and the billboard is 70ft, it does not have the appearance of a 70 foot sign from the vehicles traveling the freeway.

He stated something that is very interesting he think everyone should know the light admitted from the signs are significantly different than a light admitted from traditional board. The

traditional boards there are two sources of light, a lamp on the board and a reflection. Sometimes the lams are above or below or a little bit of both. With a digital sign, the level of light is actually controlled. He stated they proposed 300 nits, which is the measurement that ADOT uses and that measure will kick in from dusk to 11 p.m. He stated it is important to know a traditional board does not have the ability to restrict it. There are benefits such as amber alerts, public safety alerts, wanted posters, city advertising and emergency broadcast messaging. So beyond just being self-serving there are some public utility and benefits to this. He asked everyone to consider if this were to be CUP, he stated it is important to know that the request is in conformance with the General Plan and he believes it because it is an industrial area, and the use is appropriate for the industrial areas and the code states it should be zoned in an industrial area. The billboard they propose will have no negative impact, in fact, more importantly, it has benefits just my looking at the ambient conditions in the area. It is an industrial area, resident are more than a mile away, there's existing signage in that area, there are no rural residential uses nearby, and he believes, personally, that it is the ideal location for that type of sign. To conclude he stated that at the end of the day there is an old code, the billboard sign should be located at the primary transportation corridors in the City of Chandler. The code has not kept up to the transportation needs of the city, however, new freeways have been introduced, and they are not proposing it on the 101 where there are residential area, nor, the 202 where there are residential areas, but on a transportation corridor and in an industrial area and to come back to the simple question. Are billboards signs appropriate in the area? It's along the freeway, its industrial nature, industrial zoned, and no residents nearby, respectfully, he believes it is. He understands staff has a different opinion; however, that is the process to present their case.

CHAIRMAN PRIDEMORE asked when did they go out with a crane and conduct the height study.

MR. BAUGH answered, the last 10 days.

CHAIRMAN PRIDEMORE wanted to see some imagery from the study.

MR. BAUGH displayed exhibit and explained the imagery from the east and west bound direction.

CHAIRMAN PRIDEMORE asked if his client ever consider just one billboard verses two.

MR. BAUGH stated the city has a spacing standard of 1000 ft. which they tried to observed, so given the length of the site, they thought two would simply satisfies the ability to have two. They never considered anything less than two and staff never approached them with that or haven't heard that feedback from anyone.

COMMISSIONER WASTCHAK asked how the height on the proposed sign compares to the other signs that are along the freeway. He understands that there is topography that makes it low. He used the existing sign that is directly west along the same interchange. He knows it's a really tall sign, but asked how it compares.

MR. BAUGH stated he did not know the answer to that question, however, knows that it is a county sign and county allows signs to be 30 ft. taller unless they apply for a variance so it is taller than that but does not know the exact height. He stated in relations to their proposed sign, they are set back further from the freeway so they can capture that visibility. Whereas, their location is parallel to the freeway so there has to be the necessity of the height. He mentioned the 2 signs west of them on the onramp; they are both at grade so they do not need to be taller than 30 ft.

COMMISSIONER WASTCHAK asked if 14 x 48 is the standard along the freeway.

MR. BAUGH stated the city has approved up to 3, 14 x 48 digital signs on Arizona Ave. and Chandler Blvd, part of the development.

COMMISSIONER WASTCHAK asked staff if that was the same size that is allowable on Arizona Ave. and Chandler Blvd. from sign code.

MS. FIALA stated it was it was not. 320 ft. per face is permitted.

MR. BAUGH stated the codes stated 320 sq. ft. unless double-faced or V-shape. He stated maybe the code is intended to by what they read be but that is not what it says. It simply says, 320 ft. unless double-faced or V-shape and in this case they are double-faced and the code is representative of an old traditional standard and clearly the city does not recognize that with the current development agreement.

COMMISSIONER RYAN stated billboards don't give anything back; there is no benefit to the city. He stated if there is any public service that can go on the billboard; he has never seen it and they would have to commit that in writing in order for them to consider that. He stated he agreed with the location of the billboard, if the city wants billboards. However, he does not see any reason for them as a Commission to send it to City Council, as approving billboards, because it is miscellaneous advertising. He stated the applicant did great job and his firm has brought forth great cases and has helped the city a lot, so he thinks it is professional courtesy, because if it were another office, they would not be considering anything. He stated maybe he is wrong, and there is something in billboards beyond what he is looking at. He thinks it is a travesty what the Indian reservation did to the 202 on the south side. He looks at it, being the entry of chandler and thinks it is just air pollution. He stated if maybe they can piggy back with the City of Chandler and provide some public information as a courtesy to the city on the billboard for a portion of a time, such as "Welcome to Chandler". However, there needs to be some type of benefit to the city in order to send it to City Council.

MR. BAUGH appreciated Commissioner Ryan's comments and understands where he was coming from. He stated sometimes you have great rendering and great projects and uses. It is a billboard and there is only so much he could tell them about a billboard. However, there are something's that are important to know and benefits to the city. Clearly it is a land use that a property owner has an opportunity to apply for. He hopes it is not just a matter of professional courtesy and hopes they consider the case just like any other land use application. Every property has an opportunity for the land uses that are available, whether they don't accept it or not, it is a

determination the board makes. When he looks at the site, nothing new is being introduced that hasn't been done already, and also no precedents is being created for anything else because it is strictly contained to an industrial area. Hey stated they don't open Pandora's Box for the rest of the stretch of the freeway, in fact the code limits that based on the spacing from residential area. He is only asking for one particular signage area where there are some things they can do, such as enhance the sign, which has been done in Tolleson. He stated his client owns a number of signs in the area for example the ones at Tempe Market Place, Tolleson and the sport complex at the 303. Some of the instances, they have been able to brand the sign that say "Welcome to Chandler". They can add those embellishments on the signs as an introduction to the city to someway highlight that it is the entry to chandler. He stated as part of the stipulation, they proposed No. 6, adding network time and making available to the city for any type of emergency messaging. There is a benefit, everyone works for somebody. Whether in Chandler or not, advertising is revenue and advertising on a sign, helps local business, whether it maybe a local concert, ostrich festival or a mom and popshop and Basha's for example. Those advertisements benefit from that and go directly back into the city's sales tax revenue. He stated, compared to the other signs along the freeway, the proposed is a much superior design. He mentioned the city will benefit and there is no room to have one anywhere else, because there is no other industrial area and when the embellishments are added to highlight the entry of the City of Chandler, in his opinion it is a win win for everybody.

COMMISSIONER RYAN stated he loved the design and stated on the 28 years that he has been on the Commission; this was only the second time a billboard popped up. The first time was with Derito did his 202 autoplex project. He stated he considered it a billboard and it is very well done, however, it is also integrated with City of Chandler information and so forth. He stated if the signed proposed can be to that level, he believes they have a good chance to get to City Council. He stated it is something from planning standpoint, it does not make sense. Maybe from the City Council it will. He stated he will probably vote for it, however, they will make the decision.

VICE CHAIRMAN BARON stated he spoke with Mr. Baugh earlier regarding his problem with the height. His problem is the scale that is disproportionate to the area. He stated it is not appalling but Commissioner Ryan mentioned that when you look at the sign, it has a significant scale. Most of the time when they work on billboards signs or monumental signs; it is something that it is integrated that has some sort of a foundation and not just a flimsy, disproportionate, heavy mass that it feels like it's going to fall over. His challenge is that if they have to make it that tall to be visible, is it really in the right spot? He stated just because there's other signs there already, doesn't necessarily mean that it's right to have more signs. He is struggling with those questions.

MR. BAUGH stated he appreciates the comments, however, the sign is for off-premise advertising, and perhaps the size of the sign is different from the on-premise, even those ones, have traditionally much taller height than the existing office buildings nearby. For example, the 202 Derito sign, the scale of that is very tall. While he has an off-premise advertising sign; he is not going that much different than the height from the other freeway signs in the area. The only difference is the other ones are on-site advertising and have gone through the PDP process to allow that and include that and they are going through a different process. When he looks at the

height of the adjacent building, it is about 40 foot roof line, plus whatever the parapet is and the height of the freeway, which is similar in height. The exhibits show that the bottom of the sign is at the same level as the height of that building.

VICE CHAIRMAN BARON stated he has worked on a lot of properties, however, he doesn't think he has ever seen an industrial building that is refined at 40 ft., that is big. His challenge is that the exhibits don't really show the real view of everything. If he were to be sitting on the council side, he would be asking for more information. So he could get a better gage of what is there. He agrees with Commissioner Ryan that there needs to be some type of synergy or public benefit. He stated unfortunately there is not a whole lot of value other than adding more signs. He believes there should be more diagrams and illustrations to help support the case because the current document seems to be incomplete and needs more detail.

COMMISSIONER WASTCHAK stated he had a question for Mr. Baugh, when they met, the applicant brought up some standards along and explained some of the other freeways and city's that do allow billboards, not that it matters what other city's do however, it is relevant and ties to the comment he will make in the Commission discussion. He asked Mr. Baugh to elaborate on that.

MR. BAUGH stated he would be happy to direct that comment. He looked at a couple of jurisdictions that consider billboards. Mesa has some old non-conforming signs along the 60 freeway that may not be permitted today but allowed to be converted to digital if they are willing to trade in an older sign somewhere else in the city. Tempe allows development agreement along freeway frontages. Glendale allows along freeway frontages through a license agreement approved though zoning and they allow them in their entertainment corridor. Phoenix allows them through a use permit process along freeway properties that are industrially zoned. Buckeye allows them with their maximum of 4 signs on freeway frontages only. Avondale just recently went through a process to now allow them on freeway corridors. Tolleson has them on freeway corridors. Maricopa County permits them on freeway corridors for industrial zoned properties. He stated to summarize, it is either heavy commercial or industrial freeway frontages for the jurisdictions that he mentioned. Others do not allow for example, Scottsdale. However, their freeway frontage may cut through primarily travelland so they might not be able to enjoy freeway frontage. Gilbert also does not allow them either.

COMMISSIONER WASTCHAK asked if there was any benefit to those cities that have approved them, even as most recent as Avondale because there is still the question about benefit.

MR. BAUGH stated that there are benefits such as revenue sharing, advertising community events. (Technical difficulties with audio)

COMMISSIONER WASTCHAK asked Mr. Baugh that the point he was making was that there is really no benefit for some of these cases, like Phoenix and Avondale to approve it.

MR. BAUGH stated there were benefits however, subject to a development agreement and RFP with the city. So the city enjoys financial benefit directly from the billboard sign advertisement.
COMMISSIONER WASTCHAK asked if it was on city land.

MR. BAUGH stated he believed it was.

CHAIRMAN PRIDEMORE asked Commissioners if there were any more questions for the applicant. There was none.

CHAIRMAN PRIDEMORE asked staff if there is any indication or what the piece of city owned property directly to the east will be used for because he noticed the exhibit provided by Mr. Baugh that showed potential billboard structures that could be map pieces as well.

MR. KEVIN MAYO, PLANNING MANAGER stated in his 17 years he has seen two RFP processes start and formulate what they would desire on the property but currently nothing in the plans. There is a spelled and drawn out process to dispose of public lands.

CHAIRMAN PRIDEMORE asked the audience if anyone would like to speak on the item. There was none.

CHAIRMAN PRIDEMORE explained to Mr. Baugh he is welcomed to make any closing statements. He did not need to.

CHAIRMAN PRIDEMORE agreed with Vice Chair regarding the exhibits that they were provided do not necessarily sell it as well as they may be able to. When he first saw the item, if there were ever an area in Chandler that may work, he could be convinced that area could be it. However, if one came through on the either of the corridor that it is allowed on, he doesn't think it could fly because too much has changed. He thinks some of the imagery is very misleading by looking at the very last one, the view east from 56 St., to him that is the one he had problems with. He also stated that one of the jobs Planning and Zoning jobs is to act as gate keepers to the City Council, since basically everything they see goes to City Council. He picked up on some Commissioner Ryan's comments. He does not feel comfortable forwarding the item on, whether it was a recommendation for denial or approval, but is not sure he wants it to go forwarded.

VICE CHAIRMAN BARON asked Chairman if he wants to see more detail.

CHAIRMAN PRIDEMORE responded he would want to put on the table is continue it, to give the applicant more time to talk with their client. To see if any additional exhibits could be put in to help sell it because he is not sure if he would comfortable forwarding it in any recommendation in its current form to Council.

VICE CHAIRMAN BARON stated so are they are expecting to address the questions, in terms of what the public benefit is and how do they address the scale. He stated if they are going to do that, they would need to get clear direction. He also stated he agreed with Mr. Pridemore, which he doesn't necessarily disagree, if there is a place that is going to happen, it would make more sense there but his struggle is putting billboards up just for the sake of putting a billboard up for having more advertising.

CHAIRMAN PRIDEMORE stated a comment jumped out at him from Mr. Baugh that his client also owns the billboards at Tempe MarketPlace which he believes he saw the very same design on so it looks like it was picked up and dropped down. So it does not necessarily fit Chandler. What he is also looking for is giving them the opportunity to possibly make those changes and address the questions as opposed to stipulating to what they currently see. He stated they have done that in the past on many items where they add stipulations and allow it to move forward. However, he thinks the stipulations would lead to so much work that the product that may make it to Council is not what they see. He much rather have a say in it before they let it go.

VICE CHAIRMAN BARON stated he is interested in hearing what others have to say. In his opinion, if they are assuming it is going to help solidify a case that leads to Council with their recommendations for approval, he sees the benefit of doing so. However, if not, they are just going through the motions, which is not fair. He would like to hear what others have to say first before they make any other recommendations.

COMMISSIONER CUNNINGHAM asked staff that the gentlemen indicated that it would not be precedent setting; however it would seem to her that it would be. She asked how many properties along the freeway would potentially come forward and ask to use their drainage basin in a similar matter. To where they would be facing every 1000 ft. a new billboard, if they were to set a precedent and approve the current project.

MR. MAYO stated he did not have any information with the exception as Mr. Ryan indicated; other jurisdictions look to concentrate them or only permit them or funnel them to industrial areas along freeways. They only have that portion along the 202 that wraps around and stretches out by the I10 into you get to Chandler Blvd and that transitions to commercial. The code is what they use to guide them and while they were looking to make a change to the code, part of the bedding process would be to go out and measure other cities. However, today, they look at the coded and from a code standpoint; it does not restrict them solely to industrial area since majority of the land up and down Arizona Ave and Chandler Blvd is primarily regional commercial C3, so the code contemplates billboards in commercial areas, he struggles to say that they opened pandora's box or set a precedents or not. The code simply states where they can and not go from a corridor standpoint but it does not limit it from a land use standpoint other than residential. It does not permit it in residential outside of AG-1, but there are requirements for that. He can't say that somebody, further east maybe near the airpark, or near the chandler auto park that somebody else will come in and file an application, they can file, however, then they will measure it against the current code. He wishes he can say they have an inventory of what could and come through and give a comfort level that it does or does not set a precedent. He can't do that.

COMMISSIONER CUNNINGHAM stated with the code, potentially, a 1 mile commercial stretch could potentially along both sides of the freeway have 10 signs a 1000 ft. apart.

MR. MAYO stated the code has an exception comma within every one of those requirements, and when it says "no such sign structure may be closer to 1000 ft. to any other such sign structure". As you kind of further through that, it says "unless such structures are back to back or V-shaped". So it almost takes the V-shape and puts it in an exception clause and leaves it up for

discretion. So the 1000 ft. is not a hard and fast number at the point that they utilize a PAD and PDP, that process allows inherently variances to be granted based on a case by case basis. He couldn't say that it could be 10 or whatever it may be since it would be reviewed as a cases by case basis.

COMMISSIONER DONALDSON stated that his thoughts are probably more abroad and more specific based on because he's been at the west chandler for 25 years and his property backs up to the freeway. When the billboards signs came in on the 202, which he considers the gateway to chandler, like I10 isn't the gateway to Tempe but in his opinion the 202 is the gateway of chandler. That was something he could not impact. Back then he didn't have any input or say and it just happened. It was a huge impact to chandler and the area. There are neighborhoods on the north side of the 202 and his home is one of them and he thinks about Stellar industrial park, which is across McClintock from his neighborhood and very close to his neighborhood. Getting back to how many feet it can be from a neighborhood is his concern because once the box is open they won't be able to close it. He thinks they have to very careful and also thinks it's a General Plan issue and looking at the placement at the particular request is one thing, but looking at it from an overall chandler standpoint is the bigger picture for him. He would be in support of denying of the issue because the overall impact to the city and that particular area of the city.

COMMISSIONER WASTCHAK asked when was the last billboard, where it stated it was only going to be along Arizona Ave.

MS. FIALA stated it was 1984, that was the last use permit she could find along the two corridors, which is a pretty long time.

COMMISSIONER WASTCHAK he agrees with everything that has been said and thinks it is something that if a sign is going to be placed somewhere, that is appropriate, however it is difficult for him to say that there has to be a benefit for them to be able to allow it because other cities are doing it without doing that. He stated, but if there could be a benefit and could have development agreement and the city could benefit in some way and the land owner could be able to use its property from a land use standpoint. He is fine with that, however, he thinks they need to spend more time before they send it Council to make sure it does make sense and it does work. He also thinks similar to where the city looked at Arizona Ave. and Chandler Blvd. and made a decision, they are going got have signs. Fast-forward to 2016, if they think there could be signs, if they are going to be along the freeway and if that is going to be allowable, he does not think they should approve it in one location. He thinks it should be comprehensive, and there should be guidelines that address where it can occur because he agrees with Kevin. He thinks they are going to open pandora 's box, if it gets approved, he can probably name a whole bunch where they are going to start saying "hey, you approved it here". He would rather see it comprehensive approval process if that City Council is even going to consider it. They would have to come up with criteria that will allow them along freeways, if they are going to be allowed. He would like to understand the revenue sharing. Was there revenue sharing from the ones on Tempe Market place? He doesn't think so, but that is how he looks at it. He is ok with having billboards, and is not concerned about the height; he doesn't necessarily have a concern with that. He stated if they look at it and it makes sense as far as being able to see over it, he doesn't by that "it makes it more dangerous" because they are all over the place and someone can make that argument all the

time. He would like to see a continuance and a plan and design that makes more sense and also the City and Planning staff to consider a more comprehensive look at it not just an approval because he thinks they are going to set a precedence.

MR. MAYO stated there are three levels of direction that he got from Commission and a couple of them are really outside Planning staff and Planning Commission purview. The one direction that he is hearing, not for staff to do but to pass along to City Council is a lack of desire to deal with it on a singular basis but to take a citywide approach and a comprehensive approach to looking at the sign code, and If they are going to look outside the two corridors to a comprehensive manner. That is something that staff can do and pair it up with the zoning case. The appropriate way to handle that would be to make a motion to deny with a statement of, ultimately reaching Council and direct staff to look at it through a comprehensive standpoint. That would have to be done and then that would be the process that would be laid out for property owners that would be eligible for a consideration. He heard a direction to come back with some level of financial benefit tied to it. It is on private property that would ultimately live and breathe in a development agreement. That is something that does not come back to Planning Commission; it is not something that gets paired with a zoning case at a Planning Commission level. That happens at the Council level, so he would not want to put at the table that they would be coming back with a draft development agreement for their review and consideration. It is outside the Planning Commission purview so he does not want to lead them in a path and not able to provide what they are asking for because he can't. The third one was that the exhibits don't really tell a story of what they are asking for and the clarity within the exhibits need to be brought up to feel comfortable to at least send it forward with an understanding what they are asking for to Council so they can make a formal action on it. That is something he can work on with the applicant to understand what they are looking for, in between now and whatever date it would be continued to. The comprehensive approach he cannot do that, until Council directs staff or a development agreement, he can't bring that back.

CHAIRMAN PRIDEMORE stated unless there are any other comments he is ready for a motion.

COMMISSIONER RYAN wanted to make one last comment; he thinks they are getting off course. He stated it is a Planning and Zoning Commission and tasked to look it those types of cases such as the use of the application and how it is going to fit in with the surrounding areas. As far as he can tell, it does fit in with the surrounding area other than the fact that they are just ugly. They are not the prettiest things in the world and that is what he looks at it. He would like to see it go to Council because he thinks there could be some contribution and they can mandate and make it happen. But he doesn't think can plant enough trees or landscape it to make it fit into the freeway setting. The City Council will read everything that's been said and will be taking into consideration. He stated he is going to deny the case and send it to City Council with that recommendation in hopes. He thinks maybe the applicant is taking some baby's steps to find out where he stands with it and maybe that is why the application is not quite done graphically like it should be. He stated City Council will have to handle the case because it doesn't work at the Planning and Zoning level. It is not a beatification thing that they would support.

VICE CHAIRMAN BARON stated he would agree with Commissioner Wastchak, he thinks that fundamentally they need to decide as the City, what they want. He understands that unfortunately, the neighbors decided to liter it with signs, for a lack of a better description. But when he looks at it from his perspective, Chandler is a high quality community with high paying jobs and desired location. He compares it to Orange County, California, where you don't see billboards. His motion, would be modified denial, but ask City Council to direct staff to look at fundamentally a plan that addresses this in the city or whether or not they are going to do, just make it something standard.

MOVED BY COMMISSIONER RYAN seconded by **COMMISSIONER BARON** to deny DVR15-0033 with the added comment from Planning and Zoning Commission to City Council to highly recommend direction to staff to look at it as an overall plan. The motion passed 6-0 (Commissioner Foley, absent)

CHAIRMAN PRIDEMORE asked what date will the case go to Council.

MS. FIALA stated March 17, 2016.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated that he wanted to highlight that in March the General Plan update hearings start. March 9th, will be the special meeting for the General Plan update and March 16th, will be a normal Planning Commission Hearing of the second go around. March 2nd, there will be normal Planning Commission hearing and there will be an item tracking from tonight to the Design Review Committee. He indicated back in October or November of last year that in the past, when a Design Review Committee hearing was needed, an email would be sent out with proposed dates to search a quorum. He stated it has been problematic for Lucy and others to get it nailed on peoples calendars. He indicated that looking forward he will look to do them on the two days of the month that Planning Commission normally meets and simply do it about an hour before. Permission has been given to use the Council Chambers conference room to make it easier. He just wanted to reiterate that again and wanted to mention March 2nd. He has to watch how that agenda builds to determine what time he needs to schedule DRC. There will be two items on DRC and he anticipates about 40 minutes for one of the items and 25 minutes for the other.

CHAIRMAN PRIDEMORE stated those dates are already in everyone's calendars for the regular hearings. However, if there is going to be any kind of conflict, staff needs to know because they need a quorum for DRC. He asked commissioner to please look at their calendars.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular meeting is March 2, 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 6:50 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 2, 2016 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Pridemore called the meeting to order at 5:34 p.m.

2. Pledge of Allegiance led by Commissioner Donaldson.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak

Absent and Excused:

Commissioner Phil Ryan

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Jodie Novak, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES

MOVED BY VICE CHAIRMAN BARON, seconded by COMMISSIONER DONALDSON to approve the minutes of the February 17, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Foley abstained, since he was not present on February 17, 2016. Commissioner Ryan, absent.)

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. DVR15-0041 SANTAN OFFICE CAMPUS

Approved.

Request rezoning from Planned Area Development (PAD) for commercial retail and hotel to PAD for an office park with ancillary retail and restaurant uses, including a Mid-Rise Overlay for building height up to 75 feet, along with Preliminary Development Plan approval for site layout and building architecture. The approximate 19-acre site is located at the southwest corner of Alma School and Pecos roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Santan", kept on file in the City of Chandler Planning Division, in File No. DVR15-0041 THE SANTAN OFFICE CAMPUS, 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. 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.
8. Maximum building height, exclusive of mechanical screening, shall be limited to 75 feet.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Santan", kept on file in the City of Chandler Planning Division, in File No. DVR15-0041 THE SANTAN OFFICE CAMPUS, except as modified by condition herein.
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 monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. Raceway signage shall be prohibited within the development.
5. The tenant lettering of the monument signs shall be ¾-inch routed push-thru lettering.
6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
7. Landscaping shall be in compliance with current Commercial Design Standards.

8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. The applicant shall work with Staff to incorporate art features within the development.
10. 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.
11. 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.
12. Queuing drives and menu board locations for the drive-thru pads shall be consistent with the Commercial Design Standards.
13. **The applicant shall work with Planning Staff to incorporate specimen trees such as Empire Oak, Cathedral Oak, Evergreen Elm, and Red Push Pistache trees along the entry drive.**

B. DVR15-0039 111 W. BOSTON STREET

Approved.
Request rezoning from City Center District (CCD) to CCD with a Planned Area Development (PAD) overlay, CCD/PAD zoning, for additional building height on property located at 111 W. Boston Street.

1. Development shall be in substantial conformance with Exhibit A, Development Package, entitled "111 W. Boston Street", kept on file in the City of Chandler Planning Division, in File No. DVR15-0039, except as modified by condition herein.
2. The maximum building height shall be 40 feet as represented in the Development Package, Exhibit A.

C. PPT16-0001 LEGACY TRADITIONAL SCHOOL

Approved.
Request Preliminary Plat approval for a charter school located south and west of the SWC of McQueen and Warner roads.

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

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda as read in by Staff with the additional stipulation on Item A. The Consent Agenda passed 6-0 (Commissioner Ryan, absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated next week, the two state statutes required public hearings for the General Plan update. The first one is March 9th and the second one will be at the normal hearing on March 16th. He wanted to highlight as a reminder, per state statute the two hearing occur in two different locations, next week at the Tumbleweed recreation Center at the Cotton room north down the main entrance and on the left on the first floor. He wanted to set the stage of what is expected to happen at both hearings. Since it is the General Plan Update it does not live and breathe like a zoning case. What will be coming before commission next week are a couple of things, the draft General Plan. That draft is the accumulation of all the public effort that has gone into the General Plan Update for the last year. With that, the majority of changes that have been made either went through all the public input or through the 60 day review period. On the 60 day review period, there is a draft that gets generated. During those 60 days, comments are received. He explained to Commissioners that they will receive a matrix that highlights every comment that they receive during that review period as well as an indication in the matrix whether the change was incorporated, or whether it was discussed with the citizen that delivered the comment as to why and it was or was not included in the General Plan. Those are the things that will be delivered to them, the final draft and matrix. He stated on Wednesday night no action will be intended or necessary, just simply one of the last steps for receiving any public comment. He stated as they moved forward the draft will not change because once the public hearing process starts, there needs to be, in a public sense, a purity to the thing that is being requested. All changes will be tracked and recorded in the matrix. The matrix for the 60 day review is a static document. As it moves through the rest of it, there will be a new level of matrix of any comments from Planning Commission or during the public hearing. It is still open for comments through the website and will be all the way up to Council. They will be tracking final comments in the secondary matrix. He stated he didn't want to set the stage and treat it like a zoning case. It will be simply additional layers of recommendations. The draft document will not change and will be going forward with an additional list of potential changes as a formal recommendation to Council. On March 16th, when they come back with the draft and the final matrix of comments, then they'll be seeking a recommendation from Planning Commission to send forward to City Council. He wanted to set the stage on how they will look at it. He also stated he wanted to press upon that they are in a tight time frame for the two public hearings to city council for approval at City Council. Maintaining a quorum for both meetings at March 9th and March 16th is very important. He asked Commissioner to let him know if any of them will be absent.

CHAIRMAN PRIDEMORE stated they can take an informal poll. He stated he was going to be absent on the March 16th and Commissioner Cunningham will be absent on March 9th and Vice Chairman will be absent for both hearings. He stated he has not heard from Commissioner Ryan but believes he will be available. He stated, it looks like they

are going to be ok and stated time will tell. He asked Kevin about the format of the meeting. Will staff make a presentation or is it just an opportunity for the general public to make comments.

MR. MAYO stated it would a formal presentation on the General Plan from staff and will open up to any comments from Planning Commission.

VICE CHAIRMAN BARON stated he has a very long airplane ride, 10.5 hours. He would like to provide some comments so he asked if it was acceptable for him to email as a Planning Commissioner the comments or does he have to be at the meeting to provide the feedback.

MR. MAYO stated he would have to find the answer to that question.

CHAIRMAN PRIDEMORE stated they will make sure the comments of the Vice Chair are put on record somehow.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next special meeting is March 9, 2016, at the Tumbleweed Recreation Center in Cotton Room North and the next regular Planning and Zoning meeting is March 16, 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 5:46 p.m.

Kathleen Cunningham
for Matthew Pridemore
Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 9, 2016 held in the Cotton Room North, Tumbleweed Recreation Center, 745 E. Germann Road.

1. Chairman Pridemore called the meeting to order at 6:00 p.m.

2. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Phil Ryan
Commissioner Devan Wastchak

Absent & Excused: Vice Chairman Andrew Baron, Commissioner Katy Cunningham

Also present:

Mr. David de la Torre, Principal Planner, General Plan Coordinator
Mr. Jeff Kurtz, Planning Administrator
Mr. Kevin Mayo, Planning Manager
Mr. Scott McCoy, Assistant City Attorney
Ms. Kim Gehrke, Clerk

3. DISCUSSION ITEM

A. GPA14-0001 GENERAL PLAN UPDATE
Public hearing to request public input and discussion regarding the draft general plan titled, "Chandler General Plan 2016; a vision refined." No action is scheduled to be taken at the March 9, 2016 public hearing. The Planning and Zoning Commission will be requested to take action on the draft general plan in the form of a recommendation to the City Council at their March 16, 2016 public hearing.

MR. DAVID DE LA TORRE, GENERAL PLAN COORDINATOR, stated tonight is the first of two Planning Commission public hearings required by State law in order to review and adopt a new General Plan. The second public hearing with Planning Commission is next week; Wednesday, March 16, 2016 at 5:30 p.m. in City Council Chambers. Mr. De La Torre directed everyone's attention to a powerpoint presentation. He stated he will begin by explaining what the General Plan is and why it has to be updated. He will then discuss the update process and conclude the presentation by highlighting the major changes between the current General Plan and the draft. The General Plan is a comprehensive set of broad policies that guides development. Planning Commission, as well as Mayor and Council, use policies in the General Plan to guide their decisions when reviewing rezoning applications. State law requires that rezoning decisions be in conformance with the General Plan. It is also an expression of community intentions and aspirations. Over the last year, City staff and the consultants have spent a lot of time going to various stakeholders around the community and asking for their input on the General Plan. The draft General Plan before Commission was modified and revised several times based on the input received. The draft is a reflection of the community's vision for the future of the City. State law requires 17 elements be addressed in the General Plan. The elements range in subject from Land Use to Conservation and Water Resources. There are a wide

range of subjects required to be addressed in the General Plan to ensure the development policies guide development in a comprehensive and sustainable manner. State law also requires the General Plan be updated or re-adopted once every 10 years. The current General Plan was adopted in 2008. The update process was started a couple years early to address new development trends and factors facing Chandler. The City is also approaching build-out. Eighty-five percent of the city's land within the municipal planning area is built; that leaves only fifteen percent that hasn't been developed. We're not talking about a complete overhaul of the General Plan; only refining policies to address the remaining growth areas and the new trends.

MR. DE LA TORRE continued the process officially began in December 2014 when the Mayor and City Council approved a contract with Partners for Strategic Action, the lead consultants. In February 2015, Mayor and Council appointed 23 residents to the Citizens' Advisory Committee. The committee met 6 times over the course of this process, guiding staff and providing input. The greater part of 2015 was spent soliciting input from the public through a variety of events, some hosted by other organizations and some hosted by the City. Towards the end of 2015, the consultants and staff prepared a draft General Plan using the input obtained through the process. The 60-day review period began December 21, 2015 and ended February 19, 2016. The review period is a State requirement in order to make the draft General Plan available to the public, adjacent cities, and other regional entities, a minimum of 60 days before the public hearings. During that time, 4 additional public meetings were held by the City to gather input. A matrix was compiled of all the comments received during the 60-day review period and the action taken; whether a revision was made to the draft or not made. In February the Citizens' Advisory Committee met for the last time and voted unanimously to recommend approval of the draft. Today is the first Planning Commission public hearing and March 16th will be the second. The goal is to take the draft to City Council on April 14th and request adoption, and to request a call for election to place the draft General Plan on the August 30th primary election ballot for the voters to ratify; which is another State requirement.

MR. DE LA TORRE continued that the level of outreach utilized during this process far exceeded the outreach for any previous General Plan update. Some of the outreach methods used were social media, online surveys, planning labs, which were open-house type meetings where anyone could join in the discussion, Vision Fest, and YouTube videos. Planning staff and the consultants also visited several classrooms to get student input. In all, there have been 60 opportunities for the community to learn about the General Plan update and provide their input.

MR. DE LA TORRE pointed out the major changes between the current General Plan and this draft General Plan. The format of the draft is completely different from the current General Plan and based off three guiding principles obtained from community input. The three principles are Strategic Community Building, which primarily addresses development policies, Focused Stewardship, which primarily addresses conservation and environmental resources, and Strong Community Foundation, which addresses primarily community services such as public safety and libraries. A section titled 'Healthy Chandler' is new in the General Plan. It identifies policies to encourage access to healthy food, adding more shade to recreational areas as a way to encourage outdoor activity and encourage pedestrian-oriented development. There are also policies to pursue private and/or public/private recreational facilities, and encourage partnership with hospital/medical providers to educate residents and promote health and wellness.

MR. DE LA TORRE referred to the 2008 Future Land Use Map and the 2016 Future Land Use Map in his presentation and stated that when the two are compared, they're very similar. The land use designations are exactly the same. The only difference between the current map and the draft map are graphic changes. The map has been simplified but there are no changes in

development policy. The Growth Areas Map includes Downtown Chandler, North Arizona Avenue, Chandler Airpark, South Price Road Corridor, Medical/Regional Retail and I-10/Loop 202, which is a new growth area. The only change between the current Growth Area Map and the draft is the South Arizona Avenue area and some of the smaller areas that no longer meet the definition of 'growth area' as provided by State Statutes. The definition is that growth areas are places planned for multi-mode transportation options, planned for future infrastructure expansions and a variety of different land uses that promote economic development. The draft General Plan continues to plan for higher densities with mixed uses in the North Arizona Avenue growth area. It also continues to plan for pedestrian-oriented design. New in the draft, is that it acknowledges the employment center where 10% of the city's jobs are located. In acknowledging that employment center, the draft General Plan has new policies to take advantage of the center by building more intense employment and office developments. Arizona Avenue is currently designated as a high-capacity corridor. There is currently a study underway to determine if the City should connect to the current high-capacity transit in Mesa and extend south down Arizona Avenue to Downtown Chandler. The draft General Plan says that study should continue and the appropriate level, if any, of high capacity transit would be determined at a later date when the study is complete.

MR. DE LA TORRE continued, in 2013 Mayor and Council commissioned a study to look specifically at the General Plan policies for South Price Road. The draft General Plan incorporates those policies, which are first and foremost to maintain the campus-like environment, with large campuses such as Intel and Wells Fargo. The draft also recommends more flexibility. The current General Plan is very specific saying South Price Road is reserved specifically for single users on parcels that are generally not less than 15 acres. The draft General Plan allows for multi-tenant on properties and also removes the 15-acre restriction. The draft also has policies to improve connection between South Price Road and the adjacent land uses. The new growth area in West Chandler is the Loop 202/I-10 growth area. It's identified as a growth area because of its' key location next to the future South Mountain Freeway. Staff believes this new regional connection will create more potential for redevelopment in the area. Currently, most of the properties are used for warehousing and distribution. Thirty or forty years down the road, when there's a new regional connection, that may not be the best use. There are also a few large properties that haven't been developed in that area. The area on the map bounded by Arizona Avenue on the west, railroad tracks on the east, and south of the 202 Freeway down to the City's southern boundary is identified in the draft as a Transitional Employment Corridor. Historically, this corridor has been planned primarily for employment uses with some residential options. It has, however, been developed primarily as residential with some employment options. The draft General Plan formalizes the flexibility needed to determine the most compatible land use in the future, which would be determined by the Mayor and City Council. The last major change between the current and draft General Plan comes from a recommendation of the Mayor's Four Corners Retail Report done in 2012. It provides an incentive for aging shopping centers in the Infill Incentive District. The boundaries are Pecos Road to the south and Price Road to the west up to the northern and eastern city limits. The policy in the draft General Plan is to allow densities that are greater than 18 dwelling units per acre when an older shopping center is being redeveloped. The higher densities wouldn't be guaranteed. They would need to show that they can transition down to existing lower density neighborhoods and not create a negative impact on the adjacent properties.

MR. DE LA TORRE concluded by reminding the Commission the second General Plan public hearing is scheduled for March 16, 2016 at 5:30 p.m. The City Council hearing is planned for April 14, 2016 and the public election August 30, 2016.

CHAIRMAN PRIDEMORE called for questions or comments from the Commissioners.

There being no questions or comments from the Commission, Chairman Pridemore noted two speaker cards were submitted and called on the first audience speaker.

MR. FRANK PIANI, 1600 Monrovia Ave., Newport Beach, CA, stated his company built the Food City on the northeast corner of Arizona Avenue and Ray Road in the 1960s. He just became aware of the draft General Plan and hasn't had an opportunity to look at the entire document to see what he agrees with and what he objects to. But he wants everyone to know how important access is to retail. His company built a Safeway center in Denver that had its access blocked due to policies in their General Plan. The center didn't last a year after that, and Safeway closed their doors. He's concerned about what's going to happen on North Arizona Avenue at Ray Road. When they built this center, there was nothing there. They ran the water and sewer for 2 ½ miles west on Ray Road to provide water and sewer to the area. He thinks the General Plan is very important, but objects to anything that would affect access in or out of this center. He drove by where the rail is located in Mesa and it scares him because access is restricted there. If access is restricted to a commercial center, it struggles.

CHAIRMAN PRIDEMORE suggested Mr. Piani talk with staff about his concerns when the meeting adjourns.

MS. DONNA POWELL, 1760 E. Pecos Rd., Suite 447, Gilbert, AZ submitted a speaker card but chose not to address the Commission.

CHAIRMAN PRIDEMORE called for any additional audience members who would like to make a statement or had any questions. There being none, he thanked everyone for coming to the meeting and for participating in prior opportunities.

4. DIRECTOR'S REPORT

MR. KEVIN MAYO, Planning Manager, reminded the Commission and audience that the second public hearing for Planning Commission is next Wednesday, March 16, 2016 at 5:30 p.m. in the City Council Chambers.

5. CHAIRMAN'S ANNOUNCEMENT

CHAIRMAN PRIDEMORE reiterated the information regarding the second General Plan public hearing at the next regular Planning and Zoning Commission meeting.

6. ADJOURNMENT

The meeting was adjourned at 6:25 p.m.

Kathleen Cunningham
for Matthew Pridemore, Chairman

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 16, 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 Ryan.

3. The following Commissioners answered Roll Call:

Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner Devan Wastchak
Commissioner Phil Ryan

Absent and Excused:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Jodie Novak, Senior City Planner
Mr. Scott McCoy, Asst. City Attorney
Ms. Kim Gehrke, Clerk

4. APPROVAL OF MINUTES

MOVED BY COMMISSIONER DONALDSON, seconded by COMMISSIONER WASTCHAK to approve the minutes of the March 2, 2016, Planning Commission Hearing and the minutes of the special General Plan meeting of the March 9, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Cunningham abstained from voting on minutes from March 9, 2016, since she was not present. Chairman Pridemore and Vice Chairman Baron, absent.)

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. **COMMISSIONER CUNNINGHAM** also welcomed Council members Kevin Hartke and Rick Heumann.

A. LUP15-0022 PESTOS PIZZA

Approved.

Request Liquor Use Permit approval to continue to sell and serve liquor for on-site consumption as permitted under a Series 12 Restaurant License indoors and within a new outdoor covered

patio. The restaurant is located at 1960 West Ray Road, Suite 4, within the Anderson Springs shopping center, at the northeast corner of Ray and Dobson roads.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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. The patio shall be maintained in a clean and orderly manner.
6. The fabric awning structure shall be maintained in a manner similar to that at the time of installation.

B. LUP16-0001 STAYBRIDGE SUITES PHOENIX-CHANDLER

Approved.

Request Liquor Use Permit approval to sell and serve liquor for on-site consumption as permitted under a Series 7 Beer and Wine Bar License. The hotel is located at 3990 West Chandler Boulevard, at the northeast corner of Chandler Boulevard and McClintock Drive.

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 7 Beer and Wine Bar 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.

C. LUP16-0002 COST PLUS WORLD MARKET

Approved.

Request Liquor Use Permit approval to sell beer and wine under a Series 10 Beer and Wine Store License for off-premise consumption with in-store sampling. The new store is located at 860 North 54th Street, south of the southwest corner of Ray Road and 54th Street.

1. The Liquor Use Permit is granted for a Series 10 license with sampling, 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 store locations.

D. LUP16-0004 LA BOCCA / MODERN MARGARITA

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors for two new restaurants along with an extension of premises within outdoor patios on Boston Street and Arizona Avenue. The request also includes entertainment indoors for a DJ. The property is located at 1 East Boston Street, at the southeast corner of Arizona Avenue and Boston Street.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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. The patios shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. Music shall occur indoors only.

E. LUP16-0005 ALAMO DRAFTHOUSE CINEMA

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption within a new movie theater including a restaurant located at 4955 South Arizona Avenue, northeast corner of Arizona Avenue and Chandler Heights Road.

1. The Liquor Use Permit is granted for a Series 12 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 store locations.
4. Liquor Use Permit 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 Liquor Use Permit shall apply.

F. PPT15-0016 TOWER STORAGE LLC

Approved.

Request Preliminary Plat approval for a self-storage facility located south of 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.

COMMISSIONER CUNNINGHAM stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY COMMISSIONER RYAN seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Chairman Pridemore and Vice Chairman Baron, absent).

ACTION:

G. GPA14-0001 GENERAL PLAN UPDATE

Approved.

Public hearing to request public input, discussion and action in the form of a recommendation of approval of the draft general plan titled, "Chandler General Plan 2016; a vision refined".

The Citizens' Advisory Committee, and Planning Staff recommend Planning Commission recommend approval of Chandler General Plan 2016; a vision refined, together with the revisions listed in the attached Addendum to the Public Hearing Draft Plan.

DAVID DE LA TORRE, PRINCIPAL PLANNER greeted everyone and continued with the explanation regarding the State law that requires two Public Hearings with the Planning Commission for the review and approval of the General Plan. He stated last week, the first Public Hearing took place at which a presentation was made regarding the update process and major differences were summarized between the current General Plan and the draft. He explained, no action was taken by the commission. He stated today was the second Public Hearing at which Planning Commission is requested to take action in a form of a vote recommending approval of the draft General Plan which would then be forwarded to the Mayor and Council for their consideration at the April 14, 2016, Council meeting. He stated it was mentioned in the last Hearing that the draft General Plan and the update is not a complete overhaul of the current General Plan, rather is a refinement of the policies to address new trends and factors that the city is facing. Many of the policies in the current General Plan are being carried over into the draft General Plan and some of the existing polices include; preserving land around the Municipal Airport for employment uses, promoting redevelopment of properties in downtown as well as along north Arizona Avenue with higher densities and promoting and expanding programs to improve and maintain existing neighborhoods. He explained that some of the new policies in the draft General Plan include; allowing more flexibility on the south Price Road to address economic trends and facilitate the developments of more high wage businesses, protecting the character of existing low-density neighborhoods, updating recreational amenities to meet the needs of changing demographics and encouraging access to healthy food and pursuing partnerships with private recreational facilities and medical providers to provide educational, health and wellness programs for Chandler residents.

Staff and the consultants spent a greater part of last year gathering input from the public through a variety of different methods, including; traditional public meetings, online surveys, comments through social media and City's webpage, planning labs, tables at public events and briefings to a variety of boards and committees. In total there have been more than 60 opportunities over the last year for the public to learn about and participate in the General Plan Update. The input that was received was used to initially draft the initial draft of the General Plan, which was then

revised several times based on more input received during the public review of the draft. During that time, Staff met with several stake holders to discuss their comments in detail which resulted in more revisions. He stated as such, the draft General Plan reflects the community's visions from the standpoint of wide variety of different stake holders and different interest. After meeting with staff, one of the stake holders being Brennan, whom is a Chandler resident who represents the Arizona Alliance for livable communities, wrote a letter addressed to the Planning Commission which is attached to the staff memo, stating their support of the draft General Plan. In the beginning of the process the Mayor and Council appointed 23 residents to a Citizen's Advisory Committee which guided staff and the consultants through the process. They met 6 times over the course of the year and the last meeting was held last month in February, in which the committee voted unanimously to recommend approval of the draft General Plan. He stated before he concludes his comments, he pointed out two items regarding comments that staff has received since last week's Public Hearing. He stated staff received a couple of emails and placed those comments together with the comments that were made at the first Public meeting last week into a document titled Public Hearing Draft Comments which was distributed earlier to the Planning commission. The comments have been acknowledge with the commenters and do not necessitate any additional revisions to the draft. The second item he pointed out is regarding the addendum containing a short list of revisions that were proposed by Commissioner Wastchak. Staff concurs with the revisions that are relatively minor and recommends that the addendum be made a part of the recommended motion to approve the draft General Plan as stated in the proposed motion in the staff memos. He stated the Citizens Advisory Committee and Planning Staff recommend approval of the draft General Plan as presented with the addendum.

COMMISSIONER CUNNINGHAM asked the audience if they had any questions or comments on the presentation. There was one.

MOE WAKEFIELD, 797 W. GERMANN apologized for bothering them so many times before with emails. He stated his concern is what he believes the survival of his neighborhood and is concerned about the impact of the General Plan revision. He met with David de La Torre and is pleased with his sincerity and knows he is coming from a different point of view than he is. He is looking at it as preserving the neighborhood and stated this is coming from a developer that is playing an extreme game of hardball. He explained a more recent episode on February 8th that a neighborhood meeting was called under the chandler city law saying come out and they will talk about a plan. He had no plan to talk about when they got there. He stated all they said was the city will widen the road to 6 lanes and they are going to take their share. When they come back again, the folks will not give up; it is a declaration of war. He stated he presented the use to the City and there was no response and he doesn't know what else to do. As he looks through the General Plan and vague terms, his concern is putting a definition to infill. He stated he supposed everyone knew what an infill is, basically some unused spot of ground and he thought, what if that was bought out by a developer and taken the houses off of it and let it set for 18 years and now come to the City and states it is infill. That is exactly what's happened to it. The challenging infill property next to a fairly noisy carwash that initially low-cost housing were supposed to be built for the poor people, they wouldn't object to the noise. The land was supposed to be for retirement folks who just didn't want to do the yard work anymore. It wasn't nice of them to invite themselves into his neighborhood and start patching them up. He believes

it is still their intent to do that. He stated that on page 1, it states "as the city moves towards build out and the large box ground becomes less available, infill or redevelopment is how future development will occur". He stated they already know that because the company plans to divide them up and start a chain that they know it will destroy all the ranchettes on Germann Road.

One of them was built and sold last year for 1.1 million and it was an excellent home, the properties are suitable with animal privileges and suitable for large lots development. However, he stated not if those folks go in with political or legal influence they got and persuade the city that it is not the way to go and say there are other policies that ought to be applied. He stated he found no definition of infill that is used several times. He also said on page 26, "Community place making policies" letter K, when he met with David, David thought item K would solve his problem which states "to protect the low-density residential character of large lot neighborhoods". However, the other items take away what item K gives because there is policy of letter B, that states "promote a compatible mixed of housing types in infill areas"; He asked what an infill area is? He stated he thinks it's any area that is covered by an area plan as his is. It specifies that they are 2.25 acres properties, presumably still around that figure even with the widening of the road. He stated that the rezoning ever since county days and what happened under county jurisdiction is one house per acre. Now because it is being called an infill area because there is really no definition of what an infill is, now there's a vagueness that future developers will be citing. He recited item C, "encourage a range of housing types within walking distance of schools and other community facilities" and explained that they have a neighborhood school probably a quarter-mile away. The kids have to walk the sidewalk on a six-lane road, which is not a hospitable neighborhood environment and the whole section is sealed off from the Arden Park development that surrounds it on three sides. He read item D, "address housing needs of fixed income elderly persons and other special populations", and states they have had a developer say "we want to carve you up, so we can make retirement homes or empty nesters that don't want to yard work anymore." Or they want to make low-income housing for poor people, which lead to item F, "increase capacity to them in coordination of affordable housing program and project". He stated he doesn't know if whether it was a federal agenda but the affordability has been thrown at the beginning. He explained they had 5 neighborhood meetings since 2013, at the second meeting he was told, basically only folks are going to live next to the noisy carwash that will not complain about it and because living as ranchette owners, you could afford to live somewhere else. The fact is, where do you find properties like this in chandler? They are rare and there are people out there want to have a horse at home and other animals. He stated the horses are not going to call and complain about the carwash noise but 16 to 20 homes are built in there, he guarantees the city they will receive a lot of calls. He stated yes, item K offers protection from a policy that states if you have a large track of ground, you will be protected but looking at the other items, he asked is this for elderly people, or special population? The problem is with affordable housing when Chandler approves a development project, they do not approve the value based on the home. He stated the poor person who is going to supposedly be the target of the affordable housing, how are they going to compete? Are they going to compete with everyone that has the big bucks? He thinks it is ludicrous to be talking about affordable housing when there is no mechanism to deliver it to the population that needs it. But, it's in the vocabulary and in the policy and in vague areas. Only when push comes to shove they realize there's a problem. His issue with the document is it is not user friendly and an average member of the City of Chandler can't read it or understand it the same way staff does. In his opinion, it is

a specialized document that gives the developers and the city an unfair advantage. He knows they talk to city staff and try to get approval. He understand subject 2, neighborhood concurrence and stated his neighborhood thus far opposed to the project, but still there is no fight. He doesn't even take vacation in the summer time because he knows they get hit with those things. He explained the very first one they had in 2003; he was the only one on Germann that got notice of it. If he hadn't complained and got other people in the meeting who knows, the project which was 40 houses would probably be built by now. He said he hates to sound dramatic but if you're in the trenches and water is up to your waist with alligators, you would want more security out of it and he would like to see it strengthen to the point if there is an existing area plan no one can come in and change that arbitrary and something that has been covered by an area plan, leave it alone. He stated they do have an area plan but the area plans are never mentioned. When the Cobble Stone carwash went in, they were never told about the Carino Estates area plan, although it's mentioned in the documents with the city. The city new about it but he didn't, he doesn't object to the carwash because it has been highly affecting and at least they have something on the corner there. He stated it has been a nice shield for them and in retrospect; the noisy carwash has been great in keeping the developers away because they have a problem building houses next to a noisy carwash and it is great for cows and horses, sheep and chickens. He stated he would love to be left alone and not have to worry about going on vacation and getting a two-week's notice to listen to another tirade about how they are going to get us anyways. He thanked Commissioners and audience.

COMMISSIONER CUNNINGHAM asked the audience if anyone had any questions for the speaker. There were none.

COMMISSIONER CUNNINGHAM asked Mr. Wakefield to spell his last name and asked Mr. De la Torre if he had any questions or anything to say about Mr. Wakefield's concerns.

MR. DE LA TORRE stated through the process, he has gotten to know Mr. Wakefield a lot more and he appreciates his commitment to the process. He stated that Mr. Wakefield attended many of the meetings and they did sit down together and talked about the General Plan and how the General Plan is used when a rezoning case comes forward and is proposed. How the General Plan is used to guide the zoning case and make a recommendation to the Planning Commission and City Council. As such, there was a new policy that Mr. Wakefield pointed out that they created together which is on page 26, item 112k, "protect the low density residential character of large lot neighborhoods", that applies to not only to his large lot neighborhood but to any large lot neighborhoods within the City of Chandler. He stated that Mr. Wakefield is correct that there are other policies, which is the reason why it is considered a comprehensive General Plan because all of the policies taken together guide a development as much as one policy or other policies together that guide. So if one policy says "protect the low density character of large lot neighborhoods" and the other says "encourage compatible mixed of housing types in infill areas" then the keyword there is "compatible", is it compatible with the low density character of large lot neighborhoods that would protect that neighborhood. He stated they would all have to be applied together and taken into consideration together. He stated he'd be happy to answer any questions.

COMMISSIONER CUNNINGHAM asked the dais if anyone else had questions.

COMMISSIONER WASTCHAK asked Mr. De la Torre that Mr. Wakefield brought up that an area plan exists there and one was prior to that. He asked if it was still county land or if it has been annexed.

MR. DE LA TORRE responded that it was not county land and has been annexed as a part of the city.

COMMISSIONER WASTCHAK asked if the area plan that Mr. Wakefield alluded to was put on during county or city. He stated it was the Carino's Estates area plan. He stated he hadn't looked at the Carino's Estates plan, but asked Mr. De la Torre if they are still designated to have larger lots under that plan still? Or it is designated to change?

MR. DE LA TORRE stated he believes it is Rural residential but he would have to double check. He stated that Mr. Wakefield's concern was can anybody come in and arbitrarily amend an area plan without following the General Plan, the answer to that is clearly no. The General Plan needs to be used, not only as a guide for rezoning cases but also as a guide for Area Plan amendments so it does guide Area Plan amendment requests which goes before Planning Commission and City Council for consideration and approval.

COMMISSIONER WASTCHAK stated Carino Estates already has a plan where there is already a designation under there, if anybody is changing the designation, to his understanding the neighbors in that area have been vocal and communicated that and his understanding is that Planning Staff has been looking at not only the General Plan but the zoning requirements if they do get it approved, ultimately, there would have to be a General Plan Amendment. Will the higher density be allowed under the General Plan? He stated he is trying to understand if they are following the process the way they are supposed to under the General Plan.

MR. DE LA TORRE stated a developer can come in with a proposal to amend the area plan and it can be considered, if it falls within the guidelines of the General Plan. So it may not require a General Plan Amendment. However, that would need to be determined based on factors of the proposal. Not having those details in front of him, he could not tell anyone whether it would require an amendment. He stated chances are it would not require an amendment because the General Plan provides very broad policies but he doesn't know. He mentioned that extremely higher densities that may not be compatible with large lots neighborhoods would not be consistent with the General Plan so the details of the proposal would need to be taken into consideration to determine whether a General Plan Amendments would be needed or not.

COMMISSIONER WASTCHAK stated he understood they are talking about the General Plan and not a specific case. Mr. Wakefield made a comment that he does not like the General Plan as it reads but he thinks consort with the zoning cases is what determines true Planning Staff as they are looking stuff, Planning Commission, City Council. Ultimately, that is what's used when they consider the change in the use that he's concerned about. There are mechanisms within the General Plan that allows neighbors to have input and provide whether or not they want that or agree with the change or not . He stated he is somewhat commenting to Mr. Wakefield's comments and his understanding after having reviewed it in detail in the standard zoning that it

works in consort and Mr. Wakefield wants to look and say "I don't know if this works, but I think it does", it's a general overview and he would agree to the comments that are in for example the one bullet that says "preserve larger lots". It gives the ability for Mr. Wakefield to make that argument and for Planning Staff to stand behind that argument and say "hey they are bigger lots, therefore, have to take into consideration". He stated that after looking at the General Plan and zoning, it does what it needs to do. It is just a matter of the developer working with the City as well as the neighbors.

COMMISSIONER CUNNINGHAM asked if anyone else had questions for Mr. De la Torre. There were none.

SCOTT MCCOY, ASST. CITY ATTORNEY stated he appreciates the speakers passion about what is happening in his neighborhood and his efforts to communicate that to the city however, he would want to remind commission that they need to keep his comments confined to General Plan. He knows there's a zoning case going on in Mr. Wakefield area. However, that is not appropriate so his comments must strictly be regarding the General Plan.

MR. WAKEFIELD stated he appreciates Mr. Wastchak comments and thinks Mr. Wastchak would interpret the General Plan as providing security for his neighborhood. But he doesn't because he looks at one item that gives and two or three other items that are negative. When the city planner's talk about balancing of interest, they are weighing off the weight and what is more critical at the time. What is more important, low income housing or horse property? For the longest time he thinks they have been on the low end of the popularity pole and the city thinks in terms of density of residential areas around him. He stated it boils down to interpretation and he thinks that it is the interpretation of what the significance of what the documents mean. And his way of thinking is that the General Plan is way too vague because there is one provision for him but three provisions that the developers can use and he doesn't know how the city is going to rule and that is why he says this in terms for the general citizen of the town that have very little security reading it because it is way too vague. As page one says, the future of land development land use in Chandler is going to be basically infill and redevelopment. Theoretically a lot of the traditional residential areas that don't have HOA's are at risk of having people buy their homes and call it infill and increase the density to build more houses. That is his concern about the vagueness.

COMMISSIONER CUNNINGHAM thanked Mr. Wakefield for his comments and his time and hopes he does get to take a vacation at some point however, to be vigilant and watch what is happening in his neighborhood and stated he is a good citizen that is doing that. She stated this is a General Plan, not a specific plan so it does include things that do not pertain to his neighborhood but do pertain to his city.

COMMISSIONER CUNNINGHAM asked if there are any other questions. There were none.

COMMISSIONER CUNNINGHAM asked Kevin if he had any statements from Chairman Pridemore and Vice Chairman Baron that were not able to make the meeting and to read into the record.

KEVIN MAYO, PLANNING MANAGER stated Vice Chairman Baron's statement reads as follows"

As I've read through the documents and the multitude of comments made by staff, stakeholders and the residents of chandler. It appears that my comments specific to the text have already been made by others and incorporated or are in process of being incorporated. It is the time and effort that has been placed in creating the document. Staff has been working with the stakeholders in the community and the general public has done a great job in developing the document that twill help shape the future development of chandler. Sincerely, Andrew Baron, Vice Chairman.

MR. MAYO stated Chairman Pridemore's statement reads as follows"

Please let the record show that I, Matthew Pridemore, have reviewed the draft version of the 2016 Chandler General Plan: A Vision Refined and I am wholeheartedly in favor of the information pertained therein. It is very obvious that tremendous effort has been put into this document by City Staff. Through a comprehensive public outreach process, I think all of the best ideas and concepts have been incorporated. This proposed General Plan will act as a useful guide for Chandler in the coming years, particularly as the City quickly approaches build-out. The new Guiding Principles and corresponding Core Values lay a strong foundation that resonates throughout the document. This General Plan shows that Chandler continues to lead the way in responsive planning for our City's future development and redevelopment. I apologize that I was unable to attend this evening's hearing, but let me reiterate my support of the draft General Plan before the Commission this evening and that I would strongly support a motion of approval being forwarded onto the Chandler City Council. Respectfully submitted, Matthew Pridemore, Chairman.

COMMISSIONER DONALDSON stated he wanted to express his appreciation for all the energy and efforts put forth by staff and Commission and citizens. He explained to Mr. Wakefield one of the commissions that he was chair of was the Neighborhood Advisory Committee and the citizens were also involved in the process of one of the 60 opportunities for citizens and commission and staff to be involved in preparing the document. He also thinks it provides great input, overview and great guidelines for the City of Chandler's process, which is a more specific process. He hopes that Mr. Wakefield and the citizens of chandler have confidence in the commission since they are citizens and volunteers as well. He also stated that the Council members are also citizens and he stated they do have the interpretive process in front of them in specific zoning cases and they take them very seriously with all the variables they have available to them. He stated he strongly promotes the General Plan Update.

COMMISSIONER CUNNINGHAM thanked Council member Terry Roe for being present at the meeting.

COMMISSIONER RYAN stated it was his last meeting he was going to be the attending since he is moving to Gilbert. He thanked everyone and stated he is appreciative of all the years of staff's patience and training, especially Jeff Kurtz. He stated he was 28 years old in 1982 when he was appointed and was intimidated and took him a number of years to voice his opinion. He stated it was nice getting to know and working with everyone.

COMMISSIONER CUNNINGHAM responded it was a pleasure working with him.

MOVED BY COMMISSIONER DONALDSON seconded by **COMMISSIONER WASTCHAK** to approve the Chandler General Plan 2016, a vision refined as recommended by the Citizens Advisory Committee and Planning Staff, together with the revisions listed in the attached Addendum to the Public Hearing Draft Plan. Motion passed 5-0 (Chairman Pridemore & Vice Chairman Baron, absent).

6. DIRECTOR'S REPORT
Mr. Kevin Mayo, Planning Manager had nothing report.

7. CHAIRMAN'S ANNOUNCEMENTS
COMMISSIONER CUNNINGHAM stated the next regular meeting is April 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 6:12 p.m.

Katy Cunningham, Commissioner

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 20, 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 Vice Chairman Baron.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner David Rose
Commissioner Devan Wastchak

Absent and Excused: none

Also present:

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

4. **CHAIRMAN PRIDEMORE** welcomed the new **COMMISSIONER DAVID ROSE**

5. APPROVAL OF MINUTES
MOVED BY VICE COMMISSIONER DONALDSON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the March 16, 2016, Planning Commission Hearing. The motion passed 4-0. (Chairman Pridemore and Vice Chairman Baron abstained since they were not present on March 16, 2016. Commissioner Rose, since he was not present.)

6. 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. DVR15-0037 ALLRED PARK PLACE

Approved. (CONTINUED TO THE MAY 4, 2016, PLANNING COMMISSION HEARING)

Request rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height, with Preliminary Development Plan (PDP)

approval for site design and building architecture on property totaling approximately 62 acres located at the southwest and southeast corners of Price and Willis roads. **(REQUEST CONTINUANCE TO THE MAY 4, 2016, PLANNING COMMISSION HEARING)**

B. LUP16-0003 CIRCLE K 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 3087 South McQueen Road, southeast corner of McQueen and Queen Creek 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 store 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.

C. PDP15-0015 RISAS DENTAL – RAY ROAD

Approved.
Request Preliminary Development Plan (PDP) approval for site layout and building design of a new dental office. The site is located at 125 East Ray Road, east of the southeast corner of Arizona Avenue and Ray Road.

1. Development shall be in substantial conformance with the Development Booklet, entitled "RISAS DENTAL AND BRACES" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0015 RISAS DENTAL – RAY ROAD 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. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
5. 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. Raceway signage shall be prohibited within the development.
7. 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.
8. The site shall be maintained in a clean and orderly manner.

D. PDP15-0017 FIRST CREDIT UNION PLAZA

Approved. (CONTINUED TO THE MAY 4, 2016, PLANNING COMMISSION HEARING)

Request Preliminary Development Plan approval for building mounted signage. The subject site is located at 25 S. Arizona Place, east of the northeast corner of Arizona Avenue and Boston Street. **(REQUEST CONTINUANCE TO THE MAY 4, 2016, PLANNING COMMISSION HEARING)**

E. PDP15-0020 MARACAY HOMES

Approved.

Request Preliminary Development Plan approval for housing product for an 84-lot single-family residential subdivision on an approximate 35-acre parcel. The subject site is located east of the southeast corner of Cooper and Chandler Heights roads.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "MARACAY HOMES" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0020, 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. Compliance with original stipulation adopted by the City Council in Ordinance No. 4628, in case DVR14-0043 COOPER AND CHANDLER HEIGHTS, except as modified by condition herein.
3. The same elevation shall not be built side-by-side or directly across the street from one another.

F. ZUP16-0002 NATE'S NEXT GEN AUTO CARE, LLC

Approved. (MODIFIED STIPULATION NO. 5)

Request Use Permit approval to allow an auto repair facility within the Planned Industrial District (I-1). The site is located at 4043 West Kitty Hawk, Suite 5, south of Chandler Boulevard and west of McClintock Drive.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The applicant will abide by all building, fire, and other applicable city regulations including those that pertain to auto repair as a condition of occupancy.
3. The site shall be maintained in a clean and orderly manner.
4. All vehicle repair/servicing/upgrades shall occur only within the building. Overnight storage of vehicles waiting for servicing shall occur only in the gated rear yard service area. No work or storage of vehicles to be performed outside of the gated rear yard area.
5. **The Use Permit shall remain in effect for three (3) 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.**

G. ZUP16-0003 56TH STREET OFFICE DEVELOPMENT

Approved.

Request Use Permit approval to allow office uses within a Planned Industrial (I-1) zoned district. The approximate 30-acre site is located at the northwest corner of 56th and Galveston streets.

1. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler shall apply.

H. PPT15-0012 PACIFIC OIL PARTNERS, LLC

Approved.

Request Preliminary Plat approval for a commercial development on approximately 2.5 acres located at the southeast corner of Pecos and Alma School roads.

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

CHAIRMAN PRIDEMORE stated he had two speaker cards and asked Mr. Dale to state his name and address for the record.

DALE MUKALVETZ, 6902 W. LAREDO ST. referred to the vicinity map and stated he lives in the subdivision immediately east of the project in question referred as Chandler Crossing and also mentioned he is also on the HOA boar. He stated for the past 15 years they've had an issue with U-turns on Harrison St. The issue started north on Dublin St and now it's on Harrison St. He stated that there is no issue with traffic on 56th St but there is no suicide lane, there's a divider down that street, so when one is headed in one direction, you're stuck. The only way to turn around the other way is to make a U-turn and Harrison St is the only place to make that U-turn. He stated that he has counted the U-turns and he came up with 40 per day. He requested for the City of Chandler to do a study there as well and it was done a number of years ago and forgot the answer to that but it's a big number. As an HOA member he has gotten complaints from people on Harrison St. that all ours of the day and night people make U-turns. Chandler put up signs and did a little bit of traffic reorganizing north of Harrison St. It is his and community's concern, although they have nothing against the development but their concern is because there is no suicide lane, there is no way to go from south and north bound except for the bad problem on Harrison St. that is going to get worse. He stated he heard a gentleman say they will do something down the road when things start to happen but in his view that is too late. He would like people to start thinking about it today. What could be done with the current state of affairs and will the new state of affairs make the situation worse. He is asking for something to be done and not wait.

CHAIRMAN PRIDEMORE asked Mr. Kevin Mayo if there is any interim understanding that the final build out of the site is going to determine a possible traffic study.

KEVIN MAYO, PLANNING MANAGER stated that he will have to go back and have a conversation with the City's Transportation and Development group. However, he did remember when the condominiums on the north side of Harrison just west of 56th St. came in, there was a study done and it had something to do with U-turns. It's been so many years that he could not remember how that went. He asked the applicant if there are currently signs stating "No U-turns".

MR. MUKALVETZ stated there were signs.

MR. MAYO stated they are probably dealing with an enforcement issue than anything.

MR. MUKALVETZ stated they tried the enforcement and stated Chandler has been really good about attempting things. However, when police officers are gone the U-turns start again because there is really no way for a police car to hide in there. It is obvious when a car is there or not.

MR. MAYO stated he would reach out to the Transportation and Development folks and see what the options are at this point and will contact the speaker.

MR. ERIK SWANSON, SENIOR CITY PLANNER asked the applicant for clarification, are they doing the U-turn on 56th St. or are they pulling into Harrison into the neighborhood then doing the U-turn back north.

MR. MUKALVETZ stated it's about 3 out of 4 that go into the HOA and turn into someone's driveway, it's a fairly wide street so many folks can make the U-turn. Also about a quarter of them actually make the illegal U-turn at the corner and there have also been a few accidents at that location.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was one.

MRS. DIANE JOHNSON, 6924 W. HARRISON ST. stated she lives in the same neighborhood that Dale lives in and she has left messages and spoke to Mr. Swanson about that turn and she thinks it really is a problem and as Dale stated the turns are day and night. There has been a few times where she is trying to get into her garage and people are waiting for her to go by so they can back out and turn around. She stated they are trying to have a nice neighborhood and it is a problem and it has been a problem for quite some time. She thinks that part of the issue is that there is the light at Ray Rd. and 56th St. of Priest and south of that is the Aj's light. She was told a few years ago that they couldn't put another light at their intersection because of the two that are south of Ray. She stated she doesn't know what the answer is as far as how to keep people turning around, she has seen a few near accidents as people are making the U-turn and trying to get around that person and people trying to get out of the neighborhood. She stated it is an issue and she is concerned. There are several times of the day where she doesn't try to go out on Harrison St. She stated that she cannot head south in the morning because of the cars so she just goes out through the spacy exit of her HOA and goes through the neighborhood. She stated she would want something done sooner rather than later.

CHAIRMAN PRIDEMORE explained to her that everything will go into the record and thanked her.

CHAIRMAN PRIDEMORE stated he has another speaker card, however they do not wish to speak regarding Item E. from a Michael Hoover and states Via De Palmas should be marked as "dead end" and Maracay Homes should sign as "no construction access.

CHAIRMAN PRIDEMORE stated all items are still on the Consent Agenda and asked the audience for comments, questions or if anyone would like to have items pulled for a full presentation. There was none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff with the modification of stipulation No. 5 on Item F. The Consent Agenda passed 7-0.

7. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager extended a welcome to the new Commissioner Rose.

9. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE stated the next regular Planning and Zoning meeting is May 4, 2016 at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

9. ADJOURNMENT

The meeting was adjourned at 5:46 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 4, 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 Donaldson.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner Ryan Foley
Commissioner David Rose

Absent and Excused:

Vice Chairman Andrew Baron
Commissioner Devan Wastchak

Also present:

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

4. APPROVAL OF MINUTES

MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the April 20, 2016, Planning Commission Hearing. The motion passed 5-0. (Vice Chairman Baron and Commissioner Wastchak, absent)

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. There are two action items that will also be read into the record and the applicant will have the opportunity to present and speaker cards will be announce, then audience will have the opportunity after to pull any of the items for discussion.

C. LUP16-0011 FRY'S MARKETPLACE

Approved.

Request Liquor Use Permit approval to sell and serve liquor as permitted under a Series 9 Liquor Store License and Series 7 Beer and Wine Bar License within a new grocery store located at 2929 E. Ocotillo Road, southwest corner of Ocotillo and Gilbert roads.

1. The Liquor Use Permit is granted for a Series 9 Liquor Store License and Series 7 Beer and Wine Bar 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 store 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.

D. PDP15-0017 FIRST CREDIT UNION PLAZA

Approved. (CONTINUED TO THE MAY 18, 2016, PLANNING COMMISSION HEARING)

Request Preliminary Development Plan approval for building mounted signage. The subject site is located at 25 S. Arizona Place, east of the northeast corner of Arizona Avenue and Boston Street.**(REQUEST CONTINUANCE TO THE MAY 18, 2016, PLANNING COMMISSION HEARING)**

E. PDP16-0001/PPT16-0004 STELLAR AIRPARK ESTATES II

Approved.

Request Preliminary Development Plan (PDP) approval for subdivision layout and development standards for a custom single-family home residential subdivision with aviation-related uses and Preliminary Plat (PPT) approval on approximately 10 acres located at the southeast corner of Chandler Boulevard and Galaxy Drive, west of McClintock Drive.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "STELLAR AIRPARK ESTATES II", kept on file in the City of Chandler Planning Division, in File No. PDP16-0001, except as modified by condition herein.
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.

Preliminary Plat

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

CHAIRMAN PRIDEMORE stated he had one speaker card for Item E. and asked Mr. Fred Borns to provide name and address for the record.

FRED BORNS, 6. S STELLAR PARKWAY stated he lives 400ft. away from the development and is completely in support of it. He was glad to see Mr. Prad reconfiguring it. He wanted to make a note on the original approval that the street was redirected and the city's traffic data indicated that it had a beneficial effect on the Stellar Parkway traffic from reducing it from 850 to about 440 cars per day; but unfortunately, for those 440 cars around 65% of them exceed the speed limit and 20% exceed the 10mph over the speed limit. He wants to the city to know that the wonderful development is located is in an area where the traffic is speeding around the corner and it might be some value for the city to look at the speeders on Stellar Parkway.

CHAIRMAN PRIDEMORE asked the audience and commission if they had a question for the speaker. There were none. He also asked the speaker if he wished to speak on the other item he submitted a speaker card for.

MR. BORNS stated he would want to wait until that item was discussed.

MOVED BY COMMISSIONER DONALDSON seconded by **COMMISSIONER FOLEY** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0.

CHAIRMAN PRIDEMORE stated they will go in order of the two action items and explained a presentation will be given by staff, then the applicant will have an opportunity to speak and after that the speaker cards and the audience will get a chance to speak. The applicant will have an opportunity for rebuttal after that then the discussion of the dais will occur.

ACTION:

A. DVR15-0037 ALLRED PARK PLACE

Approved. REMOVAL OF PDP STIPULATION NO. 3

Request rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height, with Preliminary Development Plan (PDP) approval for site design and building architecture on property totaling approximately 62 acres located at the southwest and southeast corners of Price and Willis roads.

Rezoning:

Planning Staff, upon finding consistency with the General Plan and South Price Road Employment Corridor, recommends Planning Commission motion to recommend approval of the Rezoning from AG-1 and PAD for commercial, office, conference center hotel, and business park uses including a Mid-Rise Overlay for buildings up to 150-feet in height, to PAD for an employment business park campus with commercial, office, conference center hotel, and business park uses including a Mid-Rise Overlay for buildings up to 150-feet in height under an Innovation Zone, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALLRED PARK PLACE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0037, 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. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.
5. 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. 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.
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.
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.

Preliminary Development Plan:
Planning Staff, upon finding consistency with the General Plan, recommends Planning Commission motion to recommend approval of the Preliminary Development Plan request subject to the following condition:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALLRED PARK PLACE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0037, 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 landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. As represented in the attached Development Booklet narrative, the initial tenant in any employment building shall be a minimum of 20,000 square feet in size.

KEVIN MAYO, PLANNING MANAGER stated Item A, DVR15-0037 ALLRED PARK PLACE is a rezoning request for couple pieces of property and although his memos starts off with the most recent conversation of an end with that piece of presentation. The site is comprised of two parcels, the first one being 29 acres piece of dirt on the southwest corner of Price Rd. and Willis Rd. zoned PAD in 2013, and amended in 2014. In a nutshell for two single users consistent with Price Rd. uses, the conference center hotel included 150 ft. midrise overlay on the southwest corner. It was zoned as part of the larger Park Place master plan that encompasses the property at the northeast corner of Price Rd. and goes all the way to the 202. He stated the second property tied with the piece for the zoning request tonight is a 33 acre site located at the southeast corner of Price and Willis roads. He explained that tonight they will discuss the southwest and southeast corners. The immediate southeast corner is vacant and zoned A-G1 Agriculture often referred to as the former dairy site. He stated to start the zoning request with a

look at the General Plan. The General Plan (GP) identifies the property as being within an employment designation and also following within the South Price Road employment corridor, they call that a designation as well and will go in detail later one. The request is to rezone both properties, one being PAD and the other A-G1 and to bring them under a single PAD for employment business park campus that also includes a midrise overlay for 150ft. building height. All under an innovation zone as contemplated by the GP. He stated that you hear a lot of statements under the General Plan, South Price Road Employment Corridor innovation zoned for the benefit of the new commissioner and it has been a while that a case and come through on Price Rd. and also for the audience.

The South Price Road Corridor is south of the 202, most rigidly applied on south of Willis Rd. and it is often referred to Chandler's premiere employment corridor. It started with Motorola, Intel, Mobile sciences and over the years the city's land use policies for the South Price Rd. have ultimately memorialized in the general plans that have occurred going all the way back into the late 90's with the General Plan with the concept of Price Rd. and the development policy guidelines were for it. He explained when they go from the 90's and into the 2001 General Plan, there is a designation that calls out for large single use high tech employment, single use on parcels generally no less than 15 acres and development has occurred. In 2007, there was fever of the market and started to identify the conflict of build out of chandler. A report was done in 2007 and it identified the shifting development trends that were occurring in Chandler and how to get Chandler from a policy standpoint prepared to deal with the shifting development trends. One of the areas studied and identified in that report was the Price Rd. corridor. In the report it started to frame the evolving nature of business and how to do business. The concept of entertaining the flexibility in terms of the single user, they are entertaining some level of multi-tenancy was really born in that report. That transitioned into the 2008 General Plan when the innovation zoned concept came to be. The concept basically took the list of uses that were permitted on Price Rd. and the single use 15 acre and chiseled it down even further by saying multi-tenancy can become a compatible mix with the flex office space when it's set on a larger campus like environment and a key component to that innovation zoned was the idea of the hub. One of the examples of the innovation zone ultimately became a continuum in chandler that the former Motorola site. However, the hub was seen as the central focus of the innovation zone and provided amenities that ended up serving the larger innovation zoned campus and further out into the Price Rd. Corridor. He explained as they move from the 2008 GP, they have been living with that for about 9 years and just now finished the GP update process and just went to Council on April 14th. As part of all that discussion, they have a concept of Price Rd. and the concept of multi-tenancy has continually remained his mind. In terms of the innovation zone and its applicability tonight, the request is to rezone and see a level of multi-tenancy and under the innovation zone they do have to point to the hub. As part of the southwest corner of the property when it was rezoned in 2014, it did include a conference center hotel. That site remains today and in fact is an invested zoning, because it was zoned with a piece to the north and with the construction of the retail building, the conference at the hotel is vested and they are utilizing that as their primary hub as it is seen in their development booklet, there is also a string of other different hierarchal sized pedestrian hubs all tie in the campus together. In the 2008 General Plan, there is language that talks about the success of a innovation zone and is really depended upon pedestrian, vehicular, circulation where all the different amenities within an innovation zone can move in around themselves. He referred to the development booklets that show a couple exhibits that really show an aggressive approach to vehicular circulation and all the other pedestrian hubs.

He stated there are areas for gathering, and amphitheater and they all lead to the larger hub of the conference center. As part of the request, all things on Price Road from a design standpoint do go to the Design Review Committee. The project did go to DRC on March 2, 2016, this year. The committee was complementary of the campus design and building architecture. There was a desire to see the parking garage on the exhibit page 43. Showing what it would look like. A lot of the buildings took off the office building shown in the southwest corner. The booklet sets the stage for a cohesive campus that from a building architecture, site design, landscape design; orientation really plays and continues to build on the campus that was approved at the northeast corner of the original piece of Park Place. As the neighbors are reached through the process, there were two neighborhood meetings due to the midrise overlay. Both were fairly well attended 5 people in each meeting, mostly asking questions. Traffic came up, and Willis Rd. extends without a stop sign from Price Rd. all the way to Dobson. The neighboring property owners that attended were concerned with the speed. He stated he had conversations with Transportation & Development Director and Engineer which are working with the Police Dept. to monitor speed and the bus pick up being an issue. However, over all everything was positive and no one showed opposition to the request. He has her from a representative from an owner on the west side of Price, and he will speak citing concerns with the request regarding for a lack of PDP specifics in terms of what is going to build, a timing of the conference center hotel, because the hub is the critical component of the innovation zoned and a time has not been identified; also, a desire for intensity on the property. The booklet and narrative indicate the insurance of the conference center's development viability. One, the derestriction that property to only conference center hotel, two, in the phase one of that piece, they are going to put the infrastructure necessary to support the conference center hotel. When the conference center hotel operator becomes ready they don't have to go through the timing installing the infrastructure.

On April 16, 2016, the General Plan Update went before City Council and one of the topics was South Price Rd. It brought forth strategic policies that would drive in part from a 2013 study that was done also referred as the Maguire report. He stated in the report there were guiding recommending principles to look how to change the policies for Price Rd. moving forward. One was to identify how application establishes minimums rather than maximums, allowed development requirements with the intention to force a greater employment density, intensifying the property and the utilization of land. The discussion at the GP hearing centered around that concept of intensification. The discussion ended with an objective to develop a corridor with a higher level of intensity. Also with a mid-rise development, as defined in the GP and zoning code, that buildings greater than 45ft. in height and concentrate that intensity along the Price Rd. frontage and as it gets closer to the homes on the east, the height would come down. The case was continued to this hearing to reevaluate the applicability to the request. Over all, the campus and landscape plan, pedestrian and vehicular connectivity and the sign package within the development booklet meets the intent of the direction derives from both the 2008 and the 2006 GP Update. Staff did add a PDP condition requiring the buildings along the Price Rd. frontage be developed consistent with mid-rise development for building taller than 45ft. The applicant is not an agreement with that stipulation and does wish to speak. He stated staff recommends approval with the additional stipulation.

CHAIRMAN PRIDEMORE thanked Mr. Mayo for the history of the case and asked the dais if anyone had any questions.

COMMISSIONER DONALDSON asked Kevin if the mid-rise is applying only to the first building along Price Rd., no matter how further back it is from Price Rd.

MR. MAYO stated he did not say it applied to the first building because it is built on the far eastern end of the southeast corner. It will be the building adjacent to Price Rd. The buildings closest to Price Rd. will need to be up height mid-rise development. It follows the guiding principles that were provided in the Maguire report, but paired in the mid-rise development policy that talks how to transition down as you head down to lower intensity uses such as single-family homes east of Ellis.

CHAIRMAN PRIDEMORE turned it over to the applicant

STEPHEN EARL, 3101 N. CENTRAL AVE #100 stated he was there on behalf of the Douglas Allred Company and David Allred, the president and CEO of the company as well as his Chief Assistant, Cathy Exeter who runs all the programs. He stated also present was West Balmer who is the architect for all the buildings north of Willis Road, which they call Park Place. He stated he appreciated everything that staff stated in the report as well as what Mr. Kevin Mayo stated regarding the history of Price and tentatively the history of Park Place. He stated they only disagree on one thing, which is stipulation No. 3 of the PDP. The reason why they disagree is that it sets a minimum building height, not a maximum building height. He thinks it's almost unprecedented anywhere in the valley and including Price Rd. to require that a building must be mid-rise. It cannot be anything lower than mid-rise. When he stated that it is unprecedented, they are not aware of any other project in the Price Rd. corridor that has been stipulated in a PDP to be at least mid-rise in height. He stated many applications may have come forward and requested 3,4,5,8 stories and indeed their PAD asks for flexibility to go up to 10 stories because they want to build the tallest and most intense building that they can and it will be consistent with the market and the needs of their tenants. However, with the notion of saying for example if an Apple Corporation asks David Allred that they want to go on the first building on Price Rd. but don't want to have a mid-rise building that is not consistent with the collaboration with the large foot print where they can have all of the people on the same floor and mixed together. They might have high intensity but they don't want it in 3 or 5 stories, they want it on 2 stories. But they will meet all other objectives of the corridor, they would be high tech, high paying job and they would be consistent with high tech manufacturing and research and development. All those things would be consistent except they don't want to have a taller building. He doesn't want to have to say no to that major company, that otherwise would be a dream for the Price Rd. corridor. Not only do they think the height is unprecedented, they don't agree with the intensity which is called for in the Maguire report and was discussed in the GP, but the intensity equates the building height. He stated there is sort of a notion in the stipulation that the only way to get intensity is to go up in height but many corporations want to have a large open floor plan for collaborations. But certainly means they want to intensify the area. For him, when he talks about intensity and density, he believes that it doesn't necessarily have to be height. However, they are seeking authority to go up to 10 stories and referred to the imagery in the PDP that shows buildings all the way from 2 up to 8 stories including the hotel. Another concept that he thinks is inconsistent is a mid-rise requirement as opposed to an allowance. In the GP, Maguire report and others studies Kevin mentioned, there is a focus on, high-tech but manufacturing, biomedical, research and laboratories. All of those uses are intended for this corridor in which would be a significant addition to the city. However, they don't necessarily work at higher building heights. For example, research and development doesn't want to go up but wants to go out.

There are low barring factors that relate to going up in height. Another example is manufacturing, how many facilities with manufacturing and office go to mid-rise height?

Generally they are at the 1 or 2 story levels. He stated to him it is about the flexibility to respond directly to the major fortune one-hundred companies that they are trying to bring to the corridor. He referred to an exhibit that they put together showing what David Allred and Douglas Allred company had built north of Willis Rd., also known as Park Place. So far there are six buildings that have been built in that area; it is the intent of the GP to have one user per building. North of Willis does not apply. He is trying to point out that in the six buildings that have been built. David Allred has put a single tenant in five of the six and one still being marketed. The sixth building has two tenants. For example, Infusion Soft came to David and asked for 64,000 sq. ft. At the time it was a small company. Now, that same company occupies the three buildings on the left side, on Spectrum Dr. They almost have 250,000 sq. ft. and have hundreds of employees. It is a high paying job just the kind Price corridor wants. They are the only tenants in those three buildings. Because they want to go to 500,000 sq. ft. they asked them, would they want a mid-rise building or do they prefer to have more of the buildings that they have. They stated they want a campus of the buildings that they have because of the collaboration aspect of their employees. They also mentioned it was not their cooperate culture to go high. However, you can see the addition to the Infusionsoft and on the east side of Spectrum Blvd. you have Health Waves, which is 92,000 sq. ft. tenant with 460 employees. Both floors make up 68,000 sq. ft. and have 345 employees. EDMC is another 100,000 sq. ft. building with 605 employees and the southern building is being finished and being marketed. There are also three hotels; one of them is under construction, when it is completed and the corporate center for the hotel comes together, that will be over 750 rooms that will be in the Park Place project.

He explained the total footage in Park Place 1 or north is already 615,000 and already 2,329 high paying jobs. Exactly what the corridor wanted to see. He believes that the investment south of Price Rd. and the project he displayed will be more than double of that. He explained some of the buildings in the first phase that make up the 223,000 employee base. He explained the expansion. The convention center hotel that is at the southwest corner of Willis and Price Rd. is now being folded into the larger master plan of 62 acres. He explained that all of the buildings surrounding the project are hemispheric. The landscaping setbacks are over one hundred ft. He stated they have numerous of outdoor amenities for the employees to go to. It is part of the innovation which is allowed in the GP by having more than one tenant per building. There are high amenities and high open space. He believes he complies with every one of the requirements; the campus environment, the high value employment, density, aesthetics and they seek the flexibility allowed. He was asked at the Design Review Meeting to talk about the parking structure, he showed an exhibit displaying a parking structure more than a football field away from Ellis Rd. and explained it should not have any impact on any single-family area because it will be surrounded by taller buildings. He stated the important part of a campus plan is the connection between unites, not only vehicular but most importantly, pedestrian connection. He stated they have a significant improvement over a normal sidewalk. They have pedestrian hubs or amenities that are much wider that lead to shaded areas and also lead into the outdoors and amphitheater, however, all of the enhanced sidewalks lead to the conference center. They believe that is the hub, they agree that it should be built as soon as the market allows it to be built and it is important to the master plan.

The only disagreements with some comments they heard is that they should build that first, and everything else should be frozen until that gets built. If the market calls for a major cooperate user that says they want to build now, but the hotel says they are not ready to build yet, but they built everything ready for it, that is what they can do in the marketplace. They can de-restrict the property as Kevin mentioned to only be a hotel. He stated what they can do is force the market to

start building before it's time. He displayed an exhibit and stated in both PAD and PDP, there are pedestrian hubs that are between buildings with places to sit, relax, and socialize and other gathering places that are all part of this project. He stated he's had experience involved with business parks and he does not remember a master plan that is significant in its amenities package and connectability as this one. He stated it truly is a premier business park. He stated he's heard some points that they are not showing enough of the sides to the buildings in the images, however, the two sides that are showing in the exhibit are pretty what all four sides look like. The images are to show that they want to have buildings and displayed two images with three story buildings and also displayed a 7 story building. He displayed the image of the hotel that's already been approved that is 7 stories high and has 10,000 sq. ft. of convention facilities and ballrooms and 264 rooms. He displayed images on the eastside of the Price Rd. that could be two or three stories that are all complimentary of architecture. He displayed an exhibit that showed how far they will be from a residential home, well more than a football field and surrounding future buildings. He explains the reason why they pulled the item off the consent agenda was to talk about the one stipulation of PDP. He stated they wish to build building from two to 10 stories, depending upon the needs of the market place and major users. They have demonstrated in phase 1, that they want to have single tenants in the building and that is their goal. It is counter intuitive for David to build a building which he generally builds for other tenants and fills the building with a small user when he has 100,000 sq. ft. to put in at a 10,000 sq. ft. user. The buildings are designed for one user but when you go out in the market place and find a financing entity. They can only fill it with one tenant, so they will need the flexibility for multi-tenant in a single building and he mentioned the higher they go up, the more obligation they have. However, he does not see a reason to put a requirement to be a certain minimum height because that is not consistent with any requirements that have been placed on any other projects in the corridor that is not consistent with the desire to have that kind of users that the GP calls for such as; biomedical, research and development and maybe manufacturing elements that call for a more intense building at a lower level. He requested that stipulation three of the PDP be removed. He also clarified that they are willing to de-restrict the hotel site to be a hotel only or conference center hotel that was done with in connection with the ability to build out the entire master plan. It is connected to the stipulation and it makes it very different to restrict. He also mentioned that in the report in phase 1, they want to build the entire infrastructure for the hotel and want to make it so it is ready. However, the only exception to that would be is if they have a wonderful company that comes in and wanting to go on the eastside of Price Rd. then they might have to put that building in first. Those are the desires and plan and have committed to them, he asks that stipulation No. 3 be removed otherwise they loved the staff report.

CHAIRMAN PRIDEMORE asked if there were any questions for the speaker. There were none.

CHAIRMAN PRIDEMORE stated he had a couple of speaker cards for the same item and in no particular order he will announce them. He announced David Allred is in favor the case, however, did not wish to speak. He announced West Balmer who is also in favor of the item, however, did not wish to speak. He complimented Mr. Balmer on his architecture and stated he put together a very good packet. He then announced Craig Miller and he did wish to speak.

CRAIG MILLER, 2490 W. MULBERRY DR. stated he is a 25 year Chandler resident and property owner and Chandler Business owner at the innovation tech incubator. He stated he is also a vice president of the Pecos Ranch Estate HOA, which is the subdivision with 105 property owners directly south of Willis and east of Ellis Rds. He is happy to see what has come forward

in terms of proposed development. His concerns are twofold; one regards the city's plans for Willis Rd. At its current stated and traffic, it is inadequate, specially the stretch between Ellis and Price. Road service is substandard, the grading collects water and the Police do not enforce the posted 35mph sign. There are kids waiting for the buss and the current traffic, coming in off of Dobson going to Infusionsoft and other tenants from Park Place 1, disregard that. One question he has is what the anticipated employment for this development is. If 2 to 3,000 people coming and going on a daily basis on top of what is already more than what the road can handle. He stated they can't support that. He stated he has spoken to CPD and Transportation and Development. They came forward with no mediation plan at all. He owns the property directly on the corner of Willis and Ellis so he is individually and familiar with the problem. His personal standpoint, he has views of the mountains and 15 story buildings are not something that anybody who fronts Ellis Rd. is going to support. It was a major discussion at the HOA meeting and took place Monday night and he was elected to hear what was to be said. However, nobody who fronts Ellis is going to support any kind of mid-rise development. He stated he knows it's already in the plans but people will be told to voice their concerns earlier, but he is telling them now what the position is of those property owners. He stated if they do have employment projection, he would be interested in that and he is also interested in what the street plan is to support all that additional vehicular traffic.

CHAIRMAN PRIDEMORE asked if anyone had a question for the speaker. There were none.

CHAIRMAN PRIDEMORE stated it was his understanding that the city is still looking at the traffic issues, specifically on Willis Rd. However, making a statement at Planning Commission helps staff work to address any issues that may exist. He asked Mr. Mayo if there were any other comments regarding the traffic aspect.

MR. MAYO stated in terms of the road way itself, the west of Ellis is currently half constructed. The north side possibility still has the original asphalt. When the campus builds out the second half of Willis will be completed and will be to its full width from Price all the way down. In terms of speed, he had a conversation with RJ, Transportation Director and he's been working with Mike Mah to get officers out there. After April 20th, he spoke with Pete from the same neighborhood and attended the neighborhood meetings. He was also concerned with speeding vehicles and school bus stop. He stated he had the unfortunate please of watching two vehicles drive around a school with the lights flashing and stop sign out. That hit the radar pretty hard and Mike Mah and RJ are going to be working with the cops about enforcement and long tern what to do with Willis Rd. As part of this request, they did have a traffic impact analysis done and it does take into account anticipated direction of travel and where the majority of people go and it did indicate Willis Rd. will receive additional traffic. However, at build out of Willis Rd. it will take the additional cars even though the majority will be heading north to the 202.

MR. MILLER asked if there were any plans to widen Willis to an equivalent as German.

MR. MAYO responded no because it will always be a collector street. Not and arterial St. like German. It will still be a two lane road. However, they are going to look to see what to do because it will be a mile long collector street without a stop and have effectively three major intersections down that street.

MR. MILLER stated he appreciates the fact that it is getting looked at.

COMMISSIONER DONALDSON stated he wanted clarification on that the folks on Ellis wouldn't support a 15 story building obstructing their mountain views. The height is also important to him however, it looks like the developer presented that the height would come down from Price Rd. towards the area of the neighborhood. It would not be the intention to have ten story building which they are requesting approval for up to ten. But would not be the intention even ability to have with ten story buildings along their most eastern property line as close to the homes as they can get.

MR. MAYO stated that is correct. They end up utilizing the mid-rise policy to guide how to implement mid-rise development. A strong aspect of that policy is compatibility with adjacent lower intensity uses such as residential and it talks about that. It would be that intent.

MR. MILLER stated he understands that and was happy to see that the hotel is on the left side of Price. The tallest building is furthest away. However the applicant was looking for nothing compelled to build at a certain minimum height where the maximum height is far of that. So the question is what does that mean. He thanked Commission and Staff.

CHAIRMAN PRIDEMORE stated he had another speaker card for Mr. Hays that wished to speak as well.

GARY HAYS, 2198 E. CAMELBACK RD stated he represents Doug Echelon, who is a property owner on Price Rd. He stated Mr. Mayo stole all his thunder and explained all his concerns. However, his main concern is the lack of specificity in the PDP. The neighborhoods do not know what is being built. His client doesn't know what is being built. It could be one story, it could be 10 stories and it could be whatever they decide what it's going to be. That is the concern he has today.

CHAIRMAN PRIDEMORE asked the audience and dais if they would like to make a comment. There were none. He asked the applicant to come up and make a closing statement if desired.

MR. EARL stated he wanted to respond to Mr. Millers comments. It is not their desire or intent to have tall buildings on the eastside of the project. They are more than a football field away from Ellis Rd. They want to make that clear and that is the reason why they showed the exhibit that has the Kovach property in between. That is the building that will be the closest to the neighborhood. The buildings as they get closer to the neighborhoods are the building they want to have two stories. They would agree to a cap on the eastside of Price Rd. of four stories, as long as they can build between one and four stories. They asked for mid-rise, because the city pushed them to have taller buildings on Price Rd. However, from Park Place North, two stories is what they have been building since it fits the desire and current paradigm of businesses that are in the marketplace today, including fortune 500 companies that are currently talking to them. There is also a fortune 100 company that advised them they are not interested in building 10 story buildings but rather a two. If the commission wanted them too, they would be willing to cap the buildings on the eastside of Price Rd. no higher than four stories. They certainly do not want to have a negative impact on the neighbors. They will be improving the south half of Willis Rd. and will become a fully function collective road. He understands speed is a factor, but in terms of a total load on the collective road is well below its design capacity. He would ask the Police Dept. to enforce speed limit laws, if that's the issue. According to their traffic study, about 85% of their traffic volume will utilize Price Rd. There are certain numbers of them if they live

in a certain area to the north along the 202; they might go to Dobson to go up to the interchange. They have assumed about 15% would make that choice, but the buildings are out on Price so that if you are already on Price, you make take it to Germann, which take one to the entire Southeast Valley. He believes they will not have a significant impact on Price Rd. In terms of the number of employees projected, 2,300 already and it would certainly be that or above. However, the projected traffic value should not impact. He stated the comment that Mr. Gary Hays made regarding the lack of specificity in the PDP. They have shown a number of high end designs and two sides of all of them, with the understanding that those two sides would be mirror image on the other two sides. He believes it is a strong representation. In the staff report, Kevin mentioned that the imagery that they have provided is a bar for quality. They cannot build less quality than what they are showing. They might make minor modification to design but not less quality.

He stated Kevin indicated that there is a bar for height. He stated they have shown a six-story and seven-story building but they can't build a five story building and that is what they disagree with. They showed imagery that allows them to do what the narrative talks about, two-story up to potentially ten-story. He believes in intensity, just like the GP does and they also believe in campus plan and thinks they have designed one of the best in the valley.

COMMISSIONER DONALDSON stated that Mr. Earl talked about being able to accomplish the density at low of heights, depending on the tenant. What he sees is a real campus environment with lots of amenities and pathways with greenery. If the footprint of the building changes because the low of height but equal density to a tall building, how much of that takes away from the campus lush setting and all the amenities.

CHAIRMAN PRIDEMORE directed the question to staff.

MR. MAYO stated it is tough to say, they can flex 100ft. one way and 50ft. another way without having a concept plan in front to say it does meet it. They use it as a measuring stick and a campus organization level of scale and level of pedestrian, amenity richness. He stated his job after Councils approval is to implement in substantial conformance. What in between does and doesn't, it is tough to say it in words without having a plan. However, in the end, as the memo indicates, it sets the bar of expectations for the level of design, campus integration, and landscape richness. It is over the top in terms of the pedestrian amenities and that is the bar that gets set, so they have to insure that gets delivered.

MR. EARL stated he agreed with the answer and they are not seeking to make changes to the footprints of the buildings they showed in the master plan that would somehow destroy the richness of the pedestrian environment and amenity packages.

COMMISSIONER CUNNINGHAM stated if the project was approved as it is with the mid-rise, and then there is contact with fortune 500 company and they wish to reduce the height. Would they bring that back to staff for an exception and could that be possible?

MR. EARL responded that is there problem. Because they are going to have to live by the approval that is going to be given to them and Mr. Mayo mentioned that a bar will be set for the richness of the environment. So if someone would come in and ask them instead of a three-story building they would like a two-story building. They would have to wait essentially six months to go through the process. Allred has been very successful at in the marketplace, is anticipating the current high value tenants and anticipating their needs and building the building before so they

are ready to move in. He stated at the very least they want to have the entitlements done, so it would be building to building to suite. However, the notion of going back to an entire process to get another floor or reduce a floor would be problematic and believes they would lose the tenant.

MR. MAYO stated it would be a judgment call with each situation and ultimately, what will get approved from Council will be the measuring stick in which they would have to implement.

COMMISSIONER FOLEY asked Mr. Mayo, the current master plan they looked at, how many of those buildings are already two-story building?

MR. MAYO referred to page 31 and stated everything eastside of Price Rd. with the exception of the service retail building at the immediate corner is two-story, then it's three, and believes the conference center is six to eight story.

COMMISSIONER FOLEY asked if Mr. Mayo could point out which building would have the minimum height requirement. Will it be the four that are fronting on Price Rd. on the eastside?

MR. MAYO stated it would be the three larger buildings per the stipulation. Not including the retail building at the corner.

COMMISSIONER FOLEY stated it feels like it is a real deviation from what they are looking at the in the package and if the package is suppose establish a theme, he feels like it is destroying it.

CHAIRMAN PRIDEMORE stated he thinks the project and the bar that is being set is nebulous in certain ways but he thinks there is enough of information. He thinks for him, there is a comfort level based on the developers past experience on the same corridor. He has seen many projects come for the same piece of dirt and it is still dirt. He would love to see all of the ones put before them but unfortunately, they are still there. He stated he would take the hub no matter what height the buildings are along Price. He believes the architecture looks great wants to see it and would hate to lose it. He commented if stipulation No. 3 should go away or handcuffing the developer with that stipulation. He agrees that it would be a precedent for other developments that come through. However, he would rather give them the flexibility to go out instead of going up. They would not lose anything in his opinion and is in favor with the proposal and in favor of removing stipulation 3.

COMMISSIONER DONALDSON stated he sees the Price Rd. corridor as an opportunity for density and for employment. However, when he noticed the mid-rise mandate in the stipulation, he thought about it while listening to the developer who is doing a great job on the corridor. He stated he has pretty good confidence that they would continue to do a great job. He struggles with saying mid-rise but then he like the idea of density.

COMMISSIONER CUNNINGHAM stated she looked at the development; it appears to her that on the west side of Price, it appears they have designed taller buildings. On the eastern side, there is diagonal where the site range neighborhood is not as direct. She stated it appears to be an 8th of a mile jog east of Price. So if everything is left mid-rise, the site of the mountains will be moved and lessened for the people who live along Ellis. By requiring the mid-rise on the west side, she thinks it makes sense. However, she does not understand making it on the eastside

when the eastside of Price is much closer to the neighborhood. She would ask that if the stipulation is not removed that it should be amended to require the mid-rise on the left side.

COMMISSIONER FOLEY stated in having some experience in office development in Phoenix, he thinks they need to give the developer the flexibility to do two-story buildings. If not, he thinks it is going to take quite a long time to get this built out. He stated he is in favor of removing the stipulation.

CHAIRMAN PRIDEMORE asked the city assistant attorney if he could make a motion.

GLENN BROCKMAN stated if no one else is going to make a motion, he certainly may.

CHAIRMAN PRIDEMORE before making a motion he would like to turn it to staff regarding Ms. Cunningham's comment.

MR. MAYO stated based on the exhibits and as indicated in many ways, it sets the bar and the floor and the mid-rise overlay sets the ceiling. Based on the exhibit on page 31, it did set the floor with a minimum three-story on the west and two-stories on the east. They were preparing a stipulation to clarify that it is the minimum. If the stipulation is removed, he would need to clarify then that the commission's preference is the two-story to ten carries throughout the entire development just so that it is clear for both the applicant and future brokers and also for council and staff. It could be split or neither, it is really up to commission how they want to work that stipulation.

MOVED BY CHAIRMAN PRIDEMORE seconded by **COMMISSIONER ROSE** to approve Item A with the removal of Stipulation No. 3 of PDP as read in by Staff. The item passed 5-0

CHAIRMAN PRIDEMORE stated Planning Commission is only a recommending body and all the items will still go on to City Council. Item A will go to council on May 26th.

B. DVR16-0003 ALTA SAN MARCOS

Approved.
Request rezoning from Planned Area Development (PAD) Golf Course to PAD (Multi-Family Residential) including a Mid-Rise Overlay for buildings up to 55 feet in height with Preliminary Development Plan (PDP) approval for site layout and building architecture. The approximately 5.4-acre site is located at the southwest corner of Chandler Boulevard and Dakota Street, west of Arizona Avenue.

Rezoning

3. Development shall be in substantial conformance with the Development Booklet, entitled "ALTA SAN MARCOS" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0003, 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.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
6. 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.
7. 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.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. Building heights shall be limited to a maximum of fifty-five (55) feet in height.
10. 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 Plans

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALTA SAN MARCOS" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0003, 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. The site shall be maintained in a clean and orderly manner.
6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
7. 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.

MR. ERIK SWANSON, SENIOR CITY PLANNER stated on the record so there is no confusion; he is filling in for Jodie Novak as she is out sick. The request is for Item B for a rezoning from PAD for golf course to PAD for multi-family residential and includes mid-rise overlay for building heights up to 55ft, along with a PDP approval for layout and building architecture and lastly a preliminary plat approval. Surrounding the site is Chandler Blvd. and to the east is Dakota and north of Chandler Blvd. is the single-family subdivision. A number of homes that front Chandler have been either converted to business or have gone through the residential conversion policy through a use permit process. To the eastside there are the San Marcos Commons Condominiums and he believes there is vacant land just north of that and currently owned by chandler site 3. The golf course is south and west is the Focus Cooperate Plaza office condominiums development. The site is approximately 5.5 acres and what is being proposed is a total of 273 luxury apartments which there is a rough density of 16.5 units per acre; Something that they haven't quite seen before. As they look at those new types and out of the ordinary development as conformance to the GP. He stated in this particular case the GP designates the site for residential but it further outlines with a couple of development policies. One, being the south Arizona Ave. corridor policy and also the Chandler redevelopment plan. The high capacity transit corridor is also included.

He explained for those three plans, the site just outside of the specific boundary. For those plans are necessary and look at the buffer area around it. In both of those plans, high density is considerable. There is also the high capacity transit corridor that is really three streets that fall into that plan which are Arizona Ave., Chandler Blvd. and Rural Rd. With that high capacity transit corridor, the idea behind that is they want to see high density along those corridors or have the option to place those. The site meets all the requirements and the density calculation is considerable for the area. If you look at the site design, they are approaching more of an urban design standpoint. The unit location rather than being pulled into the site which is typical with apartment; it is pushed out to the street frontage. So it is a really an urban dense form that one feels right out on the street of Chandler Blvd. He stated there are a couple of things that represent that street scene along one of the major corridors, but also hides a lot of the parking lot which are not very attractive usually. There is going to be some redesign with the front along Chandler Blvd. with the inclusion of a wider sidewalk to make it safer for those resident and pedestrians.

In addition, there is a total four buildings, a building along the southern end which is adjacent to the golf course and another one centered to the site. South of that and adjacent to the golf course is where the amenity center is. It has pools, courts, bbq's, bean bag toss, a dog park and cabanas. It really is an amenity package for that type of development. He stated the primary access would be provided off Chandler Blvd. and is a gated community. There is egress at Dakota St. which is on the east-end and there is an emergency exit on the west end that will lead into the Corporal plaza park. The Transpiration Dep. has looked at it and comfortable with the current design of it and with those access point. A total of 273 units are provided, broken down to 184 studios and one-bedroom units, 83 two-bedroom units and six penthouse units. The penthouse units are what are triggering the midrise. The main masking of the development is going to be a standard studio one and two-bedrooms unite below the 45ft. it is the penthouse suites that push it up above and create the mid-rise. They always take parking into consideration and code would require 432 parking stalls and what is being provided are 392 stall. It gives 1.43 parking stalls per unit which accommodates guest. He stated it is very similar from an allocation standpoint to what has been approved already in the downtown with the other office Steel Yard plan and well as the undeveloped DC Heights. They are willing to deviate from 432 stalls with the idea that a lot of

residents are going to be utilizing some of the downtown services. So having the additional parking is not necessary due to more pedestrian activity. Overall, staff is in support.

He refers to the site plan and development booklet and states the project calls out for 85 tandem spaces, however, on pg. 9, there is a detailed site plan and how the tandem plan works. There's additional space when you look at all the garages that is not very clear on the regular site plan but it is shown clear on pg. 9. The building overhang comes out, so they'll have the garage to pull into and the tandem stall will be below that. He stated they have insured that the minimum drive isle is still provided, which is still 24ft. and they are providing 26ft. Overall, it is a little different from what they are used to seeing from a development standpoint in an apartment complex but in the downtown area it meet the requirements. He stated he passed out a perspective of the architecture and addresses the entry along Chandler Blvd. The idea is showing up the breaking up of the massing of the brown stones. The architecture design is more east coast brown stone style. He stated one of the things they can get hung up on is how are they going to take the brown stone approach, break up the massing to make it so it is not just one big building of all the same. The development team has done a really good job in breaking that up through color usage and also applying the stucco and including stone veneer to help it. The building all has some pop outs that are not related all over the place that are the same to break up some of the area along the building frontage. Overall, they are excited about it and he noted they appreciate the approach that they took and it is unique and new to chandler and they support it because it meets the requirements to give the additional building height as well as density. There were two neighborhood meetings due to a mid-rise requirement. Roughly, ten to twelve neighbors attended both meetings. There were some support and also heard a lot of concern. In the memo, there are petitions attached that were signed. A lot of those concerns were from property owners to the north as well as the Corporate Plaza to the east and owners to the west. From a design standpoint, the neighborhood to the north had concerns with the overall building height and the appropriateness to the area. Comments that staff has receives is that the project is nice and attractive but it does not quite fit the location and more appropriate along Arizona Ave. There are concerns from the history standpoint with eliminating the golf course views and development. With it being the first golf course in Arizona and there is historic value to it and it should not go away. There are concerns regarding visibility and the overall massing of the building being right out on the street frontage and being 55ft. tall. Lastly, there is a concern with traffic. There is only one primary entrance on Chandler Blvd. Although it is going to be located where it's full access and aligned with Dakota St. What does it do to allow circulation outside of that neighborhood because it is forcing all entrances at that one location? Those are the concerns, but they also heard a lot of neighbors that were in support of it. Planning staff recommends approval and he asked the dais if they had any questions.

CHAIRMAN PRIDEMORE thanked Mr. Swanson, and asked staff how tall is Alta Steel Yard?

MR. MAYO stated he does not think they did a mid-rise overlay for it. He guesses about 45ft. and there were few pieces of mechanical penthouse that took it up to the 45ft. cap.

COMMISSIONER DONALDSON asked Erik if any of the homes that are directly north on Chandler Blvd. still considered residential or are they all use permit for business.

MR. SWANSON stated a number of them have either gone through the conversion process, some have converted back and believes the majority are businesses but there are still a couple that are residents.

COMMISSIONER DONALDSON commented that the history comment Mr. Swanson made triggered his question.

COMMISSIONER CUNNINGHAM asked Mr. Swanson if he could cite for her how many parking spaces they won't be getting because recently trying to find a parking space in downtown Chandler is impossible even on a week night.

MR. SWANSON responded from a standpoint of parking in the downtown, everyone is aware that as Chandler is becoming more involved in redevelopment and making downtown more vibrant, parking is an issue. They are looking at incorporating some parking garages with future development. The site requires 432 spaces per code and what is being provided is 392 spaces, so roughly 40 stalls that will be short but with the idea that there is going to be a lot of pedestrian movement because of its proximity, or at least that is the hope behind it.

MR. MAYO stated it is important to acknowledge that the parking code in the majority of the zoning code was developed at a time when 5 units per acre was not contemplated. The number will be based on more of the suburban multi-family model and not an urban multi-family model. Thankfully, through a PAD they can work with the applicants to what does it need, not what a suburban code says it has to have. It is always in their best interest to provide enough parking because it becomes a struggle to lease if people can't park.

CHAIRMAN PRIDEMORE turned it over to the applicant.

NICK WOOD, 1 ARIZONA CENTER stated Wood Partners is the fourth largest developer of multi-family units in the country. They specialize in urban product; high end luxury urban product and every one of their projects look different from another one. There are many multi-family developers and has represented some in the past who have the same design and can always tell which project it is. Wood Partners like to design based on site, area and location. He stated he has been a zoning lawyer for the east valley for 30 years and since 2007, 99% of the work he has done has been infill and infill is unique because you look at the context of the site in relationship to the immediate surroundings of the site. And when there is infill in downtown, particularly in Chandler the fourth largest city of the state, it is more unique. The reason is because there is already a vision that has been established by the city. It is represented in the GP. Planning Commission, City Council, Staff, the members of the downtown businesses community and residents from down spent years looking at the GP and how they want the a dynamic downtown to unfold. However, in order for downtown to be sustainable and dynamic there has to be a critical mass of people living there. He stated that Ms. Cunningham mentioned parking and to respond to that, his wife grew up in Chandler and is a Chandler High Graduate and they both live almost ten minutes from downtown. They both love to eat at Vintage 95 and other places and it is awful trying to find parking spaces. The nice thing about having people living in downtown, they don't have to drive they walk there. He explained it is going on in downtown Tempe, downtown Phoenix, downtown Gilbert and others. He stated it is their job as the developer to embrace that vision and more importantly, to enhance it. So every time they go in a downtown with a project, they spend a significant amount of time working with staff, Council,

Planning Commission and stakeholders to make sure that the vision is incorporated into their project.

He stated that two years ago they came through Planning Commission with Alta Steel Yard and it was a very nice project and vision for that area. When they visited with staff and Council they were made to understand what that vision was. Since it was very close to City Hall, they needed a very luxury product and an edgy design. Something that was modern and appealing that would draw people to downtown. They were looking for people that were highly compensated and professional because they are the ones the go out on weekdays and weekends and patronize the bars, restaurants and all other retailers downtown. There was a lot of skepticism whether or not that project would ever be built because it would cost millions of dollars to design it. Not only did the Wood Partners do what they promised to do, but they built it in a very short period of time and has been a tremendous success. It has also been a success for the City of Chandler. They should be receiving their certificate of occupancy within the next four months and they started out leasing the buildings that were completed and the average income for the residents in the building is $85,000 a year. A high percentage of them are young single professionals and already beginning to spend money in downtown Chandler, so it has been a great success. There was a lot of opposition from the neighbors since it is against existing single-family homes. Their concern was the value of their properties as well as traffic. Not only has it been successful for the client but the value of the properties around it and the intensification has beginning to happen to the communities to the south. There are a lot of positives and he understands when a new project comes in an existing neighborhood, there will be a lot of fear and concerns and respects that.

When the new project started six month goes, they did the same exercise. They met with staff, Mayor and Council and others to determine the vision for that site in downtown. He mentioned that Wood Partner do what they promise to do and in his opinion Alta Steel Yard is the finest multi-family project in Chandler and thinks it is the highest quality and investment. So when they met with everyone in Chandler to talk about the vision, they mentioned that they did great job on Alta Steel Yard, now can they make Alta San Marcos better and also if they can create the first luxury downtown resort multi-family project. There are very few downtowns that have the assets of having a resort and golf course right in the middle of it. In respect to the design, Chandler wanted them to take advantage of the golf course. As it gets designed there are some challenges because the site is not a nice rectangular or square rather than some challenging geometry to it. They also said they didn't want the project to turn its back to Chandler Blvd. A decision was made a time ago to extend Dakota St. the eastern boundary of the site and goes from Chandler Blvd. south and stops at the resort. He refers to the exhibit and explained the idea is by not turning their back on Chandler Blvd. is by activating the street respect to the design and residents can walk out on the street to downtown.

Another thing in respect to architecture, they wanted something different, memorable and something that will catch people's attention. There are different kinds of architecture that is not memorable and there's also the kind that creates dialog whether it's liked, dislike it or in between and it creates that interest level. It creates that memorable component and they want people to remember downtown Chandler. He referred to an exhibit and explained that the Economic Development Dept. circulated something to give out to investors, developers and anybody else in downtown that shows the future multi-family site, Alta Steel Yard and the transportation corridors. He displayed the site and landscape plan and stated the architect did a great job of trying to utilize all of the elements that is part of the vision in the discussion with city staff. He also showed exhibit of the high amenities areas in the center and view fencing that is not cheap

however, very expensive and high-end fencing. The pool has different elements for different uses and also activities such as dog-park. There is no connection to the golf course, there's a bocce court, bean bag toss and ping pong. There is a very large activity area so the residents can take advantage of the resort. He showed the entry way and believes they did pretty well with, it is very large and wide, not because the volume of traffic that is being generated because there is only a 273 dwelling units. Alta Steel Yard is 303 dwelling units so 273 is not going to generate that much traffic but what they didn't want to do as mentioned earlier is create buildings that are long and huge and overpowering on the street. To break it up, they created a very wide entry feature basically four lanes of traffic, even though there is not much traffic. In fact, they it produced so little traffic that they did not have to produce traffic impact analysis which is typical. All they have done is a traffic study review done but not a full traffic impact analysis. Traffic will enter off of Chandler Blvd, which is six lanes with the seventh middle lane and either sides of the entries are E's meaning gates so it is secured. If you're a guest you'll pull up into the guest parking where the club house is and if you're a tenant, there is a key fob and you can enter through either side of the gates. On the far eastern end there is also a secured gate that people will go onto Dakota St. and on the far west side there is an emergency gate that had to be worked out with the office condos. It is designed to look very well and corporate the vision of the City.

In respect to landscape, he stated they were told not to turn their backs to Chandler Blvd. The reason why Andy Baron is not here is the landscape architect and could not participate in the process. But what he did, is follow the direction and vision of respect to Chandler Blvd. He referred to the exhibit and showed the extensive of landscaping along Chandler Blvd. behind the sidewalk. He also explained how the building articulates and stated one of the worst things you can have is a flat building, no matter what length it is. There should be visual changes in the depth and the angles so it creates interest rather than boredom. Particularly, for people who drive by it every day and for people who live across the street from it. He explained that Wood Partners never cuts corners and he mentioned that you can see that at the Alta Steel Yard. The issue of the townhome use is that a couple of people have said this is Arizona not Brooklyn, New Jersey or Manhattan. So they spoke with the architect and he said it is not something that supposed to be like the ones in Brooklyn or Manhattan, it's the type of design that is all over the world. He showed an exhibit that displayed some examples from Germany, Netherlands, and Shanghai to all the way to Brooklyn. He stated the idea is to create that visual interest and also be conservative and be unique; rather than, something that is the same and with its back on Chandler Blvd. He stated his office is in the Arizona Center and it is designed by turning its back on 3rd St. They created an element with a lot of different components along Chandler Blvd. such as the railing are different and every one of the balcony designs are different. The stoops that go off of the street into the central corridors so people who live in the building are given opportunities to go down and elevator, change buildings and use the stoop off on Chandler Blvd.

He explains that all the first floor units have doors that exit out onto to the street and they all have a patio area. He reiterates that it creates opportunities, activation on the street and it complements the neighborhood that is across the street. He mentioned the exhibit is the view from the golf course and he displays another exhibit that illustrates the variations of heights, depths and all the other elements. He explains the reason why they have the mid-rise request is because there are six penthouses and the idea is that you put the penthouse up and let them have a little better view of the golf course itself. Those are the only tall elements; the rest of the building are 44ft high and lower. He stated they were asked to do some additional changes to the façade; one suggestion was with respect to the parapets, rather than having a straight line, maybe raise them or lower them to create a difference in the actual façade of the building. They raised

the parapets at the balcony overhangs throughout the building, along Chandler Blvd. and elsewhere. He stated to add some interest elements. They added window pattern changes in the middle; where each one of the windows instead of having rectangular box windows, now have metal pieces in there to create a visual change. However, in respect to the cornices, they were asked why do they have the same design of cornices, so what they incorporated were balustrades to create that visual interest and something special. He displayed an exhibit and he stated the purpose of the exhibit is to show the architecture by standing across the street catty corner from the site. There is a very wide entry way, which allows them to view through and in between the buildings. He referred to the exhibit to show the different make up and break up and the balustrades on the top of the penthouse. He stated although Alta Steel Yard is the finest multi-family project in Chandler, the requested one will be above that as well.

He mentioned for those that know him, they know he spends a lot of time with outreach. He explained he does not want to go to a hearing and have people saying they've never talked to anybody from his team or never got a chance to ask question, etc. They did have the two requisite meetings for public interest and met with several people. They had a separate meeting for the folks at the San Marcos County Club Estates. It is a gated community so they couldn't knock on those doors; however, they were invited to meet with them about 20 of them went. With the exception of one person they have support and thought it was great. They also did presentations to the Chamber of Commerce and presentation to the downtown Chandler partnership and to the downtown merchants. They also went door to door. He stated that Commissioner Donaldson asked a how many of them are business and residential. They put together a slide that shows them. Of the six that are across the street, five of them have been converted to businesses. The one that has not says private residence; and it is interesting because it is locked up, there are no covers and they were told by the people in neighborhood, that people never goes there so they do not know if it's a second home or what. However, they tried numerous times to knock on their door. Will all the neighborhood outreach they did. In the packet there are 117 individual letters of support. He stated they do not do petitions and the reason for that is because there are 20 lines on them and people scribble on them and you wouldn't know the difference if there was a signature from a person at a stop sign. They are individual letters of folks who either live at their home that are listed as well as their contact information. They do that show the level of support and the number of people that support it. He stated that he had been doing this for a long time and no matter how big the project there will always be people that will be unhappy with it and what he does is meet with the group or meet with them one on one; for example, Mr. Michaels is present and he has been in his office and owns one of the unit on the northwest corner of the site. He spent two days at separate times in his conference room in that building. He advised him that his participation in the process is important, where he loves it or hates it. He wants him to participate and send information of the reasons why because in the results of his participation if it's ultimately approved it will make it a better project. He stated everyone has their own ideas of how things should be and he understands. He also understands the concerns people have when something new comes into the area.

For the longest time, it was an empty space. There were trees planted there that were salt cedars and heard a couple of people say that they tour their trees down. He stated the reason why they were cut down was because they are in invasive plant and they grow like weeds. He also heard that people said they will no longer have the golf course view and the concern that it will generate too much traffic. He tried to sit down with them and share that there will only be 273 units and on Chandler Blvd. and the impact to Chandler Blvd. is nominal. The Fairway

Apartments are 252 units and have been there for a long time. He respects their concerns and thinks they are very nice people. He tried very hard to listen to them and respond to their request and create something that will raise their property values. He thinks it is a very special project and thinks it deserves a lot of attention and explanation as to how the project got that far and the way it turned out the way it looks. He stated they have spent hours with the Planning and Development Staff, Fire and Street staff and they were wonderful people to work with.

COMMISSIONER ROSE stated the applicant stated that Dakota St. will get extended south, and asked staff and Mr. Wood if that is just a plan they are looking at or if that is going to happen for sure.

MR. MAYO stated that the concept of extending Dakota south was born with DC Heights the multi-family development south of the resort. It is underway and the city has been moving forward and it will be extended.

MR. WOOD stated that Commissioner Cunningham asked about parking and explained to her that Wood Partners has extensive experience in building product because that is all they do. However, one of the things they would never do is build a project that is millions of dollars and not have enough parking for the residents. It would be a disaster. What they do is design based on experience with demographics. They also have that experience with the folks that are living at Alta Steel Yard, for example, most of them are single people with no cars. They are comfortable that they have more than enough parking for visitors and residents.

CHAIRMAN PRIDEMORE asked Mr. Wood if there was any consideration into stepping down the building along Chandler Blvd. He stated does not have an issue with the height and thinks it is appropriate but asked if they considered in stepping down the project.

MR. WOOD stated the question had been asked by others as well. The respond was and honest one, because the site is so weirdly shaped they are down to 273 units as it is and to take out a floor along Chandler Blvd. it would not make an economic sense and couldn't happen.

CHAIRMAN PRIDEMORE had a speaker card for Mr. Borns.

FRED BORNS, 6 S. STELLAR PARKWAY thanked Commission for allowing him to speak again. He thanked Mr. Wood and Mr. Shuartz for their grace and outreach to them and the community. He went to one of the events at Steel Yard and they were very nice and very well attended. Their presentation was very professional and certainly reveals the things that someone like him would be interested in knowing. He has piece of property, which is location #6 in the exhibit that faces Chandler Blvd. Both he and his wife spend two years developing the property and integrations with Planning and Development. He stated they have a product that they are very proud of and quite different from what is being proposed. He mentioned his enthusiasm with Alta San Marcos project is low and he will explain a few reason why. He believes that the 273 units and 180 being studio apartments are a little too much on a 5.4 acres and that comes out to a total of 50 units. He read on some other cities and it is three times the threshold for urban high density living so it seems like a little bit of a stretch even relating back to the city zoned visions. He also has traffic concerns, one of the concerns the applicant already stated, Chandler Blvd. is a busy St. He mentioned that Mr. Erik Swanson might have made a mistake by stating the main entry was opposite of Dakota St. However, it is not. It is opposite Nebraska St. which happens to be on the north side of his property. He stated that everyone knows that Nebraska St.

is one of the main streets to Chandler High School during the school year. For some reason the high school bought a piece of property from him east of his and put in ball fields and a nice parking lot but that is not really open to the students to use so a lot of the student park along the street on Nebraska because it is the closest to the school. So he stated he has an issue along Chandler Blvd. As far as the parking for the 273 luxury units, not interpreting that each unit was going to be a luxury unit; however often there is two cars per unit. So 270 x 2 equals 540 and the city just mentioned their criteria would set it at 430 and it is going to roll back to 392 because of the experience based on what Mr. Wood cited. He respects all that and does not know much other than trying to drive down Chandler Blvd. and dealing with vehicles parked in front of his property. He is also glad to hear there will be room for visitors for the gated project. The final item that concerns him would be the architectural design. He mentioned the applicant cited it is a classic brown stone and he agrees that it is classy. He also mentioned the applicant displayed examples around world where it is prominent and he has seen some of that style in the Bronx and Cleveland. It looked really nice when it was fresh and people moved there back in the 20's and the 30's; however, he is not sure if that is what you would find today in Tempe along University Ave. which is similar and would be considered fresh and exciting.

A four stories and 55ft. for him is incongruous, he mentioned it might be good on the southeast side of the downtown. However, it is going to be right up to Chandler Blvd. and what used to be a golf course which is expendable is now going to be a canyon affect. It might be attractive to somebody however if anyone ever stood on Chandler Blvd. for more than a half hour or any week day, you would discover how annoying, 27,500 cars a day actually pass. He stated he knows it is not the busiest street in Chandler; down by the Fashion mall there is more traffic. Another thing you would find; is about six stop light. It is incomprehensive how people are going to get in and out of the complex off Chandler Blvd. without someday requiring a stop light. He stated thankfully there is another access onto Dakota, it is a very narrow access but by judging by the view he saw there is really no room for more than car. He thinks the city might of considered the property as part of a an expansion, called the Adaptive Reuse Overlay (AROD). He is a confused how that policy which is in draft form since September of 2015, and how it is represented properly as being under the AROD. He referred back to the GP that was written in 2008 for build out and beyond. It is intended to guide developments throughout the city and in particular in the downtown area. The current Chandler zoning map does indeed show the Alta San Marcos site as being Plan Area Development (PAD). He stated he looked at it on the website last Sunday and it did not show PAD, however, today it evident on the city website. It appears to be a precedent set by the Planning and Zoning memo 00-117 in the year 2000 and thinks there is a seminal piece to the AROD. He stated the document was intended to envelope the downtown area, since there are buildings that were built in the 20's and 30's and have an appearance like the project proposed with no setbacks from the street except for the sidewalk and there's nothing on the side neither on the back. That particular Planning memo 00-117 does restrict the height to 45ft.

He mentioned the building has areas that are down to 45ft. fronting Chandler Blvd. and is a change that he was not aware of. On page 32 of the 2008 GP, states that the plan recommends that they mitigate land use impacts on existing residential neighborhoods and the applicant was really careful to point out that five out of the six buildings that are directly across the street from the proposed site had been converted through residential conversion. One of the homes, which is his is now commercial office space. However, when he went through the conversion process two years ago, it was reinforced to him over and over that it was a residential conversion. He stated he is going to adhere to the motion that even though five of those six properties are residential

conversions and can still be converted by to residences. On page 35 of the GP shows that a map is downtown and he thinks the map does not overlay the property. The western extend of the map today is Dakota St. On page 45 of the plan cites that Chandler Blvd. is a high capacity transit corridor and as of last year 2015, it is 27.5 thousand vehicles per day. Page 48 of the GP states a buffer should be established between residential areas and potential growth areas. On page 49 it states "with respects to revitalization infill, the Planning visions affordability is specially need for low and modern income populations". He stated it is a direct quote "families in crises and unskilled workers". He asked if that was the target demographics for that type of development for Alta San Marcos. He also cited on page 51 "coordinate growth area project scale with existing infrastructure, future improvements especially public transit maybe considered special attributes, however, overbuilding should not be allowed far in advance of transportation system infrastructure" he also stated it specially shows a reference casual to light rail. He knows that the city has does a lot of work with the transportation group and they do have express busses that travel east and west and north and south and that area is really rich with bus travel. However, in his view, it is just a part of what is everywhere. There are still 27.5 thousand cars a day, regardless where the busses are coming from.

He mentioned Joni Mitchell one wrote, "They pay for paradise and put a parking lot" and that is his sentiment about it. On the vacant space that they referred to is where he and his wife married in 1991. He stated he is not so naïve as to imagine that the 100 year old golf course across the street from the property is some sort of a grandfathered entitlement and it's knows it. However, believes that the owners of the nearby residential property have the right to request that Chandler restrict the type of residential organization that might occur on the site. He mentioned it is not the same as the Alta Steel Yard no matter what anyone has heard. The 273 units on 5-acre is almost three times the threshold which is 18 units per acre in high density that the city once recommended. In consort with the motion that it is going to happen one way or the other, whether it's today or five years from now. He thinks that the apartment that has come in should follow the design of other accepted potentially cookie cutter precedence that is found in the area. He referenced one, the Mark Taylor residential at San Cervantes, 400 N. Coronado is a very attractive and not quite as intensified and fits in well with the older neighborhoods in north Chandler. He also thinks that the building heights should be restricted well below 45ft and more in line with the height level as the Fair Way complex. He thinks access to the complex should be restricted to Dakota St. and no access except for maybe emergency unto Chandler Blvd for the reasons cited earlier. He is very enthusiastic to see an apartment in arrangement to the site. He stated people need to think more about the density, traffic and the architecture.

CHAIRMAN PRIDEMORE asked if anyone had a question for the speaker, there were none.

CHAIRMAN PRIDEMORE stated he had a speaker card for Paul Arch that did not wish to speak however, wanted his speaker card read into the record stating He is opposed to any construction on the lot, but would like any construction limited to two stories.

CHAIRMAN PRIDEMORE stated he had a speaker card for Kevin Michaels.

KEVIN MICHAELS, 200 N. NEBRASKA ST stated he lives across from the massive project proposed. He thanks Chairman and Commissioners for the opportunity to address his concerns. He stated the main access point as pointed out by Fred and Erik is directly across from Nebraska St. and his property. His biggest issue is traffic; there have been many accidents at the intersection over the past 8 years that he has owned the property. So adding 273 units are only

going to complicate that issue. He has a median to the left, there is just no easy way to enter and exit Nebraska St. for the High school students, the homeowners in that area and any of the businesses and his clients that visit him. He always warns everybody as dangerous as it is now. There is going to be quite more traffic. The issues are; one, the volume of the east and westbound traffic is 27 thousand cars a day. He stated turning south on the eastbound, you must watch your rear-end because it is dangerous. The jog doesn't come into play where it restricts the line of site. If you are pulling out of Nebraska, look left and the north lanes are not visible and you do not know the traffic that is coming at 40mph driving west bound and 45mph driving eastbound. It makes it difficult to determine if you can pullout and there is no center lane to pull onto. On the left there is a medium and it's proposed to put a turn lane in there. That turn lane is going to complicate the situation. Right now they wait for traffic to release from Alma School and Chandler Blvd. 30 to 50 cars during peak hours and wait for the traffic to clear. Then you hope there are not any problems eastbound and wait for that traffic to clear. However, if they put a turn lane there it is only going to complicate the situation. He will have to wait for 2 or 3 in the queue to clear and have traffic going against him from the east that will be released from the stop light on Alma School and Chandler Blvd. He does not know how they are going to get around it, by having the main access point directly across from Nebraska. That is not what anybody anticipated when purchasing the land there.

He mentioned the number of units and cars, if there is 368 beds between the studios, the two and three bedroom. There will be a car per bed. The majority will not be single units. There is the mom and dad and kids, there will be two cars. There will be 368 cars give or take coming and going during peak hours. His other point is the monstrosity of being 45 -55ft. tall. He is 100ft. from it and he when takes walks out on the street for two blocks there will be a big wall. He mentioned he did not want to lose the view of the golf course. He stated he enjoyed the salt trees and the golf course and played the golf course today. He explained that is the one history gem that the city has so if it's closed no one will know it's there. He is opposed to it, however, thinks it's a great project but doesn't think it's the right location. It could be in different location but with the height restrictions and the issues. He thinks an office complex or even multi-family units. He appreciated everyone's time.

CHAIRMAN PRIDEMORE asked the audience if anyone else would like to speak. There was one.

ERIK FUENTES, 415 W. TOLEDO ST. stated he is directly behind property no. 4 and has a house that was built in 1950 rather than 1946. He owns several properties in the Chandler area and has lived in Chandler for 34 years. He would like to make a couple of statements beforehand with all due respect the developer is someone that is there to make money and that is what they do. An apartment complex is a transitory residence for people that come and go and are not permanent residents. The neighborhood directly across the street is the Park Meadows. The last time he checked, it is designated a historic neighborhood. A development that is modern and good looking is really in congress. If one looks at the entire corridor from Arizona Ave. all the way to Alma school Rd., you don't see anything beyond two-stories. Most of the two-stories are recessed from Chandler Blvd. with nice trees and kind of attractive. So from that standpoint, he is very much opposed to the project in terms of the height. He looks at it directly and stated if there will be a four-story penthouse, they will be looking directly into his backyard and he does not want to lose his privacy. That is exactly what will happen. It is an n old neighborhood and most people have lived there for at least 15 or 20 years. He stated he travels quite a bit and all of them with the exception of one are minority owners. They work long hours that they don't have

time to go to the meetings or have the ability to direct Commission that they are not very happy with the project. He thinks it would be an adversely effect on a historic neighborhood. He is concerned with the traffic and can see an increase of traffic of 300 or 400 hundred cars additionally. He has been rebuilding his home for over a year now and spent a lot of money into it and he does not want to stare at an apartment complex across the street. It is out of character for the neighborhood. He found out about this when he was overseas and came back to find the trees gone. Those trees have been there longer than anyone in the room. They were planted in the 1900's and maybe they were vicious species but they still look nice and had been there for a long time and added to the area. He thanked everyone for listening to him and wanted to point out that his neighbors who he managed to speak with are not very happy about it but the fact that they are all minority and feel pressed upon that maybe it was not fully explained with the exception of two people that got spoken to. He urges for Commission to reconsider this.

CHAIRMAN PRIDEMORE turned it over to Mr. Wood to respond.

MR. WOOD stated his father would give him and his sister guiding principles, and one of them was one constant in every changing role there is change. For example, the conversions of all of the single-family home residences are businesses as a result of change in the downtown area. Chandler Blvd. was a small 3 lane road and across the street was a golf course and his wife reminded her that her father was the bank president at First American Bank in downtown. As time changed, there is more people that have moved into the area, more development occurred downtown and enjoy its resurrection. Chandler Blvd. went from 2 lanes to 4 lanes now it's six lanes so the traffic volume changed. It is designed to carry 42k cars a day, which is the capacity. The point is when the use of the property changed is because the change that was going on downtown Chandler along with everybody. In order for downtown Chandler to survive the vision of the city is a high-end, high quality and luxury apartment buildings. Mike Taylor do two-story product but are on 20-acres and they can afford to do that because of all the land. They are stuck with a 5-acre site and it's intended to be multi-family. In speaking with one of the neighbors, they asked why it could not be office like the one that is next door. The traffic engineer did an analysis of a two-story office building. Office generates 2 out of three times more traffic especially around rush hour because that is when people come and go to work. Even if it's two bedrooms, people would like to have an office or an extra room for other things. He stated with respect to the density but who cares how many people are there. The question should be, is the density going to drive more traffic volume.

He also mentioned he is not a traffic engineer and that is why he turns to the city's traffic engineer and their own engineer. He is very forthcoming with people; whether it is good or bad it doesn't matter. In speaking to traffic folk, he said they need to go and count the cars. They know that there is the Fairway project, half a mile to the west and should know how much traffic that goes in and out of Nebraska and they know how much traffic 273 units compared to the 352 units at Fairways apartments. If you put it together, it reflects the traffic counts by the traffic engineer during the week, that take all the cars into account whether it's high school, people going to work, etc. and they peak time numbers. He displayed an exhibit reflecting the numbers. Number one, reflected Evergreen and Chandler Blvd site and that is where the main entrance is for the Fairway 352 unit apartment complex. Number five, illustrates the Nebraska St. main driveway in Chandler which is across from the project. They took into account not only the existing cars that go in and out of the neighborhoods to the north, but also the traffic generation as anticipated based upon the proposed project number of units. And the fact there is an exit out on Dakota and the other exit on Chandler Blvd. He illustrated traffic number during peak time

hours. For the westbound traffic, there are 1,618 cars going west on Chandler Blvd. and in the evening because of the status of direction, it goes down to 1,020 cars. He stated that the number of cars going in and out of Evergreen is much greater. There are 58 cars that turn left in the morning and 21 cars that turn right; in the evening the numbers decrease. For their project, the cars that go into Nebraska, turning off of Chandler Blvd is 50 cars in the morning and 39 cars at night. Cars going out of the proposed project and turning left are 29 cars in the morning and 22 in the evening. Turning right, there's 16 cars and in the evening 15 cars. He mentioned there will not be a lot of traffic generated from their entrance. The information was provided by traffic engineers and City engineers. He stated that traffic would not create a problem for anybody but he does understand the concerns.

He stated as far as density and building height, it is downtown. When someone owns property in a downtown or across the street from downtown, there will be density, traffic and building height. His job as developers is to minimize and mitigate that as much as they can, however, it is going to happen and mentioned the proposed site is not going to accommodate anything less than four-stories. He stated it is a great project and they are very proud of it and thanked everyone for their time.

CHAIRMAN PRIDEMORE asked the audience if anyone had any question for the speaker. There were none. He turned to the dais.

CHAIRMAN PRIDEMORE stated when he first saw the project he was not a fan and thinks it is ugly. He stated he did not want to offend anybody especially the architect; however, he doesn't get it. He does not agree in the direction that it is going in, even in looking at what is in their packet and what the inspiration was; he believes it was missing a mark. He appreciated some of the imagery that Mr. Wood showed from around the world, but he thinks they started off on the wrong foot and what they are going to get, no matter what, was something he was not going to be a fan of. He stated he does not have an issue with higher density and is not opposed to development on the site but in terms of the architecture, he is not a fan. He asked commission if they think they should go to design review to talk about it more before a recommendation is done to go forward. He stated the he appreciated the renderings especially the one looking from the golf course side and he doesn't have an issue with the wall occurring along the golf course. However, from Chandler Blvd. he would have liked to see more articulation. Unfortunately, when Mr. Wood said, they didn't want to turn their back on Chandler Blvd. and showed the picture of Arizona Center, it didn't help them. He stated there is nothing in the packet that is going to convince him to like it. But he is torn because he does not have an issue with a higher density project on the site, however, cannot support the architecture. He asked if there were any comments from commission.

COMMISSIONER CUNNINGHAM stated she does not like the fact that the main entrance is on Chandler Blvd. increasing further traffic. She also does not like that the project does not fit the San Marcos. It is not a design that compliments and she believes they need to focus on the jewel that it is and like the neighbor said, it hides it. She understands it's a private property and it doesn't belong and it is not a part of the San Marcos, however, it was lucky for several years to have the beautiful trees if they liked salt cedars. She stated she does not like salt cedars because they have a lot of scorpions in them; however, if they have to put that many people there, they can come up with a design that meets the area.

COMMISSIONER ROSE stated that he is speaking from a first time experience and it is his second full meeting at Planning and Zoning. He mentioned that when Steel Yard came in, he shook his head and said there is no way that one is going to build a building in south Chandler. When it was built it actually turned out amazing. He was really impressed and sounds like it is generating a lot of new residents to the area and it sounds like they are almost leased out of everything they have. But seeing the new project and talking about parking in downtown Chandler, the time is ticking. He stated he thinks it looks like an awesome project and doesn't think it is the time to wait. He doesn't want to see things go through them, three, four times with different people and small architectural changes. He believes it is a beautiful neighborhood and there is high demand in that area for young professional to come in. What he would like to see is the club house paying a lot of homage and having a lot of historical reference to San Marcos and the golf course and also to the Chandler pioneers who made the great town. He would like to see the project go through.

COMMISSIONER FOLEY stated he agrees to the point that Chairman Pridemore made supporting the density and being adjacent to downtown. He thinks it is the right location for the height, density and product type and has no problem with it. Personally, he likes the design. He thinks it is cool and different from what they and he supports it.

COMMISSIONER DONALDSON stated he is in support of density and location and thinks those are the kinds of projects that need to be in that area. Initially he was not crazy about the design but thinks that the renderings have been a little less representative of the design that it really is. But they got better in showing the differences in the buildings. The one concern that he had were the stoops and the entry out to Chandler Blvd. He thinks Chandler Blvd. is a very busy street and doesn't think of it as a brownstone, Bronx or Brooklyn entry road. However, as mentioned the design has grown on him. He did dig into the landscaping area from the front of the building to Chandler Blvd. to the end of the sidewalk and is more comfortable than what he was when he first saw it. What they did to the depths of the building sections go a long way to his concern about being a busy street. He is in support of the project and is hopeful that it drives residents to downtown Chandler.

CHAIRMAN PRIDEMORE asked if there was any interest from the dais on sending the project back to Design Review. He stated he would be in support of that.

COMMISSIONER FOLEY stated he is fine with the design.

COMMISSIONER DONALDSON stated he is fine with the design.

CHAIRMAN PRIDEMORE stated if there are no additional comments he will look for a motion.

MOVED BY COMMISSIONER DONALDSON seconded by **COMMISSIONER FOLEY** to approve Item B. DVR16-0003/PPT16-0006 ALTA SAN MARCOS as read in by Staff. **CHAIRMAN PRIDEMORE** stated he will vote no on the item and wants to qualify that with his issue being the architecture. He was prepared to provide feedback and probably vote to approve it. He is not a fan of the architecture and is voting no against the project but is in favor of the project going to commission but needed it to look different then what they have been shown. The item passed 3-2.

6. DIRECTOR'S REPORT
Mr. Kevin Mayo had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS
CHAIRMAN PRIDEMORE stated the next regular Planning and Zoning meeting is May 18, 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 8:30 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 18, 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 Vice Chairman Baron.

3. The following Commissioners answered Roll Call:

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

   Absent and Excused:

   Commissioner Ryan Foley

   Also present:

   Mr. Kevin Mayo, Planning Manager
   Mr. Erik Swanson, Senior City Planner
   Ms. Lauren Schumann, 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 May 4, 2016, Planning Commission Hearing. The motion passed 4-0. (Commissioner Wastchak and Vice Chairman Baron abstained, since they were not present at that meeting. Commissioner Foley, absent.)

5. ANNUAL PLANNING COMMISSION BUSINESS MEETING

   CHAIRMAN PRIDEMORE informed the audience there is an annual business meeting where Commissioners elect a new Chairman and Vice Chairman and he asked the dais to vote on a new Chairman. **VICE CHAIRMAN BARON** re-elected Chairman Pridemore for Chair. (Motion passed 6-0, Foley absent). **COMMISSIONER CUNNINGHAM** nominated Vice Chairman Baron for Vice Chair. (Motion Passed 6-0, Foley absent)

6. 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.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "First Credit Union Plaza" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0017, 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. Raceways will be allowed for the retail users so long as the raceway and any letter supports are hidden from view.
3. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
4. 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.

E. PDP16-0002/PPT16-0005 WILDHORSE

Approved.

Request Preliminary Development Plan and Preliminary Plat approval for subdivision layout for a nine lot single-family custom subdivision on approximately five acres. The subject site is located north of the northwest corner of Willis Road and El Dorado Drive.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "WILDHORSE" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0002, 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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
3. 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 Director of Transportation & Development with regard to the details of all submittals required by code or condition.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 6-0 (Commissioner Foley, absent).

7. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager had nothing report.

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 1, 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 Rose.

3. The following Commissioners answered Roll Call:

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

   Absent and Excused: none

   Also present:

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

4. APPROVAL OF MINUTES
   MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the May 18, 2016, Planning Commission Hearing. The motion passed 6-0. (Commissioner Foley, resigned)

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

Approved. (REQUEST CONTINUANCE TO THE JUNE 15, 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 JUNE 15, 2016, PLANNING COMMISSION HEARING)

B. DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME

Approved.

Request rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential with Preliminary Development Plan (PDP) for site layout and building design for one single-family residential home on property located at 900 W. San Marcos Drive, east of Alma School Road and north of Frye Road.

Rezoning

1. Development shall be in substantial conformance with Exhibits A, B, C, and D as represented by the applicant and kept on file in the City of Chandler Planning Division, in File No. DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME, modified by such conditions included at the time the Exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. 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.
3. 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.
4. 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 Plans

1. Development shall be in substantial conformance with Exhibits A, B, C, and D as represented by the applicant and kept on file in the City of Chandler Planning Division, in File No. DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME, modified by such conditions included at the time the Exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Approval by the Director of Transportation & Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Perimeter walls shall be designed to be compatible with adjacent walls.
5. 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.

D. LUP16-0009 COCONUTS FISH CAFÉ

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 new business is located at 1155 West Ocotillo Road, Suite 1, the southwest corner of Alma School and Ocotillo roads.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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. The patio shall be maintained in a clean and orderly manner.
6. Liquor Use Permit 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 Liquor Use Permit shall apply.

E. LUP16-0010 FIRED PIE

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 new business is located at 1155 West Ocotillo Road, Suite 8, the southwest corner of Alma School and Ocotillo roads.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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. The patio shall be maintained in a clean and orderly manner.
6. Liquor Use Permit 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 Liquor Use Permit shall apply.
7. No noise shall be emitted from the patios so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
8. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.
9. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

F. LUP16-0012 GOOD TIME CHARLI'S

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, and request live music indoors and within an outdoor patio at a new restaurant located at 6045 West Chandler Boulevard, Suite 7, the southwest corner of Chandler Boulevard and Kyrene Road.

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 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. No noise shall be emitted from outdoor speakers or acoustical musicians on the patios so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
7. The establishment shall provide a contact phone number of a responsible person (restaurant owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.
8. Live music on the patio can occur Friday through Sunday, no later than 7 p.m, and limited to acoustic bands only.
9. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

G. LUP16-0013 QUIKTRIP

Approved. CONTINUED TO THE JUNE 15, 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 JUNE 15, 2016, PLANNING COMMISSION HEARING)**

H. ZUP16-0007 PINNACLE CROSSFIT

Approved.

Request Use Permit approval for a personal trainer/fitness center within a Planned Industrial District with a Planned Area Development overlay (I-1/PAD) that allows for industrial, retail showroom, and motorcycle sales with accessory repair uses. The subject site is located at 3245 North Arizona Avenue, Suite 10, within Pollack Business Park North, southeast corner of Arizona Avenue and Chilton Drive.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The Use Permit shall remain in effect for two (2) 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.

CHAIRMAN PRIDEMORE stated he had a speaker card for Item E, Amy Eby that is in favor of the item, however, did not wish to speak. He also mentioned another speaker card for Chad Eby that is also in favor of Item E, however, did not wish to speak. A speaker card for Theresa Morse was also presented in favor of Item E, however did not wish to speak. The last speaker card for Item E is from Fred Morgan, whom is also in favor of Item E, however did not wish to speak.

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 ROSE** to approve the Consent Agenda as read in by Staff with the exception of Item C that is pulled for a full presentation. The Consent Agenda passed 6-0 (Commissioner Foley, Resigned).

ACTION:

C. LUP16-0008 THE CASUAL PINT

Approved.

Request Liquor Use Permit approval to sell and serve beer and wine for on-premise consumption indoors and within a new outdoor patio and to sell liquor "to-go" in original, unopened containers as permitted under a Series 7 Beer and Wine Bar License, including indoor live music. The new business is located at 1095 West Queen Creek Road, Suite 8, west of the southwest corner of Alma School and Queen Creek roads.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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 7 Beer and Wine Bar 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. The patio shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. Music shall occur indoors only.
8. Liquor Use Permit 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 Liquor Use Permit shall apply.

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

MR. KEVIN MAYO, PLANNING MANAGER stated he wants to outline a couple of things to keep the discussion focused. The discussion is about a liquor use permit that is not about a permissiveness of a restaurant being located in that suite. The land use is approved and when it comes to parking. If there can be a clear link between the liquor use permit and a link to the increase intensity that can be considered and discussed. But if it's just a restaurant being located at the end-cap and a parking issue, that becomes a management issue. However, the land use is for a liquor use permit. He stated unfortunately the state controls the things that they can look and talk about, so they cannot discuss the hours of operations or the type of liquor permit.

CHAIRMAN PRIDEMORE stated that Commissioner Cunningham asked if it was a bar or a restaurant.

MR. MAYO stated they could have a bar/ restaurant serve food and non-alcoholic beverages by right.

CHAIRMAN PRIDEMORE stated that Commission received a copy of the letter Ms. Joan Maloof provided staff. He also mentioned he received speaker cards and will announce them in no particular order. Item C, Amy Eby is in favor of the item and did not wish to speak. Chad Eby is also in favor, however, did not wish to speak. Theresa Morse in favor of the item and did not wish to speak. Fred Morgan is in favor and did not wish to speak. Joan Maloof is opposed and did wish to speak.

JONE MALOOF, 3140 S. VISTA DR. stated she lives in the subdivision closest to the proposed business. She stated she is not opposed to the business itself, but is concerned about the location. By looking at the neighborhood and the map that she submitted to commissioners that showed the location in proximity to the nearest home and where the patio is located is approx. 100ft. from the nearest backyard. Keegan's also has a patio, but it is further away and they have never heard any noise from that restaurant. She also mentioned that there is a patio area that is behind Jersey Mikes and Gigi's cupcakes but it is hardly used and is approximately 200ft. from the nearest back yard. The problem that she sees is the possibility for neighborhood disturbance, given the experience with Sidelines restaurant which is across the street from the neighborhood. She stated they went through several years of complains because they put in a patio and they started having live amplified music outside and she believes they had to get a variance and it was granted to them to have the music that they didn't provide any neighborhood disturbance which they did. They had a few sessions with Planning Commission and Council in regards to that situation. Her concern is how close is the proposed patio to the neighborhood that she's lived in since 1997, and has been quiet and peaceful. She thinks that there is another suitable location for the business. At the neighborhood meeting the tenants stated that there wouldn't be any disturbance and they would like to make it into a community hub. When she looks at the location and where there are a total of 14 parking lots, she thinks it doesn't seem like the right location for a community hub. Her concern is about the location not the business itself or the people that want to have it there.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speakers. There were none. He mentioned he had one last speaker card, Cassie Millar and is opposed and wished to speak.

CASSIE MILLAR 1095 W. QUEEN CREEK RD. SUITE 6 stated she has a couple of concerns, not about the business itself but the location for it. She stated she owns a pre-school and Kindergarten program that is right directly next door to the suite. It was brought to her attention from some of the parents. Her main concern is the safety of her students. They will serve alcohol during her business hours and there is one way in and one way out. So they will be driving directly in front of their school. She mentioned they are not a day care so the kids are there three hours of the day and there are multiple drop offs and pick-ups at the parking lot and that is her concern with the kids out there. Another concern of hers is that they share a very thin wall and she can hear the working talking through it and it is one of her classroom walls and thinks it is going to disturb her class. They teach quiet class time such as reading groups and thinks if there is going to be music, it will disturb her classes. Parking is already an issue with Keegan's and she doesn't know how there is going to be any parking for the business. The parents have to walk in and are only there for five to ten minutes to drop their kids off and it is going to cause an issue with the business if they are not able to park to drop off their kids. She asked if they are able to compromise, their hours end at 3:45p.m. and maybe the proposed business can start at 4pm. If that's possible that would be the compromise she would suggest.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speakers. There were none.

CHAIRMAN PRIDEMORE asked a question to Commission if they were comfortable leaving Item C on consent or pulling it for action.

MR. GLENN BROCKMAN, ASST. CITY ATTORNEY asked the speaker if she was operating a Kindergarten.

MS. MILLAR stated that they are a private pre-school and kindergarten. They have two locations one in Gilbert that has kindergarten however, they currently are not operating a kindergarten at the Chandler location. But they still offer it.

KEVIN MAYO, PLANNING MANAGER stated that there are things that the state prohibits the City from taking into consideration when looking at liquor use permits. One would be hours of operation, they cannot use liquor use permit to limit or control the hours of operation. The state controls any liquor based permits. Secondary, when it comes to separations from schools, that liquor license is something that is regulated and controlled by the state and the city cannot take that into consideration. The speaker mentioned they do not have a kindergarten there so it does not trigger the separation requirement. However, if approved and they decide to open the kindergarten, it ends up grandfathering the use for the separation.

COMMISSIONER CUNNINGHAM asked for staff to read the stipulations on the approval of the case.

MS. SUSAN FIALA, CITY PLANNER read the conditions into the record.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio 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 7 Beer and Wine Bar 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. The patio shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. Music shall occur indoors only.
8. Liquor Use Permit 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 Liquor Use Permit shall apply.
9. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

COMMISSIONER DONALDSON mentioned he had been in defense for the item for two reasons with one being the parking. He mentioned it gets very thin where the unit is located and because a couple of speakers also had that concern. He thinks the noise is going to be kept indoors and thinks if the tenant is a good neighbor, they will have that controlled. Also, the neighborhood has access to the stipulations for the tenant and business owner to do that. He stated he is in favor of it staying on consent.

VICE CHAIRMAN BARON asked staff when the case will go to Council.

MS. FIALA stated June 23, 2016.

VICE CHAIRMAN BARON asked when the business is planning to open.

MS. FIALA stated she did not know. However, the applicant is present.

CHAIRMAN PRIDEMORE stated he will pull the case for action with a full presentation and ask more questions.

VICE CHAIRMAN BARON he understands the process of the Liquor permits, however, what he was trying to paint a picture of is the duration of which the business would be open before they have to re-apply for another use permit.

CHAIRMAN PRIDEMORE turned it over to the applicant.

CHAD EBY, 1780 W. MACAW DR. stated he wanted everyone to understand the type of business they will be operating. He stated it is more of a beer craft market with a tasting lounge. There will be a section with shelving for people to get six-packs and coolers so they can fill up growlers. He mentioned it will be a low key and almost like a low key wine bar, except for high

end craft beer. Any music that will be indoors will not be the focus it will just be there to help create an ambiance for the guest to socialize. They don't want the music to be overpowering that people have to talk over it. It is only to create an ambiance. He mentioned they are keeping the sound tiles in the space. They mentioned a wall that they share with the Pre-school Kinderbugs, they are going to place a cooler which is 15 ft. x 8 ft. So a lot of the noise will be away from that wall. As far as being a good owner/tenant, they will have a policy and procedures manual which all of the employees will have sign so everybody knows what the policy and procedures are. He stated that him and his wife will be very involved in the business and live very close to where they can ride their bikes there.

VICE CHAIRMAN BARON asked the applicant when they were planning on opening.

MR. EBY stated they are planning to open the business mid-August.

VICE CHAIRMAN BARON stated they were going to be losing a month, so they would have to prove they are good neighbors in 11 months.

CHAIRMAN PRIDEMORE asked the audience if anyone had any more questions. There was one.

MS. MILLAR stated she forgot to mention that they are license to offer kindergarten and have the ability to offer it, however, the business in Gilbert has been open for 9 years and the business in Chandler has been open for two years so it is a supply and demand factor.

MR. GLENN BROCKMAN stated that regardless to the fact that they are license to offer kindergarten, there has to be an ongoing kindergarten program operating at the time that the applicant pulled his application for a liquor license with the state and they didn't have one then. Per state statute the 300 ft. will not apply.

CHAIRMAN PRIDEMORE asked the audience if anyone had any more questions. There was one.

MS. THERESA MORSE, 530 E. MCDOWELL RD. stated she is the applicant that filed the paper work to the city. She mentioned she wanted to pass information regarding the fact that it is true what was mentioned about once the application has been submitted, there was no kindergarten at that time. However, her clients searched high and low for a location that would be suitable for their needs and because of her expertise in law enforcement and working at state liquor she was aware of the 300 ft. rule. She mentioned her clients called their landlord Ocotillo Falls and the landlord informed them that Kinderbugs is not allowed to put a kindergarten in that space.

CHAIRMAN PRIDEMORE stated they are not there to debate neighboring properties and what they are allowed and not allowed to do. He asked the dais if they had any questions for the speaker. There were none. He then mentioned that Planning Commission is only a recommending body and encourages everyone to attend the City Council meeting to speak their mind.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve Item C, LUP16-0008 THE CASUAL PINT. The Consent Agenda passed 6-0 (Commissioner Foley resigned).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated the next meeting will be on June 15, 2016, and with the departure of Commissioner Foley, and Chair and Vice Chair not present on that meeting date they will need the rest to be present to set a quorum. If anyone knows that they are going to be absent, he needs to know. There are a couple of items that are going on June 15, 2016 that are fast-track to June 23rd Council because for the last six months of the year there will only be one Council meeting a month so it is important to meet quorum on June 15, 2016.

CHAIRMAN PRIDMORE stated they came across the same situation a long time ago and since Commissioner Foley is still on the books is there any way he can participate for one last time, if that is possible.

MR. MAYO stated assuming they can make quorum, he won't make that extra effort but he is already working out alternatives.

CHAIRMAN PRIDMORE asked commission to stay in contact with Kevin.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDMORE stated the next regular meeting is June 15, 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 6:05 p.m.

Kathy Ryan, Acting Chair
Matthew Pridemore, Commissioner

Jeffrey A. Kurtz, Secretary

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.

Katy Cunningham - Commissioner

Matthew Pridemore, Commissioner

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.

Matthew Pridemore, Commissioner

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, July 20, 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 Wastchak.

3. The following Commissioners answered Roll Call:

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

   Absent and Excused: none

   Also present:

   Mr. Kevin Mayo, Planning Manager
   Mr. Erik Swanson, Senior City Planner
   Ms. Susan Fiala, City Planner
   Ms. RoseMarie Horvath, Asst. City Attorney
   Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES, JUNE 15, 2016
   MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the June 15, 2016, Planning Commission Hearing. The motion passed 4-0. (Chairman Pridemore & Vice Chairman Baron abstained from voting on minutes since they were not present at the June 15, 2016, meeting. One vacancy)

   APPROVAL OF MINUTES, JULY 6, 2016
   MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER ROSE** to approve the minutes of the July 6, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Wastchak abstained since he was not present at the July 6, 2016 meeting. One vacancy)

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

Approved. CONTINUED TO THE AUGUST 17, 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 AUGUST 17, 2016, PLANNING COMMISSION HEARING)**

B. DVR16-0012 SALAD AND GO

Approved.
Request rezoning from Planned Area Development (PAD) to PAD to remove a zoning condition limiting drive-thrus, along with Preliminary Development Plan approval for site layout and building architecture for a new restaurant and drive-thru. The subject site is located south of the southeast corner of Chandler Boulevard and Kyrene Road.

Rezoning
1. Development shall be in substantial conformance with the Development Booklet, entitled "SALAD AND GO" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0012, 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. 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.
3. The developer shall be required to install landscaping in the arterial street median 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.
4. Hours of delivery/trash pick-up shall be prohibited between 11:00 pm and 6:00 am.

Preliminary Development Plan
1. Development shall be in substantial conformance with the Development Booklet, entitled "SALAD AND GO" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0012, 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. Landscaping shall be in compliance with current Commercial Design Standards.
3. The site shall be maintained in a clean and orderly manner.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Electrical service entrance section (SES) shall be located inside the building.

7. All ground-mounted equipment shall be screened from public view by landscaping or a concrete or masonry wall equal to or greater in height than the mechanical equipment.
8. All transformer boxes, meter panels and electric equipment, back-flow valves and any other utility equipment shall be painted to match the building color.
9. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. handicap shall have direct access to all indoor and outdoor pedestrian spaces).
10. 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.
11. 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.
12. 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.

C. PDP16-0006 STELLAR BUSINESS PARK LOTS 2 & 3

Approved.

Request Preliminary Development Plan approval for site layout and building architecture for a new office and warehouse building on an approximate 4.3-acre site. The subject site is located at the northwest corner of Chandler Boulevard and Juniper Drive.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "STELLAR BUSINESS PARK LOTS 2 & 3" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0006, 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. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
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. 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.
7. The outdoor storage of materials shall be prohibited.

D. LUP16-0013 QUIKTRIP

Approved. CONTINUED TO THE AUGUST 17, 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 AUGUST 17, 2016, PLANNING COMMISSION HEARING)**

E. LUP16-0022 GINGER MONKEY

Approved.

Request Liquor Use Permit approval to sell and serve spirituous liquor for on-premise consumption indoors and within an expanded outdoor patio as permitted under a Series 12 Restaurant License, including live entertainment. The new restaurant is located at 135 West Ocotillo Road, at the southwest corner of Arizona Avenue and Ocotillo Road.

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 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.
6. No noise shall be emitted from outdoor speakers, televisions, or live entertainment so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
7. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
8. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.
9. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

F. LUP16-0024 DESERT CIDER HOUSE

Approved.

Request Liquor Use Permit approval to produce and distribute hard cider/apple wine to wholesalers as permitted under a Series 13 In-state Farm Winery License. The new business is located at 284 East Chilton Drive, Suite 8, north and west of the northwest corner of Arizona Avenue and Elliot Road.

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 13 In-state Farm Winery 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.

G. LUP16-0025 LIVING ROOM WINE CAFÉ & LOUNGE

Approved.

Request Liquor Use Permit approval to expand the floor area and continue to sell and serve all types of spirituous liquors as permitted under a Series 6 Bar License, and continue live entertainment. The existing business is located at 2475 West Queen Creek Road, Suite 1, west of the southwest corner of Queen Creek and Dobson 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 6 Bar 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.
6. No noise shall be emitted from televisions, speakers, or live entertainment so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
7. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
8. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.

H. ZUP16-0006 ICEV PARKING LOT

Approved.

Request Use Permit time extension approval to continue to allow a temporary parking lot on two parcels. The parcels are located north of the northeast corner of Alma School Road and Erie Street and at the northwest corner of Erie Street and Pleasant Drive.

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 site shall be maintained in a clean and orderly manner.
3. The Use Permit shall remain in effect for two (2) 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.

I. ZUP16-0009 PREMIUM COACH GROUP

Approved. CONTINUED TO THE AUGUST 17, 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 AUGUST 17, 2016, PLANNING COMMISSION HEARING)**

J. PPT16-0009 TAKE OFF CENTER

Approved.
Request Preliminary Plat approval for a commercial development located at the southeast corner of McQueen and Queen Creek roads.

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

K. CANCELLATION OF THE AUGUST 3, 2016 PLANNING COMMISSION HEARING.

Approved.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER DONALDSON** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 6-0 (One vacancy).

6. DIRECTOR'S REPORT
Mr. Kevin Mayo, Planning Manager had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS
CHAIRMAN PRIDEMORE stated the next regular meeting is August 17, 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.

Matthew Pridemore, Commissioner

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 17, 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 Wastchak.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner David Rose
Commissioner Devan Wastchak

Absent and Excused:
Commissioner Bill Donaldson

Also present:

Mr. Kevin Mayo, Planning Manager
Mr. Erik Swanson, Senior City Planner
Ms. Lauren Schumann, City Planner
Ms. RoseMarie Horvath, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY COMMISSIONER CUNNINGHAM, seconded by **VICE CHAIRMAN BARON** to approve the minutes of the July 20, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Bill Donaldson absent, One vacancy)

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 and comment cards will be read if any.

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

Approved.
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.

Area Plan Amendment

Planning Staff recommends Planning Commission motion to recommend approval of APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "QUIKTRIP" and kept on file in the City of Chandler Planning Division, in File No.DVR16-0010, 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 "QUIKTRIP" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0010, 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. Gasoline tank vent piping shall be screened from arterial streets and public view.
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. 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.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
10. Landscaping shall be in compliance with current Commercial Design Standards.
11. Raceway signage shall be prohibited within the development.
12. The base of the monument signs shall utilize brick veneer consistent with the building elevations.

B. LUP16-0013 QUIKTRIP

Approved.

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.

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 store locations.
3. Expansion or modification beyond the approved exhibits (Site Plan and Floor Plan) 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

C. LUP16-0014 VB LOUNGE

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors along with an extension of premises within a new outdoor patio, as permitted under a Series 12 Restaurant License. The request includes live entertainment indoors. The new restaurant is located at 81 West Boston Street, the southwest corner of Arizona Avenue and Boston Street.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio 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.

6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. Music shall occur indoors only.

D. LUP16-0015 DIRTY BLONDE TAVERN

Approved.

Request Liquor Use Permit approval to continue to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio, as permitted under a Series 6 Bar License. The request includes continuing live entertainment indoors. The existing business is located at 4929 West Chandler Boulevard, Suite 12, the southeast corner of Chandler Boulevard and Rural Road.

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 6 Bar 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.
6. Music shall occur indoors only.
7. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

E. ZUP16-0009 PREMIUM COACH GROUP

Approved. (ITEM WITHDRAWN)

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. **(APPLICANT REQUESTS WITHDRAWAL)**

CHAIRMAN PRIDEMORE stated he had a couple of speaker cards and will announce them in no particular order. He first mentioned Juan Romero regards to Item A and B, He is in favor however, did not wish to speak. Another speaker card on Item A and B read "Quiktrip would be a great neighbor" by Cindy Gordon and wished to speak.

CINDY GORDON, 13704 E. QUEEN RD. stated her and her family has lived next to the property for most of her life. She has been in contact with Quiktrip and they have agreed to do everything they have remotely asked for them to do and more. She thinks they would be super to have them as neighbors. Her mother was not able to attend the meeting however, she wrote a letter that she is in favor and thinks it would be great to have Quiktrip as neighbor.

CHAIRMAN PRIDEMORE asked staff for clarification if it is ok for her to read the letter or provide a copy of the letter.

MR. KEVIN MAYO, PLANNING MANAGER stated either way would be fine and will go on the record, if a copy is provided it would be attached to the Council memo.

MS. GORDON read her mother's letter into the record. "Because I am going to be out of town of the day of the Council meeting concerning the proposed building of Quiktrip station of the corner of Queen Creek and Gilbert Rd. I am writing this note to say that I do not have any objections to this property concerning the use. Any Quiktip I have ever been in, I am always pleased to note how clean, and pleasant everyone has been. The entire time Quiktrip has been working with Council. I have been impressed with their willingness to meet with the neighbors and try in every way to comply with any request we have had for the building. They have been more than willing to let the congregation of The Grove Church use the land for parking and for youth activities. I believe this should prove to City Council that Quiktrip will be a value added to the City. I have owned my property directly attached to that property for almost 60 years and feel that my willingness to have them as her neighbor should be important to City Council. From Mrs. Pratt."

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none.

CHAIRMAN PRIDEMORE stated he had another speaker card for a Mr. Baker and asked if he would like to speak.

RANDY BAKER, 13652 E. QUEEN CREEK RD. stated that as he was reading the letter form The Grove Church it stated that they have a working Pistachio grove and as long as he has lived there 30 years, that grove has not produced anything. He assumed when they built their church there they were going to build a fence between his and their property but there is no type of fence or brush fence dividing his property unto their property. He stated that Quiktrip has been very kind as his mother in law stated in the letter. Quiktrip has been able to let the church do their overflow parking there and Quiktrip is very generous to allow that. He is sure they will continue to use it until it becomes developed. He is also in favor of Quiktrip. There was a Circle K but they haven't had any undesirables there and he doesn't think Quiktrip will allow that. He and his wife Patsy are in favor.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none.

CHAIRMAN PRIDEMORE stated he had a speaker card for Item A and B from a Patsy Baker that is in favor of the item, however, did not wish to speak.

CHAIRMAN PRIDEMORE stated he had a speaker card is from Anthony Narducci. that is opposed to Item A.

ANTHONY NARDUCCI, 9708 E. GOLDEN ST. MESA, AZ stated he represents The Grove Church as Chairman and president. He stated they have no qualms about how QT operates their business. Their concerns are around the proximity of liquor sales to their church campus. Over 1000 children are on campus during the week and those are legitimate concern. Also, he knows

that there are setback regulations set by the state and providing those, they really can't oppose the position of the store. But it is just a general concern that they have over the presence of liquor sales that close to a church and the fact that there are so many children on campus. He mentioned it is difficult to ascertain what will happen on their property but he does know that they run a really tide ship and his hope would be for them to continue to do as how they expect they will and that there is no issue with potential concerns that they have around who is present and what could happen as a result of those activities. He stated the folks they have been meeting with have assured them that those things won't happen and are very concerned about their position in the community. They have been great partners and they have been very grateful for the opportunity to walk with them through this process. Their only concern is the proximity to the liquor sales.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none.

CHAIRMAN PRIDEMORE stated he had another speaker card for John Dobbins that is in favor for Item A and B and states on the card "Let QT get their liquor license approved", however, he did not wish to speak.

CHAIRMAN PRIDEMORE stated he had a speaker card for Chris Pratt also regarding Item A and B that stated "Quiktrip will be a good neighbor". However, did not wish to speak.

CHAIRMAN PRIDEMORE stated the last speaker card is from the applicant Charles Huellmantel that is in favor of Item A and B and explained to him that the cases were still on consent and asked him if he still wished to speak. The applicant responded no. Chairman Pridemore advised him if the item gets pulled he will get a chance to speak.

CHAIRMAN PRIDEMORE asked the audience if anyone wish to speak or want any items pulled for a full presentation. There were none. He explained to the audience that they are only a recommending body and every item still has to go through City Council approval and encouraged everybody to continue to participate in the process and Item A and B are going to Council on September 15.

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

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager stated with the single Council meetings per month, staff is carefully coordinating the agenda items with the goal of cancelling a couple of Planning Commission meetings if they are not necessary. He asked Commission if they plan holiday travels that will be placing them out of PZ to notify staff so staff can coordinate which meetings to cancel.

7. CHAIRMAN'S ANNOUNCEMENTS

CHAIRMAN PRIDEMORE advised Commission to communicate with staff if any meetings will be missed. He also stated the next regular meeting is September 7, 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 5:48 p.m.

Matthew Pridemore, Commissioner

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, September 7, 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 Donaldson.

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
Mr. Erik Swanson, Senior City Planner
Ms. Jodie Novak, Senior City Planner
Ms. Lauren Schumann, City Planner
Ms. RoseMarie Horvath, Asst. City Attorney
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES
MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the August 17, 2016, Planning Commission Hearing. The motion passed 4-0. (Commissioner Donaldson abstained since he was not present on August 17, 2016, Commissioner Wastchak absent, One vacancy)

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. DVR16-0008 ARISTA AT OCOTILLO

Approved.
Request rezoning from Planned Area Development (PAD) to PAD Amended to eliminate a zoning condition requiring 'for-sale' multi-family units, and Mid-Rise Overlay for building heights up to 57 feet on a portion of buildings adjacent to water's edge, along with Preliminary Development Plan approval for site layout and building architecture for a 210-unit multi-family development located at the northwest and southwest corners of Edgewater Way and Dobson Road, south of Queen Creek Road.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arista at Ocotillo" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0008, 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
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. 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.
8. Maximum building height shall be limited to 57 feet.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arista at Ocotillo" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0008, 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. Landscaping along all street fronts shall be in compliance with current Commercial Design Standards.
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. All raceway signage shall be prohibited within the development.
5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. handicap shall have direct access to all indoor and outdoor pedestrian spaces).
6. All ground-mounted equipment shall be screened from public view by landscaping or a concrete or masonry wall equal to or greater in height than the mechanical equipment.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner, property owners' association, or homeowners' association.

8. The parking space canopies shall incorporate building materials, forms, and colors to match the development.

B. PDP16-0005 PRIMROSE SCHOOL OF CHANDLER

CONTINUED TO OCTOBER 5, 2016, PLANNING COMMISSION FOR THE PURPOSE OF CONDUCTING A DESIGN REVIEW COMMITTEE MEETING.

Request Preliminary Development Plan (PDP) approval for site layout and building design for a preschool/childcare development. The property is located at the northwest corner of Chandler Boulevard and Terrace Road, east of Rural Road.

C. LUP16-0020 ESPO'S MEXICAN FOOD

Approved.

Request Liquor Use Permit approval to continue to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The request includes continuing occasional live music indoors and within an outdoor patio at an existing restaurant. The restaurant is located at 3867 West Chandler Boulevard, the southeast corner of Chandler Boulevard and Calle Entrada.

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 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
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.
6. Live entertainment shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

D. LUP16-0026 RUBIO'S COASTAL GRILL

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The new restaurant is located at 3885 South Arizona Avenue, Suite 1, the northeast corner of Arizona Avenue and Ocotillo Road.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio 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.

E. LUP16-0027 MAMBO'S DOMINICAN KITCHEN

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The request includes occasional live music indoors and within an outdoor patio. The restaurant is located at 1950 North Arizona Avenue, Suite 8, the southwest corner of Arizona Avenue and Warner Road.

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.
6. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

F. LUP16-0030 ELEMENT HOTEL

Approved.

Request Liquor Use Permit approval to sell and serve beer and wine for on-premise consumption indoors and within an outdoor patio/pool area, and off-premise consumption at a new hotel as permitted under a Series 7 Beer and Wine Bar License. The new hotel is located at 44 South Chandler Village Drive, south of the southwest corner of Chandler Boulevard and Chandler Village Drive.

1. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar 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. CANCELLATION OF THE SEPTEMBER 21, 2016 PLANNING COMMISSION HEARING

Approved.

CHAIRMAN PRIDEMORE asked the audience if anyone wish to speak or want any items pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 5-0 (Vice Chairman Baron abstained from voting on Item A as he provided client services, Commissioner Wastchak absent and one vacancy).

6. DIRECTOR'S REPORT
Mr. Kevin Mayo, Planning Manager had nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS
CHAIRMAN PRIDEMORE advised Commission the next regular meeting is October 5, 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 5:41 p.m.

Matthew Pridemore, Commissioner

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, October 5, 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
   Commissioner Devan Wastchak

   One vacancy

   Also present:

   Mr. Kevin Mayo, Planning Manager
   Ms. Jodie Novak, Senior City Planner
   Mr. Erik Swanson, Senior City Planner
   Ms. Lauren Schumann, City Planner
   Ms. RoseMarie Horvath, Asst. City Attorney
   Ms. Kim Gehrke, Clerk

4. APPROVAL OF MINUTES
   MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER DONALDSON** to approve the minutes of the September 7, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Wastchak abstained; he was not present at the September 7, 2016 meeting.)

5. ACTION AGENDA ITEMS
   CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in an open Study Session to discuss each of the items on the agenda. Currently, all the items are on the consent agenda and 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 or a full presentation. Also at that time, audience members who have turned in a speaker card will have the opportunity to speak and ask questions.

   A. APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029/PPT16-0012 SERENADE

Approved. CONTINUED TO THE NOVEMBER 2, 2016 PLANNING COMMISSION HEARING.

Request Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Low-Density Residential, and rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product, and Preliminary Plat approval for a 6.7-acre, 16-lot

single-family residential subdivision. The subject site is located east of the southeast corner of Alma School and Germann roads. **(REQUEST CONTINUANCE TO THE NOVEMBER 2, 2016, PLANNING COMMISSION HEARING.)**

B. DVR16-0007 LANDMARC – CHANDLER HEIGHTS

Approved.

Request rezoning from Agricultural (AG-1) to Planned Area Development for a single-family residential home, with Preliminary Development Plan approval for site layout. The 1.1-acre site is located east of the southeast corner of Chandler Heights Road and 130th Street.

Rezoning

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were 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. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were 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. Prior to the issuance of occupancy for the home, construction of the garage shall be complete as required by all applicable building codes.

C. DVR16-0015 CORONADO ESTATES

Approved.

Request rezoning from Planned Area Development (PAD) to PAD Amended to eliminate a zoning condition requiring single-story homes, along with Preliminary Development Plan

approval for setbacks. The subject site is located at the north of the northeast corner of Coronado and Galveston streets, north of the northeast corner of the Loop 101 freeway and Chandler Boulevard.

Preliminary Development Plan

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0015, modified by such conditions included at the time the exhibits were 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. Front setbacks for lots 1 and 6 shall be 11' for liveable or side entry garages; forward facing garages shall have a minimum 20' front setback.
4. Side setbacks shall be 5' and 10' for all lots.

MR. KEVIN MAYO, PLANNING MANAGER, stated the request to remove a zoning condition requiring single-story homes is no longer part of this request. The zoning condition requiring single-story homes will remain and the request is simply for a Preliminary Development Plan to re-establish amended setbacks.

D. DVR16-0021 WARNER PROFESSIONAL CENTER

Approved.

Request rezoning from Planned Commercial Office (PCO) district to Planned Area Development (PAD) for PCO uses, along with a Preliminary Development Plan for signage. The existing development is located at 1257 W. Warner Road, west of the southwest corner of Warner and Alma School roads.

Rezoning

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR16-0021 WARNER PROFESSIONAL CENTER, except as modified by conditions herein.
2. Permitted land uses shall be consistent with the Planned Commercial Office (PCO) District.

Preliminary Development Plan

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR16-0021 WARNER PROFESSIONAL CENTER, except as modified by conditions herein.
2. 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.
3. The site shall be maintained in a clean and orderly manner.
4. The applicant shall be required to apply for a sign permit and meet current City standards.

E. PDP16-0005 PRIMROSE SCHOOL OF CHANDLER

Approved.

Request Preliminary Development Plan (PDP) approval for site layout and building design for a preschool/childcare development. The property is located at the northwest corner of Chandler Boulevard and Terrace Road, east of Rural Road.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "PRIMROSE SCHOOL OF CHANDLER" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0005, 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. 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.

F. LUP16-0029 HARKINS CHANDLER CROSSROADS THEATRE

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption as permitted under a Series 6 Bar License within an existing movie theater located at 2980 E. Germann Road, northwest corner of Germann and Gilbert roads.

1. The Liquor Use Permit is granted for a Series 6 Bar 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. LUP16-0032 DOWN TIME WINES, INC.

Approved.

Request Liquor Use Permit approval to produce, serve and sell wine for on-premise and off-premise consumption as permitted under a Series 1 In-State Producer License with occasional live entertainment indoors. The new business is located at 393 W. Warner Road, Suite 109, southeast corner of Warner Road and Hartford Street.

1. The Liquor Use Permit is granted for a Series 1 In-State Producer License for wine 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.
6. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

H. LUP16-0034 CRUST SIMPLY ITALIAN

Approved.

Request Liquor Use Permit approval for extension of premises for a patio addition and to continue to sell and serve all types of spirituous liquor for on-premise consumption as permitted under a Series 12 Restaurant License and continue live music indoors at an existing restaurant located at 10 N. San Marcos Place, northeast corner of San Marcos Place and Commonwealth Avenue.

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. Music shall occur indoors only.

I. CANCELLATION OF THE OCTOBER 19, 2016 PLANNING COMMISSION HEARING

Approved.

CHAIRMAN PRIDEMORE stated he received a speaker card for Item C, DVR16-0015 CORONADO ESTATES, and asked the audience member to come forward.

MR. JOHN TICHY, 2740 W. LAREDO PLACE, CHANDLER, asked for clarification on whether two-story homes can be built in this subdivision or not. Additionally, he asked if that would still be the case if the property changed owners and the new owners wanted to build two-story homes.

MR. ERIK SWANSON, SENIOR CITY PLANNER, responded two-story homes cannot be built in this subdivision. The case was originally advertised to eliminate the condition requiring single-story homes, but the property owners have since clarified that they are building all single-story homes. When the initial Coronado Estates came in, in 2004, there was a condition in the zoning requirements for one-story homes. The only way a two-story home could be built now is to rezone the property, which would include the public hearing process and neighbor notification.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions on the consent items or would like an item pulled for a full presentation. There were none.

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 6-0.

6. DIRECTOR'S REPORT
   Mr. Kevin Mayo, Planning Manager, stated the next meeting will be November 2, 2016 and asked that any Commissioner not able to attend that meeting notify City staff.

7. CHAIRMAN'S ANNOUNCEMENTS
   Chairman Pridemore reiterated the next regular meeting is November 2, 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 5:37 p.m.

~~Matthew Pridemore,~~ Commissioner
ANDREW BARON

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 2, 2016, held in the City Council Chambers, 88 E. Chicago Street.

1. Vice Chairman Baron 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:

   Vice Chairman Andrew Baron
   Commissioner Katy Cunningham
   Commissioner Bill Donaldson
   Commissioner David Rose
   Commissioner Devan Wastchak
   Commissioner Robert Klob

   Absent and Excused:
   Chairman Matthew Pridemore

   Also present:

   Mr. Kevin Mayo, Planning Manager
   Ms. Jodie Novak, Senior City Planner
   Mr. Erik Swanson, Senior City Planner
   Ms. Susan Fiala, City Planner
   Ms. Lauren Schumann, City Planner
   Ms. RoseMarie Horvath, Asst. City Attorney
   Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES

   MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the October 5, 2016, Planning Commission Hearing. The motion passed 5-0. (Commissioner Klob was not present at the Octobert 5, 2016 meeting.)

   VICE CHAIRMAN BARON welcomed new Commissioner Klob. Commissioner Klob then gave a brief personal background.

5. ACTION AGENDA ITEMS

   VICE CHAIRMAN BARON informed the audience prior to the meeting Commission and Staff met in an open Study Session to discuss each of the items on the agenda. Currently, all the items are on the consent agenda and 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 or a full presentation. Also at that time, audience members who have turned in a speaker card will have the opportunity to speak and ask questions.

   A. APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029/PPT16-0012 SERENADE

Approved. CONTINUED TO THE NOVEMBER 16, 2016 PLANNING COMMISSION HEARING.
Request Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Low-Density Residential, and rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product, and Preliminary Plat approval for a 6.7-acre, 16-lot single-family residential subdivision. The subject site is located east of the southeast corner of Alma School and Germann roads. **(REQUEST CONTINUANCE TO THE NOVEMBER 16, 2016, PLANNING COMMISSION HEARING)**

B. APL16-0003 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR16-0013/PPT16-0017 PASEO VISTA VILLAGE

Approved.
Request Area Plan Amendment to the Chandler Airpark Area Plan from Neighborhood Commercial to Medium-Density Residential, and rezoning from Planned Area Development (PAD) for Commercial uses to PAD for a condominium development, with Preliminary Development Plan approval for subdivision layout and housing product for a 14.94-acre, 112-lot residential condominium subdivision. The subject site is located at the northeast corner of McQueen and Ocotillo roads.

Area Plan Amendment
Planning Staff recommends Planning Commission motion to recommend approval of APL16-0003 CHANDLER AIRPARK AREA PLAN AMENDMENT.

Rezoning
1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Paseo Vista Village", kept on file in the City of Chandler Planning Division, in File No. DVR16-0013, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

7. 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.
8. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
   a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property.
   b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
   c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
   d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
   e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
   f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
   g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:
   "This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."
9. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.

10. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an existing landfill and a transfer station that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing landfill and a transfer station, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
11. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Paseo Vista Village", kept on file in the City of Chandler Planning Division, in File No. DVR16-0013, except as modified by condition herein.
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.

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. APL16-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR16-0020/PPT16-0015 ALTITUDE

Approved.

Request Area Plan Amendment to the Chandler Airpark Area Plan from Rural Residential with a Transitional Overlay Zone to Low-Density Residential, and rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product for a 10.05-acre, 31-lot single-family residential subdivision. The subject site is located south of the southwest corner of Cooper and Queen Creek roads.

Area Plan Amendment

Planning Staff recommends Planning Commission motion to recommend approval of APL16-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Altitude", kept on file in the City of Chandler Planning Division, in File No. DVR16-0020, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
7. 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.
8. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
   a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property.
   b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
   c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use

Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.

d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.

e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.

f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.

g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:
"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."

9. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.
10. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
11. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Altitude", kept on file in the City of Chandler Planning Division, in File No. DVR16-0020, except as modified by condition herein.
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. An eight-foot wall shall be provided along the southern boundary of the subdivision.
4. For lots 1-8 the rear yard setback for homes shall be 35-feet.

5. **The applicant shall work with staff to provide the architectural design elements that are found on the front elevation to the sides and rear elevations.**

Preliminary Plat

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

D. DVR16-0014/PPT16-0018 SIRONA

Approved.

Request rezoning from Planned Area Development (PAD) for commercial to PAD for single-family residential with Preliminary Development Plan (PDP) approval for subdivision layout and housing product and Preliminary Plat (PPT) approval. The approximately 21.8-acre site is located at the northwest corner of Pecos and Cooper roads.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "SIRONA" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0014, 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.
8. At the time of sale, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the canal right-of-way together with the adjoining easements dedicated to the City of Chandler, is developed as a multi-trail system for use by the general public.
9. The Developer shall make improvements to Homestead South Park which shall include a storm water retention facility and landscaped greenbelt concurrent with development of the

single-family residential subdivision. The storm water retention facility within the City Park shall serve the single-family residential subdivision in perpetuity.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "SIRONA" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0014, 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. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
4. Approval by the 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.
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.
7. All homes built on corner lots within the residential subdivision shall be single-story.
8. The same elevation shall not be built side-by-side or directly across the street from one another.
9. Building setbacks shall be a minimum of an 18 ft. front yard for forward facing garages and a 10 ft. front yard for side loaded garages or livable space; side yard setbacks of 5 ft. and 7 ft., and a 15 ft. rear yard setback.

Preliminary Plat

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

E. <u>DVR16-0019 BRUNIA RESIDENCE</u>

Approved.

Request rezoning from Agricultural District (AG-1) to Single-Family District (SF-33) for single-family residential on approximately 0.83 acres at 882 E. Willis Road. This property is west of the northwest corner of Willis and McQueen roads.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Narrative and Exhibit B, Site Plan, kept on file in the City of Chandler Planning Division in File No. DVR16-0019 BRUNIA RESIDENCE, modified by such conditions included at the time the Exhibits were 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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

F. DVR16-0023 RANCHO BERNARDO

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 Agricultural District (AG-1) zoning. The existing PAD zoning is for a commercial development on approximately one acre at the southwest corner of 56th Street and Chandler Boulevard.

Rezoning
Planning Staff recommends Planning Commission motion to recommend approval of DVR16-0023 RANCHO BERNARDO, to extend the timing condition for three years with all of the conditions in the original approval remaining in effect.

G. ZUP16-0017 UPTOWN BRIDAL & BOUTIQUE

Approved.
Request Use Permit approval for a specialty wedding boutique retail business within a building zoned Planned Area Development for general and medical office, located at 1300 N. McClintock Drive, #A-1, approximately one-quarter mile north of the northwest corner of McClintock and Ray roads.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The Use Permit shall remain in effect for one (1) year 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.

VICE CHAIRMAN BARON asked the audience if anyone had any questions on the consent items or would like an item pulled for a full presentation. There were none. He stated he received a speaker card for Item C, APL16-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR16-0020/PPT16-0015 ALTITUDE and asked Mr. Swift to come forward.

MR. TOM SWIFT, 2345 S. ALMA SCHOOL RD., STE 104 stated he's a Chandler resident and also an Attorney that is representing two of the property owners to the south of the proposed development, Mr. and Mrs. Chavez and Mr. Woodruff that live along Nightingale Lane. The applicant has tried to work with the neighbors and have made some concessions however; they have not satisfied his client's primary concerns. The additional traffic that will result on Nightingale Lane as a result to the development and their loss of privacy, having for years lived

next to the farm land. Nightingale lane is a private easement, only 15 ft. wide and a gravel road that has intentionally been kept a gravel road because the beneficiaries of that easement don't want traffic going down that road. Amongst them, five of the neighbors have agreed to adopt a road maintenance and use agreement where they have agreed to restrict a speed limit on that road to 5 miles per hour. In spite of their good intensions to keep it as a private road, they have experience vehicles using the road trying to route to other developments damaging the gravel road and requiring more maintenance and causing them safety concerns for their children and animals, and disturbing peace of mind with the additional traffic. There are signs on Nightingale lane stating it is a private road but the signs do not discouraged people from using it. The applicant has proposed an additional sign but the signs have not seemed to solve the traffic problem in the past. Part of what the applicant has recommended that is good as far as his clients concern is that there is now a new public right of way dedication and emergency road and proposing a gate in front of that. But his clients are concerned that the gate will redirect people to the private easement. Increased traffic is a necessity as development increases in the area but what could be done to keep the speed down are perhaps speed bumps and more signage. The applicant and staff suggested that as it is a private road it could be gated by the beneficiaries of the easement but they do not want to live in a gated community, that's part of the agriculture life style they chose to live so it would not be an option. Another concern of theirs is privacy; the applicant proposed an 8 ft. wall, however, his clients would like to see that increased to a 10 ft. wall between the development and Nightingale Lane. He asked Commissioners and staff if there were any questions. There were none.

VICE CHAIRMAN BARON asked the dais and audience if anyone had any questions for the speaker.

COMMISSIONER CUNNINGHAM asked if it was possible to stipulate that along the 8 ft. fence a row of trees be planted to provide additional privacy for the people to the south and north of the fence.

ERIK SWANSON, SENIOR CITY PLANNER stated when the tracks get dedicated or provided by developers for future dedication they require landscaping and as part of that neighborhood process they have indicated that they don't want landscaping out there so that they can maneuver their vehicles around without running over bushes. He stated he was hesitant to put a condition on there but is certainly willing to work with the developer and talk with the neighbors as well to solve their issue from a visibility stand point. A 10 ft. wall would be difficult where there is no grade difference. There was only one instant he could think of where there was a 10 ft. wall with a budding residential and it was because there was a high grade difference between the two properties. He can certainly look at the landscaping and how it's treated but he would prefer to stay away from conditions if that is not what they want, but find a way to come to a solution and move forward.

VICE CHAIRMAN BARON asked the dais and audience if anyone had any questions for the speaker. There were none.

MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda as read in by Staff. The Consent Agenda

passed 6-0. Vice Chairman Baron abstained from voting on items A, B and C for providing consulting services.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager, extended a welcome to the new commissioner. Informed commissioners important cases will be tracking to the December 7th, Planning Commission so a quorum would be very important. He asked the dais if they know they are going to be absent to please let him or Lucy know ahead of time. Commissioner Cunningham, Wastchak and Vice Chairman Baron stated they will not be available for the December 7th meeting. He stated he will keep in touch to ensure there is a quorum.

7. CHAIRMAN'S ANNOUNCEMENTS

Vice Chairman Baron stated the next regular meeting is November 16, 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.

Andrew Baron, Vice Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 16, 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 Rose.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Bill Donaldson
Commissioner David Rose
Commissioner Devan Wastchak
Commissioner Robert Klob

Also present:

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

4. APPROVAL OF MINUTES

MOVED BY VICE CHAIRMAN BARON, seconded by **COMMISSIONER CUNNINGHAM** to approve the minutes of the November 2, 2016, Planning Commission Hearing. The motion passed 6-0. (Chairman Pridemore abstained, since he was not present at the November 2, 2016, meeting.)

CHAIRMAN PRIDEMORE welcomed new Commissioner Klob.

5. ACTION AGENDA ITEMS

CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in an open Study Session to discuss each of the items on the agenda. Currently, all the items except for Item A. are on the consent agenda and 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 or a full presentation. Also at that time, audience members who have turned in a speaker card will have the opportunity to speak and ask questions.

B. DVR16-0016 DESERT JEWEL APARTMENTS PHASE III

Approved.

Request rezoning from Planned Area Development (PAD) for commercial and self-storage mini-warehouse to PAD (Multi-Family Residential) with Preliminary Development Plan (PDP) for site layout and building design for a multi-family residential development on approximately 3.78

acres. The subject property is located west of the southwest corner of Arizona Avenue and Elliot Road.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "DESERT JEWEL APARTMENTS PHASE III" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0016, 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
7. 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.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "DESERT JEWEL APARTMENTS PHASE III" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0016, 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 site shall be maintained in a clean and orderly manner.
3. 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.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. 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.

C. DVR16-0018 AZ 202 COMMERCE PARK

Approved.

Request rezoning from Planned Area Development (PAD) for light industrial to PAD (Light Industrial and Office) on approximately 13 acres, and rezoning from Agricultural District (AG-1) to PAD (Light Industrial and Office) on approximately 2 acres with Preliminary Development Plan (PDP) for site layout and building design for a light industrial and office development on approximately 15 acres. The subject property is located at the southwest corner of Willis Road and Hamilton Street alignment; east of Arizona Avenue and the Union Pacific railroad tracks.

Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "AZ 202 COMMERCE PARK" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0018, 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "AZ 202 COMMERCE PARK" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0018, 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 site shall be maintained in a clean and orderly manner.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
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. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
7. Raceway signage shall be prohibited within the development.
8. Final percentage of office use will be determined based upon available parking.
9. 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.
10. **Rear building elevations shall incorporate a darker paint color in select areas to break up the wall plane massing and linear appearance.**

D. LUP16-0035 VINUM 55 CHANDLER

Approved.

Request Liquor Use Permit approval to continue liquor sampling as permitted under a Series 7 Beer and Wine Bar License and continue to sell liquor as permitted under a Series 10 Beer and Wine Store License and within a new rooftop patio. The existing wine tasting and storage business is located at 2577 W. Queen Creek Road, Suite 112, the southwest corner of Dobson and Queen Creek roads.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio 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 7 Beer and Wine Bar license and a Series 10 Beer and Wine Store license, and any change of licenses 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.

E. LUP16-0036 BLUE 32 SPORTS GRILL

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The new restaurant is located at 4845 S. Arizona Avenue, the northeast corner of Arizona Avenue and Chandler Heights Road.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio 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.

F. ZUP16-0015 CENTRO EVANGELICO FUENTE DE VIDA

Approved.

Request Use Permit approval for a place of worship/church within a Planned Industrial District (I-1) with a Planned Area Development Overlay (PAD) zoning district. The property is located at 3260 N. Colorado Street, north and east of the northeast corner of Arizona Avenue and Elliot Road.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The Use Permit shall remain in effect for two (2) 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.

CHAIRMAN PRIDEMORE stated there was a speaker card on Item B that wanted to make a statement.

MS. PHYLLIS, 2941 N. ARDEN ST. UNIT 1, stated she lives behind the new development and believes that the area is very congested since the Circle K was built in the corner. She mentioned she is originally form New York City and thinks that Chandler is trying to make Chandler into Brooklyn with all the traffic and noise. She thinks there is too much being put in a small space.

CHAIRMAN PRIDEMORE turned it to staff.

JODIE NOVAK, SENIOR CITY PLANNER stated she will follow up with Ms. Phyllis about some of the traffic concerns regarding left turn movements out of the commercial development and also speak to traffic staff to understand their concerns and help alleviate that.

CHAIRMAN PRIDEMORE asked the dais and staff if anyone had any questions for the speaker. There were none.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions on the consent agenda or would like an item 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 with the additional stipulation added to Item C. The Consent Agenda passed 7-0.

CHAIRMAN PRIDEMORE turned it over to staff to present the action Item A, but first he turned it over to Vice Chair.

VICE CHAIRMAN BARON stated he will be abstaining from Item A, since he provided consulting services and stepped down into the audience.

CHAIRMAN PRIDEMORE gave the audience a summary of the hearing process for an action item. Staff provides a presentation of the case and it's then turned to the applicant, after the applicant it is turned over to the audience. He stated he had a stack of speaker cards and a timer will be instituted for each speaker with five minutes after their name and address are read into the record. He mentioned the green light will come on when the timer starts and at 30 seconds remaining a yellow light will come on and at five minutes the red light will come on. There is a timer at the podium so the speaker can track their time. He mentioned to everyone that this is not a debate between the applicant and the public. They are there to hear statements and asked speakers to try to be concise as possible as they only get one chance to speak. After the public speakers, the applicant will get a chance to make a closing statement.

ACTION:

A. APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029/PPT16-0012 GERMANN COUNTRY GARDEN ESTATES (SERENADE)

Approved.
Request Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Low-Density Residential, and rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product, and Preliminary Plat approval for a 6.7-acre, 16-lot single-family residential subdivision. The subject site is located east of the southeast corner of Alma School and Germann roads.

Area Plan Amendment
Planning Staff recommends Planning Commission motion to recommend approval of APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT.

Rezoning
1. Development shall be in substantial conformance with the Development Booklet, entitled "GERMANN COUNTRY GARDEN ESTATES" and kept on file in the City of Chandler Planning Division, in File No.DVR14-0029, 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.
8. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
9. **Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an existing carwash facility that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", " Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statements outlining that the site is adjacent to an existing carwash facility and that such use is legal and should be expected to continue indefinitely. The responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.**

Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "GERMANN COUNTRY GARDEN ESTATES" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0029, 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. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

4. Approval by the 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.
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.
7. All homes shall be limited to single-story.
8. An eight-foot block wall shall be provided along the southern boundary of the subdivision.
9. **The applicant shall work with Planning Staff to ensure that the rear patio architectural design is commensurate with the architecture of the home.**

Preliminary Plat

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

ERIK SWANSON, SENIOR CITY PLANNER stated the request is for an Area Plan Amendment to the Carino Estates Area Plan from ranchette to Rural residential along with a rezoning from agriculture to Planned Area Development for single family residential with a Preliminary Development Plan approval for subdivision layout and housing product and lastly Preliminary plat approval for 6.7 acre 16 lot subdivision. The subdivision is located east of the southeast corner of Alma school and Germann roads. This item has been continued a couple of times from October to allow the design team to finalize design alternatives. The site with the Coble Stone carwash; west of the site and agriculture zoned properties are east and south. The site itself is designated as ranchette within the Carino Estates Area Plan and the ranchette's range in size anywhere from 2.2 acres up to approximately 3.4 acres. The ranchette's are located along Germann road in between Alma School and Hartford St. to the east and the southern boundary is Kingbird Drive. The particular case goes back to 2013 and included four of the ranchette parcels and initially had 40 lots on it. Surely after it was submitted and going through the process, one of those ranchette's dropped off and taken into its current size. The site plan was examined and it went down to 28 lots then 26 lots and in 2015, the case moved forward with the 16 lots which were done after some neighborhood work. And it was withdrawn for the purpose of re-advertising to work on some of the design elements as well as to work on the housing product. Fast forwarded to now, they are still working on the 16 lot subdivision size that it was closed as when it was withdrawn. They locked themselves in 16 lots and the density provided 2.4 dwelling units per acres. The subdivision itself will be providing a single access point off of Germann road. The frontage it is roughly at midpoint along the Germann road frontage. It is limited to right in right out. At the northwest corner of the site there is an emergency access. The southeast corner of the site there is a track that can serve two functions. One, it can remain a track and operate as an emergency access to the property to the east or in the event to the property to the east comes in and negotiates that road can be extended into that subdivision to the east.

Some of the things that are interesting to the site is how to deal with the carwash to the west, the agriculture properties to the south and east. They look at buffers and boundary and how it is culminated. The biggest issue for this site is Cobble Stone carwash and how to address that. On the site plan there is a row of tree provided for landscape buffer and they loaded the private street

on the western side rather than backing homes up to this. Additionally, to the neighborhood process the neighbors expressed some concerns with the homes backing up their properties on the south side. Going back to 2015 and the 16-lot design, one of the request was made if a drive can be provided down there which also would create buffering. The current site plan reflects the landscape buffer and a drive as well. In addition to those, some of the neighbors had concerns about the homes and homes design. In 2014, the initial submittal and 2015 the housing product had a combo of two-story and single story. Through the neighborhood process it was ultimate agreed to take it down to single–story. That helped alleviate concerns with some neighbors to the south. The staff memo mentions in addition to the single-story homes there will also be an 8ft. block wall provided along the south property boundary that will alleviate another concern.

Following the continuances, the development team took a look at how does it relate to the surrounding agricultural areas and developments. They have come back and changed the title relating it to the agriculture areas. In the book, the monument sign is a little more rustic and some of the amenities provided, community garden things are added. In the landscape plan the layout of the trees create more of a grove feel. They tried to provide the landscaping with a natural and formal design because of the agricultural heritage. They have done something unique with the entry walls that carry into the subdivision. Rather than providing the split rail fencing in traditional agricultural areas, they've provided more of a hitch post design and carries throughout the subdivision. Over the years, they have concentrated on some of the housing stock, coming down to three single-story plans with three elevations that are all distinct from each other. The three elevations provide their own architectural interests and what they tried to do is provide those elements to carry around all three sides. The home product went from just under 2,500 sq.ft. up to just under 2,900 sq. ft. The lot size range from roughly 8,900 sq. ft. up to under 9,500 sq. ft. For the housing product, in the plot plans in the various layouts in the development booklet, the setbacks are provided at 5 ft. and 10 ft. However, a 10 ft. and 10 ft. are provided based on how the home fits on the lot. Rather than stipulate a 10 ft. and 10 ft. for the sides, they decided to leave it at the 5 ft. and 10 ft. to give it more flexibility to provide a minimum width between the homes of 10 ft. but on the flip side it will provide a potential width between the homes of 30 ft. so it will be a minimum of 10 ft. and maximum 30 ft. It tends to play in with some of the agricultural ties to wider side yards. The new adopted General Plan takes out the residential category and changes it to neighborhoods. There was also some fine tuning to some of those categories and it falls in within the ranchette and rural residential with zero up to 2.5 dwelling units per acre and the request is for 2.4 dwelling units per acre. In the memo, there are three policies that are outlined in the General Plan. Throughout the years of the case there have been a number of neighborhood meetings.

The most recent meeting was held in March and was in regards to the 16-lot plan; however, it was a previous layout that had an entrance scud to the east side of the property. After working with the traffic and civil engineering, there were some concerns with that layout and it resulted in the entrance being shifted to the center to the site. Throughout the process there has always been neighborhood interaction and neighborhood opposition. There is some support from some of the neighbors and emails attached to the memo. The concerns outlined by the neighbors find that kind of design and subdivision encroaches into their live style of agriculture character of the neighborhood. There were a couple of emails that were passed out that were received yesterday, one from the property owner directly east of the site. One of the Commissioners had some concerns with the rear elevations of the homes and more specifically the way the patio is

addressed on those homes. Planning staff recommends the addition of the Condition No. 9 in the Preliminary development plan portion of the motion in the memo. The condition is directing the applicant to work with staff to ensure that the patio designs are commiserate with the architectural style of the homes.

CHAIRMAN PRIDEMORE asked staff if there is a precedent under the rezoning condition no. 8 which talks about noise and odor from the ranchette properties since they do have something similar for airport.

MR. SWANSON stated he is sure there is probably some form that they can take and include that but he will have to discuss with staff to include some acknowledgement that there is noise in the area.

CHAIRMAN PRIDEMORE asked if anyone had any questions for staff before he turned it over to the applicant.

ROD JARVIS, 3101 N. CENTRAL AVE SUITE 1000 stated he is happy to be present and stated he completely supports the concept the Stipulation No. 9 that was handed out and if there is a desire to add a stipulation regarding a public notice, they would be delighted to adopt something like that as well. The rezoning request has its roots and changes that have occurred in the area over the past years and would like to explore those changes. He explained the first slide of the presentation with an aerial of the area nearby the site, it shows extensive commercial in the area on all four corners of Alma School and Germann Rd. The uses listed for the site that is next to the subject site project some traffic impacts, light impact and sound impacts. He explained on the second slide number of lanes of the main atrial. All those elements such as Cobble Stone, noise and the number of lanes all have made that particular site not feasible for ranchette development. He mentioned a transitional use and how the General plan calls for a successful environment for itself and buffers its neighbors. In developments going next to neighborhood, there are stipulations for single level homes on the first row or every other home must be single level but this would be single level homes throughout, which creates a certain feel and insures neighbors to the south are adequately buffered and also creates a precedent that's follow across to the east, so those neighbors won't have a two-story home looking over their sidewalls.

They are larger lots that are typically seen in new subdivisions and buffer well to the south with rows of trees so no homes back up to existing homes. He pointed out that staff mentioned that the homes do not back up to existing commercial. They are creating an environment that allows them to develop but also allows them to become a buffer. They have put in a lot of agricultural themed elements that folds the project into the neighborhood. They have a farm and rural architectural accents, the rustics sealed fence and stoned gabion wall, slump block wall instead of the normal block and rural fence throughout the neighborhood. The also included nice landscape tracks including a garden amenity where people can grow garden vegetables and grow gardens and also citrus trees other edible plan material, all designed to make the project feel like the rest of the neighborhood. The project is going to protect the Kingbird neighborhood. He mentioned he has been very frank with the neighbors in the neighborhood meetings, he admits that the project establishes a precedent of a responsible development going to the east. He doesn't mean anybody is required to sell his or her ranchette but if that happens it will set a wonderful standard.

It is his firm belief that the project is going to encapsulate the Kingbird neighborhood, and has a case study that he referred to demonstrate that. Arden Park and the subject site are two of the lower densities for anything that has been built in 20 years. He demonstrated an exhibit that demonstrated homes in Arden Park were purchased when that project was already in place. He went into the backyard of the home of Mr. Scott, a very good friend of his that lives on Germann on the very east end of Carino Estates and pointed out to the nice backyard of the Kingbird lot that is to his immediate south. He mentioned that is something he did not want to lose and he mentioned to him that he can guarantee him that he will not lose that. He mentioned to Mr. Scott that the project will not come near them or have two-story homes. He then referred to an exhibit to show distances and he also mentioned that if Arden Park hasn't disturbed Kingbirds neighborhood, the subject project off of Germann is going to disturb the Kingbird neighborhood. He gave credit to Ms. Shadow Asgari, a neighbor that negotiated the site plan with the single-story homes throughout. The project is designed to flourish in that area that has been changed by the commercial development by Germann as an arterial and is also designed to buffer and transition to what is to the south of it and east of it.

CHAIRMAN PRIDEMORE asked if anyone had any questions for the applicant. There were none.

CHAIRMAN PRIDEMORE reminded everyone about the timer and stated in no particular order he will name speaker cards.

SHADOW ASGARI, 908 W. KINGBIRD DR. stated she wants to keep it brief and speaking on behalf of her and husband Eric Engel. Her house is directly south in the middle of the Serenade project. They are separated by a dirt alley and an irrigation ditch. With all do respect to her neighbors that are entitled to their opinions, she mentioned is realistic. Chandler is running out of land and what is left is going to eventually be rezoned and developed. It is a large piece of land in a nice area right off of Germann with seven lanes; it would be foolish to think it is not going to get developed. Most people are not going to build a house on 2.2 acres the way they have on Kingbird. It has been going on for too long, 4 years but Garret Walker has taken the time to meet with the neighbors with a lot of neighborhood meetings. They have looked at people's backyards and homes and have spent a lot of time talking to everyone and taking opinions into consideration. The project has gone down from 28 homes to now 16 homes and with plenty of buffer with the 8 ft. wall, a road and trees before the homes start. One of her biggest concerns was having two-story homes on the other side of her backyard with people looking into our backyard. They have taken them down to one-story homes and none will be facing her backyard. It will buffer them from Germann and it would be nice to have the little Kingbird neighborhood encapsulated. She mentioned this project has gone on for too long and the applicant has taken the time to meet with everyone and she feels comfortable with the way the project is being proposed at this time so she is in support.

COMMISSIONER DONALDSON asked the speaker if her or her neighbors have rear walls, since she mentioned she is able to see Germann.

MS. ASGARI stated they do not.

BOB HARMS, 777 W. GERMANN RD. stated he has been in Arizona for 70 years and has gone through this process five or six different times. From Laveen, Glendale and Tempe, every time they have an agriculture area that they move in, they want to build houses. He doesn't understand why they have to put a house on every piece of vacant land. He has a horse property for his grandkids and would hate to see it destroyed by houses. He keeps his place up nice and trains kids to ride and he can see when there are flies or dust it's his fault. They moved into this area because it is agriculture and for some reason it comes to bite him every time that people feel that they have to have houses on every piece of land. Chandler is a great place and it's an agricultural city and it's losing it and asked everyone to consider what he had to say.

CHAIRMAN PRIDEMORE asked staff to put the aerial on the plat form and asked Mr. Harms to point where his home is located so they can understand where he lives relative to the site.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none. He mentioned the next speaker Mr. Moe Wakefield and advised him that the dais received both copies of his letters; the executive summary and regular letter and hopes that commissioners read the abbreviated one between study session and the hearing.

MOE WAKEFIELD, 797 W. GERMANN RD. asked why would they destroy the Germann ranchettes? By the public participation documents in the file says that people were told that the people on Germann are gone. The email attachments to Erik, he asked him what is the barrier that keeps them from sweeping eastward but he doesn't know. He mentioned once it is unleashed the neighborhood would be destroyed. Shadow and Erik think that they worked out a special sweetheart deal with the developer but anything that the developer can put on Germann will end up right next to them because they've already had it on the northeast corner of Kingbird and Alma School there two ranchette properties that have been held there for years by a speculator and now one of the adjacent property owners want to go in there and develop them. They wanted a commercial development and City staff said no. He believes that they will be able to get the same residential zoning on Germann. He stated no one will be able to stop this from spreading down to Kingbird and anyone that thinks that, he feels sorry for them. He has lived at that site before annexation. They want to bring in 16 houses there and stone wall the noise issue, the Cobble Stone carwash. The September 2014, neighborhood meeting, they were told by Garette Walker staff that the rich millionaire ranchette owners won't live there because of the carwash noise. But want to bring in 16 houses and call it super. Their attorney at the April 2015, meeting that Erik and Council member Roe attended promised him that they will disclose the noise study on Cobble stone. He grew up in the Cold War era where propaganda and lies happened. He wants to know why this won't be discussed. No one acknowledges that he has raised an issue. The public participation is really afar. They've had five public participation meetings and not one of them is about what is going on. By the October 5th meeting the project had been redesigned and no one gets time to read the email since they were given the same day and he only gets five minutes to speak. He can't instruct anybody or bring anybody up to speed in the amount of time he is given.

The noise issue has never been discussed and neither has the project itself has never been discussed. To him it is a slap in the face to the public they are not going to give the people a neighborhood meeting and let the people go to a public meeting and ask questions with only five minutes to speak. He stated it was nonsense and has never seen anything like this in his life. His

neighborhood is at steak and they are fighting for the survival of it. They've got three different developers out there wanting to carve them up. He asked if this is neighborhood preservation. The new roadway, he googled the six mile length on Germann road from Price to Gilbert Rd. and it's supposed to be the super duper showcase roadway for Chandler to go from Price Rd. development over to the airport development. There were 19 intersections and City streets on that six mile and neither one of them did what it is stated that they come out to a raised median and then go up to Alma School to the freeway, you've got to go right and sweep around then go up. If on Germann headed west then turn in, there is no way, a U-turn will be necessary at Alma School then turn east. He thinks it is baling wire and duct tape. There were no neighborhood meetings, there's another developer next door and he does not have the opportunity to explain it because he is limited to five minutes. They are locked out, shut down and stone walled and can hear the carwash noise from his property. He drives Germann and there will be two intersections instead of one and very close to each and no discussion in a neighborhood meeting.

CHAIRMAN PRIDEMORE asked Mr. Wakefield to point to his property on the map and asked the dais if anyone had any questions for the speaker. There were none. He named the next speaker card from Eric Engle that is in favor of the item however, did not wish to speak.

CHARLES HUELLMANTEL, P. O. BOX 1833 TEMPE, stated he is there on behalf of the owners to the east which is Market Place development. He mentioned that Mr. Moe has mentioned his client and in fact it is true that his client would like to develop a property as well. They have been working with the City of Chandler and neighbors for some time. This is the first time he's had the unfortunate experience to come forward and not be arguing for a project. He mentioned to the dais that their job is tough enough in deciding between not just two opinions but lots of opinions. He is going to try to clarify where he sees things in similar way as the applicant or differently. At one point in time the folks who have the application were under contract by his client's property. It was all going to be designed at one time however, the sale fell through. He was not involved in it and does not know why. Despite the fast that it will not be built as one project, He believes that staff is right. Originally the concern was everything should be developed as one single neighborhood. Otherwise there will be two small neighborhoods. The concern was because the drive configuration is not so great. It right in right out otherwise there is a median. He agrees with Mr. Jarvis that Germann has changed significantly. He does not disagree that the use that is proposed is appropriate; in fact he thinks the homes they are proposing are appropriate. So in a land use question, Germann change is what happens in that land.

His concern is that it is not being developed together. At one point in time they had a consultant designing both pieces together. The consultant was told by Mr. Jarvis's client that they had to stop working with them. Their concern is that it leaves the project without great access since it affects the neighbors with one set of appropriate access. In a perfect world would be that the applicant is directed to work with them, not to build it as one project but design it as one project so it has appropriate access for both properties and better access for Chandler and the residents for both neighborhoods who will have to get in and out of the area. If that doesn't happen there will still be concern so he hopes that everyone takes a careful look. One of the suggestions that they heard from one of he neighbors was that they were so delighted because those backyard don't face into their back yards. If this project goes through they are going to ask for a very similar thing. However, those units to do look into their yards and think those elevations are

overwhelming. Staff mentioned in their presentation they were three sided architecture and they agree with that. He mentioned it was wonderful unless you are on the fourth side. It's been his experience that those things are better evolved before Planning Commission not after, so they get a chance to see what they are. He stated to be clear, they do not oppose of land use, however the plan could be better and the way to make it better is to send it back. They currently have an application in place and have had it in place with the City for some time and waited on home design because they wanted them to be complimentary. Whatever gets built, for generations, those driveways are going to function properly or they won't and it's unlikely that the median is going to be moved from Germann and it is also unlikely that everyone who lives in that subdivision is going to need to turn right in and right out. Sometimes some might want to go the other direction and it is going to cause an issue. He thanked everyone for their time and consideration.

CHAIRMAN PRIDEMORE asked if anyone had questions for the speaker. There were none. He asked the audience if anyone had any questions or statements. There were none.

CHAIRMAN PRIDEMORE turned it over to the applicant to make a closing statement and also to address the noise study for the Cobble Stone.

MR. JARVIS stated he did not have a copy of the Cobble Stone noise study with him but what that dictated was they would not back lots up to the Cobble Stone, instead have a buffer and front lots in that direction. The homes will be built for noise attenuation and backyards would be protected by the homes themselves. He stated he appreciates Mr. Wakefield's concern for the marketability of the homes and they also share that concern, but they are going to build them in such way to provide a nice home environment and product they can sell.

CHAIRMAN PRIDEMORE asked staff if the noise study need to be submitted as part of the application.

MR. SWANSON stated is it nothing that they request directly, however, if they have it, it would be great to have as an article for the public to review as requested but it is not required.

MR. JARVIS stated Mr. Huellmantel represents Mr. Benny and is opposed to the submittal of site plans with theirs. At the southern end of Mr. Huellmantels proposed project there is an L shaped curve that Mr. Swanson also mentioned in his presentation. Originally, their site plan showed a stub out of the street but because they had private streets and staff didn't know if the project adjacent would be private streets or not, they were asked to remove them and they did and will be happy to put it back in. There is an explanation as to why they do not have an agreement in place with Mr. Avrahami. On his site plan he is including one of his parcels and it was a 40 lot plan that included western most Mr. Avrahami two parcels. There was a falling out between Garret and Mr. Avrahami, therefore the site plan never included Mr. Avrahami for 2015 and 2016. In January of this year Mr. Avrahami called him and told him that they are going to three-quarter vote his case unless they include him in the zoning. He then asked Mr. Avrahami to go to lunch and his daughter and nephew were also present. At the end of the meeting Mr. Avrahami said he was not going to three-quarter vote him at the time so they moved ahead. Then in late February, Mr. Avrahami called him and again said they wanted to be included in the zoning case. He went to Garret Walker homes and gave the request and they said they did not

want to have that kind of relationship with Mr. Avrahami ever again. It got to the point where they didn't want him asking about it. He does not have the details of that fallout but does not want to have any business relationship with Mr. Avrahami. During the years of working on the case, he's gotten that message from various agents of Mr. Avrahami about three-quarter vote him. He then offered to sell it to Garret Walker homes and has been working on this three parcel project for three years and do not have an appetite to buy more land. He mentioned he has attented two neighborhood meetings this year. But thinks that Mr. Wakefield felt like there should have been another neighborhood meeting because they changed where the entrance is but is not the case because they did not change the number of lots or the buffering and the agriculture they added did not necessitate a neighborhood meeting. Also, in one of Mr. Wakefield's email some time during this year he complained that they were having too many neighborhood meetings.

They have offered to stipulate the Garrett Walker will at staff's request, negotiated cross access easement between the two properties, Garret Walker and Mr. Avrahami. The offer was made two weeks ago with Mr. Avrahami and Council member Heuman out in the lobby stating there needs to be planning together and working together. He responded with a no because they have been working on it for years and want to go ahead now, however, if they want to ask for a stipulation about cross access, they should because a letter was sent that they were willing. However, staff told them to take it off. He received a call last night from Mr. Charles and they want to have that easement agreement in place. They do not want to be delayed if they give that to Mr. Avrahami but he did mention they approved the stipulation. He also mentioned they pay for the extension that is currently not showing on the site plan. They are suggesting that stipulation and in good faith provide it but what they do not want to do is get delayed because that is the concern of his client and that is why they have kept distant from Mr. Avrahami through the process.

He states there has been some discussion about how this will set a precedent for Alma School and Kingbird. There was a school project wanting to go in that has nothing to do with homes like theirs on that location. There are no homes on the property they are seeking to rezone and nobody will be forced to sell their property before they want to. They are going into an agriculture area, not just on Germann but also on Kingbird and know that can be lots that can have horses and other livestock and they believe they can coexist very well as it's done in many locations throughout Chandler. He mentioned that they got over 300 signatures in support, however there aren't any on Arden Park because it's a private gated community. However, went door to door everywhere else.

CHAIRMAN PRIDEMORE turned to the dais for questions or comments.

COMMISSIONER WASTCHAK asked staff to explain staff's opposition as to when they were trying to bring their drive over to the east they were trying to get it in line so they can make a left out at the median.

MR. SWANSON displayed the exhibit with the new layout and explained the concern with having it shifted over all the way to the east was that it did not provide the allowance for left turns in and left turns out. He said what Mr. Huellmantel's brought up is if the access drive is on their property, it aligns with full access movement, which makes that movement safer. Staff's concerns with the subdivision is having that drive on the east and not providing safe movement,

ultimately, they went back and worked with the City's Traffic Division to come up with the current particular location to make it as safe as possible being right in right out.

COMMISSIONER WASTCHAK stated that the applicant mentioned they performed a noise study as part of the real-estate. Is that something that staff would do and wants to know the position on that?

MR. SWANSON stated he did not have the specific language in front of him so he did not feel comfortable reading one off. However, getting direction from Commission to add that type of condition is ok to ensure there is acknowledgement that the carwash is in the area and it generates noise and seems to be there indefinitely.

COMMISSIONER WASTCHAK stated if they agree to that it would be helpful, unless Commission is against that.

CHAIRMAN PRIDEMORE asked staff if that is something they can just add a stipulation to that it would be something that would be worked on prior to Council if it moves forward? Or is it something that he would need a few minutes to write.

KEVIN MAYO, PLANNING MANAGER stated he would use condition no. 8 from the rezoning as a template and remove anything that says agriculture and replace with carwash and will read it as condition no. 9.

COMMISSIONER WASTCHAK stated he had another comment as to when the applicant mentioned the shared access agreement that they will put in an extension to connect to the other drive but they are going to pay for what happens on their property. His concern about that is if there is an access agreement, he can see people making a left turn into the adjacent property and causing more traffic and he doesn't know why anybody would come from their property into that one. He mentioned it's a business agreement that has to be worked out so to a certain extent he agrees but the stipulation that is going to be added seems to be difficult to add because there are several business point that are not being addressed in that.

MR. JARVIS explained he would put that specificity in to show that they are serious and not trying to put something vague. He is happy to take that out; they just don't want to wait until after the rezoning is done. In regards to that, they are not counting on his project going in. They've got a seventh lane in the arterial and it's a turning lane and can live very happy with a right in right out and safely. It is designed to be safely used in that fashion. However, Commission might be right, more people will turn left and go over and if staff rather that they don't specify that they pay their own, that's ok. He stated they have more streets to maintain and they are also agreeing to put in a street extension that right now they are not required to put in. But they do not need negotiate that now; they can take that or not even note the stipulation at all. He is just showing it as a matter of good faith. No take it out but leave it out.

CHAIRMAN PRIDEMORE stated he wants everyone to understand that it is currently not a part of what they are looking at and he would not want to see it there. He thinks they need to look at it from an ideal world. The property to the east would have worked everything out and they would be seeing it as one project that did not occur. However, he thinks it would muddy the

waters if they'd start adding it now. He would prefer to take the project as seen and try to link it to something that may or may not be real.

COMMISSIONER WASTCHAK stated that he agrees.

COMMISSIONER DONALDSON stated he appreciates Commissioner Wastchak's comment about the potential 9th stipulation because what he sees as a developers opportunity to develop a good plan and he is not crazy about having four or five entrances and exits across an area that might developed long term but also not in favor of tying someone's hands such that they would need to come to an agreement with their neighbor in order to develop a good plan and set a good precedent. One of the thoughts that went through his heads when he heard a couple of comments He moved next to vacant lots and built his home in 1989 when everything was agriculture, but now it's the San Tan freeway and the mall. Those are the risks one takes when moving next to vacant land. He is happy with the mall and relatively happy with the freeway. He would have been very happy with a 16 lot residential neighborhood. He is in favor of the project.

CHAIRMAN PRIDEMORE stated he is a believer that a property owner has the right to develop their piece of property in a reasonable way. In this case it is a reasonable request and he wishes something could have been worked out with the property to the east but it did not occur but he is in favor the project. He asked if anyone else had comments.

COMMISSIONER ROSE stated he would like to comment that there is a Germann Country Estates subdivision in Chandler just about a mile away already. It is a different name but he didn't know if maybe they want to drop the Country and look at name it Germann Garden Estates to lessen confusion with having two Germann Country Estate a mile away from each other.

CHAIRMAN PRIDEMORE turned it over to staff.

MR. SWANSON stated that is something that can be discussed further out.

COMMISSIONER CUNNINGHAM stated like Mr. Wakefield she morns for the losses of the agricultural areas. Unfortunately, it is a developing City and agricultural areas are disappearing. She is hopeful that those neighbors will choose to keep what they have that's already built on and their families can inherit. However, she also agrees with Chairman Pridemore that citizens have the right to use and develop their properties. There are three lots that are undeveloped and adjacent to a very noisy carwash and it should someone alleviate that noise because there will be buffer. She likes it and prays that it preserves the Country Estate area, rather than destroy it. But if neighbors do decide to sell out, unfortunately there is not much anyone can do. She is in favor of it.

MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER CUNNINGHAM** to approve APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029/PPT16-0012 GERMANN COUNTRY GARDEN ESTATES (SERENADE) and additional stipulations as read in by Staff. The Consent Agenda passed 6-0. Vice Chairman Baron abstained from voting on as he provided consulting services.

CHAIRMAN PRIDEMORE explained to the audience that Planning Commission is only a recommending body and everything still has to go to City Council on December 8, 2016. Also, Planning Commission had a very narrow purview in what they can look at; they are behooved by the Planning and zoning ordinances. City Council can take into considerations a lot more points. He thanked everyone who attended the meeting and encouraged them to attend City Council.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager, stated the next meeting is important since they've got the sign code amendment going to that hearing. He is aware that there will be 3 commissioners absent. He asked everyone to try to make the meeting to take that case forward.

7. CHAIRMAN'S ANNOUNCEMENTS

Vice Chairman Baron stated the next regular meeting is December 7, 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 6:55 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, December 7, 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 Klob.

3. The following Commissioners answered Roll Call:

Chairman Matthew Pridemore
Commissioner Bill Donaldson
Commissioner David Rose
Commissioner Robert Klob

Absent and Excused:
Vice Chairman Andrew Baron
Commissioner Katy Cunningham
Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager
Ms. Jodie Novak, Senior City Planner
Mr. Erik Swanson, Senior City Planner
Ms. Susan Fiala, City Planner
Ms. Lauren Schumann, City Planner
Ms. RoseMarie Horvath, 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 November 16, 2016, Planning Commission Hearing. The motion passed 4-0. (Vice Chairman Baron, Commissioner Cunningham and Wastchak, absent.)

5. ACTION AGENDA ITEMS

CHAIRMAN PRIDEMORE informed the audience prior to the meeting Commission and Staff met in an open Study Session to discuss each of the items on the consent agenda and 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 or a full presentation.

A. APL16-0001 GATEWAY AREA PLAN AMENDMENT/DVR16-0009/PPT16-0007 THE PARK AT COPPER CREEK

Approved.

Request Gateway Area Plan amendment from Mixed Use Office/Commercial/Retail to Multi-Family Assisted Living, and request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for independent living/assisted living along with Preliminary Development

Plan (PDP) for site layout and building design, and Preliminary Plat approval on approximately 5 acres. The property is located at the northeast corner of Pecos Road and 94th Street, west of Dobson Road.

Area Plan

Planning Staff recommends Planning Commission motion to recommend approval of APL16-0001 GATEWAY AREA PLAN.

Rezoning

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Park at Copper Creek", kept on file in the City of Chandler Planning Division, in File No. DVR16-0009, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
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. 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.
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.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Park at Copper Creek", kept on file in the City of Chandler Planning Division, in File No. DVR16-0009, except as modified by condition herein.

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.

4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. The site shall be maintained in a clean and orderly manner.
6. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
7. 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.

Preliminary Plat

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

B. DVR16-0017/PPT16-0014 TRE VICINO

Approved.

Action on the existing Planned Area Development (PAD) zoning for Low-Medium Density Residential 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 Regional Commercial District (C-3) and General Industrial District (I-2) zoning designation, along with Preliminary Development Plan approval for subdivision layout and housing product, and Preliminary Plat approval for 372 residential units on an approximate 49.4-acre site. The subject site is located south and east of the southeast corner of Arizona Avenue and Knox Road.

Zoning Time Extension

Planning Staff recommends Planning Commission motion to recommend approval of DVR16-0017 TRE VICINO, extending the timing condition for nine years starting from February 13, 2011, and expiring February 13, 2020, with all applicable conditions of the original rezoning remaining in effect.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Tre Vicino", kept on file in the City of Chandler Planning Division, in File No. DVR16-0017, except as modified by condition herein.
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 applicant shall work with Planning Staff to provide an additional color scheme to both architectural styles.
4. The applicant shall work with Planning Staff to enhance the side and rear elevations of the duplexes.
5. The landscaping in all open spaces and rights-of-way as well as all perimeter fences and view walls, shall be maintained by the adjacent property owner or homeowners' association.

6. 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.

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. LUP16-0038 DRURY INN & SUITES

Approved.

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption as permitted under a Series 11 Hotel License within a new hotel located at 1205 S. Price Road, north of the northeast corner of Price Road and Spectrum Boulevard.

1. The Liquor Use Permit is granted for a Series 11 Hotel 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.

D. ZUP16-0014 CHEN ARCHITECTS / MCPK CONSTRUCTION MGMT.

Approved.

Request Use Permit approval to continue operation of a professional office within a Single-Family (SF-8.5) District. The property is located at 877 N. Alma School Road, south of the southeast corner of Ray and Alma School roads.

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. Increases in on-site employment over four (4) shall require a new Use Permit application and approval by the City of Chandler.
3. Parking shall occur at the rear of the site. Parking in the front yard is for delivery drop-off and pick-up only.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. The site shall be maintained in a clean and orderly manner.

E. ZCA16-0002 CITY OF CHANDLER / SIGN CODE AMENDMENT

Approved. (CONTINUED TO THE FEBRUARY 1, 2017, PLANNING COMMISSION HEARING)

City initiative to amend Chapter 39 (Sign Code) of the Chandler City Code by adopting a revised Chapter 39 in its entirety. **(REQUEST CONTINUANCE TO THE FEBRUARY 1, 2017, PLANNING COMMISSION HEARING)**

F. CANCELLATION OF THE DECEMBER 21, 2016 PLANNING COMMISSION HEARING.

Approved.

CHAIRMAN PRIDEMORE asked the audience if anyone had any questions on the consent agenda or would like an item pulled for a full presentation. There were none.

MOVED BY COMMISSIONER DONALDSON, seconded by **COMMISSIONER KLOB** to approve the Consent Agenda as read in by Staff. The Consent Agenda passed 4-0.

6. DIRECTOR'S REPORT
Mr. Kevin Mayo, Planning Manager, thanked commissioners for serving on the Planning Commission for another year.

7. CHAIRMAN'S ANNOUNCEMENTS
Chairman Pridemore wished everyone happy holidays and stated the next regular meeting is January 4, 2017, 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 5:35 p.m.

Matthew Pridemore, Chairman

Jeffrey A. Kurtz, Secretary