



**Chandler • Arizona**

## **2018 Planning & Zoning Commission Minutes**

### **Regular Meetings**

January 3, 2018	July 4, 2018 Cancelled
January 17, 2018 Cancelled	July 18, 2018
February 7, 2018	August 1, 2018 Cancelled
February 21, 2018	August 15, 2018
March 7, 2018 Cancelled	September 5, 2018
March 21, 2018	September 19, 2018 Cancelled
April 4, 2018	October 3, 2018 Cancelled
April 18, 2018	October 17, 2018
May 2, 2018	November 7, 2018
May 16, 2018	November 21, 2018 (not available yet)
June 6, 2018	December 5, 2018 (not available yet)
June 20, 2018	December 19, 2018 (not available yet)

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 3, 2018 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Andrew Baron  
Vice Chair Katy Cunningham  
Commissioner David Rose  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner Rick Heumann

Absent/Excused:

Commissioner Devan Wastchak

Also present:

Mr. Kevin Mayo, Planning Manager  
Ms. Jodie Novak Swanson, Senior City Planner  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Kelly Schwab, City Attorney  
Ms. Lucy Vazquez, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER ROSE**, seconded by **COMMISSIONER KIMBLE** to approve the minutes of the December 6, 2017, Planning Commission Hearing. The motion passed 4-0 (Vice Chair Cunningham and Commissioner Heumann abstained as they were not present at the December 6, 2017, meeting)
5. ACTION AGENDA ITEMS  
**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 consent agenda and will be approved by a single vote. After staff reads the consent agenda into the record, action Item B will be presented and discussed as well as giving the audience an opportunity to speak.

A. APL17-0002 SOUTHEAST CHANDLER AREA PLAN  
AMENDMENT/DVR17-0007/PLT17-0033 ARIZONA AVE & RIGGS RD

**Approved.**

Request amendment to the Southeast Chandler Area Plan from Mixed Use/Employment to Traditional Suburban Character. Request rezoning from Planned Industrial District (I-1) and General Industrial District (I-2) zoning to Planned Area Development (PAD) for Residential and Neighborhood Commercial with Preliminary Development Plan (PDP) approval for subdivision layout on the residential component and site layout and building design on the commercial

component, and Preliminary Plat approval on approximately 105 acres located at the northeast corner of Arizona Avenue and Riggs Road.

### **Area Plan**

Planning Staff recommends Planning Commission motion to recommend approval of APL17-0002 SOUTHEAST CHANDLER AREA PLAN AMENDMENT (ARIZONA AVE & RIGGS RD).

### **Rezoning**

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ARIZONA AVE & RIGGS RD", kept on file in the City of Chandler Planning Division, in File No. DVR17-0007, 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. 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. 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. 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. 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.
9. 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.
10. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
11. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://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.

12. 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 existing railroad tracks and railroad right-of-way 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 railroad track and railroad right-of-way, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. 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.
13. 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 existing industrial property and industrial businesses 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 existing industrial property and industrial businesses, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. 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 "ARIZONA AVE & RIGGS RD", kept on file in the City of Chandler Planning Division, in File No. DVR17-0007, except as modified by condition herein.
2. Housing product shall be reviewed through a separate Preliminary Development Plan.
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 homeowners' association.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Landscaping for the commercial component shall be in compliance with current Commercial Design Standards.
7. Signage for the commercial component shall be reviewed through a separate Preliminary Development Plan application.
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. 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. LUP17-0020 CASUAL PINT

**Approved.**

Request Liquor Use Permit approval to continue to sell and serve beer and wine indoors and within an outdoor patio, as permitted under a Series 7 Beer and Wine Bar License. The request includes continuing live entertainment indoors and adding house music within the outdoor patio. The 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. 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. Live entertainment shall occur indoors only.
7. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.

D. LUP17-0031 RESIDENCE INN BY MARRIOTT

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption and within an outdoor patio/pool area as permitted under a Series 11 Hotel License within a new hotel located at 2727 W. Queen Creek Road, south and east of the southeast corner of Queen Creek and Price roads.

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.

E. ZUP17-0018 CHANDLER DOGS 24/7

**Approved.**

Request Use Permit approval to allow overnight dog boarding and an outdoor area to operate together with a doggy daycare and pet grooming. The business is located at 6145 W. Chandler Blvd., Ste. 1, at the southwest corner of Chandler Blvd. and Kyrene Road.

1. The Use Permit is non-transferable to any other property or other suites/tenant spaces on the subject property.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. The site shall be maintained in a clean and orderly manner.

F. CANCELLATION OF THE JANUARY 17, 2018 PLANNING COMMISSION HEARING.

**Approved.**

**CHAIRMAN BARON** stated he had conflict of interest on Item A. and abstained from voting and any discussion.

**VICE CHAIR CUNNINGHAM** stated she received a speaker card for Item A. and citizen wished to speak.

**BRUCE WRIGHT, 11102 E. VALLEJO ST.,** stated that he and Jodie had a conversation about the case. He mentioned in general the site is perfect for residential rather than commercial. One of the concerns he has is over on Cloud on Arizona Ave, it is a small subdivision and it is a county island and he wants to propose a turn lane be limited into the Cloud Access. Jodie has volunteer coordinate a discussion with City's Transportation Engineer. He thinks the median is already beautiful but understand it has to be torn apart.

**URSULA JOHNSTON, 2265 E. LA COSTA PLACE,** mentioned she has been a Chandler resident for almost 15 years and is saddened by all the growth that is occurring. She feels that Chandler is losing the feel and personality of the City. She is also saddened by the future development. She loves the view of the mountains and thinks they don't need it and thinks the City should be more responsible about the growth.

**VICE CHAIR CUNNINGHAM** turned it over to Chairman Baron.

**CHAIRMAN BARON** 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 HEUMANN,** seconded by **COMMISSIONER CUNNINGHAM** to approve the Consent Agenda read in by staff and with Item B going to action. The Consent Agenda passed 6-0 (Chairman Baron abstained from voting on Item A, as he provided consulting services, Commissioner Wastchak absent.)

**ACTION:**

B. DVR17-0011 WATCH TOWER CARWASH AND STORAGE  
**TIME EXTENSION APPROVED, REZONING DENIED, PDP DENIED.**

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), Community Commercial District (C-2), and High-Density Residential District (MF-3)

zoning. The existing PAD zoning is for a commercial development on approximately 10 acres. In addition, request rezoning from Planned Area Development (PAD) for Community Commercial to PAD for Community Commercial, Self-Storage Mini-Warehousing, and Recreational Vehicle Storage along with Preliminary Development Plan (PDP) for site layout and building design for a car wash, self-storage mini-warehousing establishment, and recreational vehicle storage on approximately 4.4 acres of the larger 10 acres located east of the southeast corner of Chandler Boulevard and McQueen Road.

### **Rezoning Time Extension**

Planning Staff, upon finding consistency with the General Plan, recommends approval to extend the timing condition for twelve (12) years with all of the conditions in the original approval remaining in effect.

### **Rezoning**

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Watch Tower Carwash and Storage", kept on file in the City of Chandler Planning Division, in File No. DVR17-0011, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3691 in case DVR04-0049, except as modified by condition herein.
3. 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.
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. 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.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Watch Tower Carwash and Storage" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0011, 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. Landscaping shall be in compliance with current Commercial Design Standards.
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. The site shall be maintained in a clean and orderly manner.

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. Signage shall be reviewed through a separate Preliminary Development Plan application

**JODIE NOVAK, SENIOR CITY PLANNER** stated the request is located at the intersection of Chandler Blvd. and McQueen Road, on the southeast corner. There are multiple components that include the time extension. The prior zoning case got approved back into 2005 was granted a three year time-extension that was for a QuikTrip gas station and carwash that was expired in 2008. The land east of that needs a time extension that would extend the zoning for 12 years. The second component is the rezoning which focuses on 4.4 acre that fronts McQueen which is the subject of the application. The request is to add additional uses. Currently all of the 10 acres is zoned Planned Area Development (PAD) for Community Commercial uses (C-2) that are permitted by right. They would like to add uses for the 4.4 such as a self-storage mini warehouse use and a recreational vehicle storage use. Those uses are not permitted unless they receive a rezoning. The third component is a Preliminary Development Plan (PDP) which is the design of the building, site layout and landscaping. The request is focused on the 4.4 acre that includes multiple uses such as a carwash that is permitted. The uses they are requesting the additional uses include indoor self-storage unit. The design has taken into consideration the already pre-approved QuikTrip property. They have already coordinated cross access and architecture that will match together. She stated the timing and if the QuikTrip will be developed or not. It is already an entitled as a PDP from prior case and they don't expire. So the design has not changed. In terms of the site layout, the buildings are in conformance with design standards. The circulation of the site interacts together. There will be access points, two of which will be off of Chandler Blvd. There will be a westbound left turn lane added into the existing median that has been reviewed by the transportation engineers. There will be also an access off McQueen that will be restricted. More discussion is occurring with the transportation staff. A neighborhood meeting was conducted by the applicant back in August. Three people attended and expressed concerns. A couple of concerns were preferably not wanting a carwash, and is the property the right fit for a carwash, and the traffic impact that the project would create. The applicant has been in contact with various residents, some in support and some against.

Planning staff have received emails from residents that are opposed to the projects. Phones calls have also been made to oppose of the project. The proposed uses are consistent with the general plan which allows the consideration of community commercial C-2 uses. In the neighborhood category of the general plan, it does allow for non- residential uses to be considered such as institutional uses. The projects PDP meet the commercial design standards from a site design and architectural design stand point. Staff will work with the corner when or if developed. There were conditions that were applied.

**CHAIRMAN BARON** stated he was a little confused about the package. As he looks at the new site plan, the carwash was removed. He asked staff to explain.

**MS. NOVAK** the carwash was a definitive land use. The piece of property south of the convenient store is defined as the Community Commercial zoned property for any kind of C-2 uses permitted by right. QuikTrip just happened to represent a concept that they may desire to have their own detach carwash back into 2005. It is represented in the zoning case at that time as a future concept.

**CHAIRMAN BARON** asked if the time-extension is just for the gas station use.

**MS. NOVAK** stated the time extension specifically addresses one zoning condition in the 2005 zoning case ordinance that stated they would have to develop above foundation walls within 3 years. It is not a time extension on the PDP. QuikTrip has permitted the liberty of the applicant to move forward with a time extension of their land and the eastern property owner for an additional 12 year period to compensate for when it did expire plus additional years if this were to be approved throughout the public hearing process.

**CHAIRMAN BARON** asked that in the event the car wash is approved if there can be another car wash south of the gas station.

**MS. NOVAK** There is a PDP in place for the QuikTrip property. If a time extension was approved, excluding the Watch Tower case before us, the owner of that corner could come in and build that site plan as it was approved. They certainly could have a C-2 use whether it was a car wash or other C-2 permitted use.

**CHAIRMAN BARON** asked if it was correct that there is no legal way to prevent a car wash from occurring at that location.

**KEVIN MAYO, PLANNING MANAGER** stated the Chairman was correct.

**COMMISSIONER HEUMANN** asked if the property would go back to its original zoning if the timing extension was not approved and what the original zoning of the property was.

**MS. NOVAK** stated she wanted to categorize that with the prior case in 2005, the commercial piece that fronts McQueen that showed a concept carwash, they did have a zoning condition that stated along the south property line drive thru uses would not be approved without a separate PDP. So for example, a high turnover restaurant would trigger a new PDP process but a car wash or other C-2 use as long as it meant the intent of that original PDP, would not come back. In regards to the original zonings of this property, the land had a combination of zoning districts. Part of the 10 acres had AG-1, a part had Community Commercial C-2 and a part had High Density Residential. There were about five individual property owners at the time and QT was working with all of them to create a 10 acre parcel so there were multiple zonings from the corner heading east down Chandler Blvd. If there was a desire to not continue the zoning as a C-2, the option under our standards would be to remove it, cause it to revert and it would go back to those original zoning districts.

**COMMISSIONER HEUMANN** asked what would be allowable in a hard zoned district on this land.

**MS. NOVAK** approached the dais with the map attached to the memo for this request to show the different hard zoning districts. She explained the property with the cross hatching had a small sliver of MF-3 that is now C-2 zoning that the chairman is currently referring to. She explained that the majority of the property was AG-1 zoning and in terms of development from a use standpoint, the code has a lot of different uses that could occur but these are long, narrow and small, so it would be very difficult to meet commercial design standards. Therefore, they would not be able to develop in accordance to development standards. There would have had to be additional land zoned in order to develop it appropriately.

**COMMISSIONER HEUMANN** asked who all now owned the property.

**MS. NOVAK** explained that is now owned by one company who bought the property with the intent to come in and develop at some point.

**COMMISSIONER HEUMANN** asked that in response to the letters and comments from received from the public how many self-storage and car washes are within a three to five mile radius of this property.

**MS. NOVAK** stated the nearest would be McQueen and Germann but has yet to develop. Then north on McQueen there is not one until you hit the border of a different jurisdiction. If you go a mile to Cooper and Ray there is an existing storage facility. Then on Arizona Avenue and Warner there are more but there are no storage facilities in the immediate area of this property.

**COMMISSIONER HEUMANN** asked how many car washes are in the vicinity.

**MS. NOVAK** stated she did not have the information on car washes in the vicinity but mentioned there are car washes attached to gas stations. As far as individual car washes, she is not familiar with any in the immediate area.

**COMMISSIONER KLOB** mentioned through his research there are sixteen storage facilities and seventeen carwashes within the boundary area surrounding this property. He stated he has the same concerns expressed from comments received about the land use.

**MR. MAYO** stated that when focusing on land use, the two pieces of discussion tonight are the zoning time extension and are the commercial purposes appropriate for this immediate 10 acre site. Picking and choosing from that C-2 list is not subject for discussion because it is simply only acting on that time condition of that previous ordinance. Carwashes are a permitted use under C-2 so when we are talking about land use tonight, C-2 is over the whole 10 and if we can past that and say yes they are still appropriate for this corner, the only part of the rezoning request is for the self-storage and outdoor storage. When we start talking about the carwash it really needs to be focused on the design. When we are talking about land use it needs to be to the point of extending the zoning and adding self and outdoor storage. Those are really what we need to focus on in the land use discussion.

**COMMISSIONER HEUMANN** stated there are multiple things on this agenda. If the time extension was not granted there is a sliver that Jodie commented on that nothing could get built because it's too small. So he thinks even though he understands what Mr. Mayo is saying about the carwash discussion, it's still a good discussion to have in terms of the overall because the first item is the time extension and if that doesn't get granted the rest of the items are moot.

**MR. MAYO** stated correct but state statutes limit what can be discussed during the zoning time extension. Singling out certain uses of the C-2 is off the table and whether or not it is appropriate to re-entitle it for C-2. If not, then it is direct to City Council. If it is extended then there can be discussion about adding the two uses that are part of the second part of the request.

**KELLY SCHWAB, CITY ATTORNEY** stated that Mr. Mayo is correct and the focus of discussion is for the time extension. If the time extension is not approved, then there will be a separate public hearing to revert back because it does not happen automatically.

**COMMISSIONER KLOB** asked if they need to keep the initial discussion limited to the time extension and then follow up with additional questions for the PDP.

**MR. MAYO** stated it is okay to discuss in its totality but if we start zeroing in on the carwash shown in the PDP saying there may be too many carwashes and it is not a proper land use; then it needs to go back to talking about if the C-2 over the whole 10 acres and whether or not it is appropriate. Once that is discussed, there can be discussion about design or the rezoning aspect that adds two uses to the eastern 4.4 acres.

**COMMISSIONER KLOB** asked what the zoning requirement is for the buffer between a C-2 development and a single-family residential.

**MS. NOVAK** stated when there is a commercial development next to a single-family residential land use; there is a building setback of a minimum of 25 ft. plus one foot for each foot of height of that building. Site code does require a minimum landscape setback of 10 ft.

**CHAIRMAN BARON** stated he understands that there is a land use compatibility question that can't be discussed but that was his reasoning behind the carwash question. He mentioned his confusion with the elevations on the east side of the property against the residential that appears to have the ability to park RV's there. He asked if there was a screen wall that ran the whole property length and if it does, is it 18 ft.

**MS. NOVAK** stated it is not an 18 ft. wall. However, there is an existing 6 ft. perimeter wall off Chandler Blvd. and they would be adding on to that wall so it runs north and south along east property line. The wall will step up in height in a gradation from 7 ft. to 8 ft.

**CHAIRMAN BARON** referred to the development booklet and asked Ms. Novak what the elevations represented.

**MS. NOVAK** stated the east elevation shared an internal wall. They are not doing two separate buildings because it would have provided a gap in between the buildings which is not a preference that the City likes to have. Working with the development, it would be one single shared wall that the storage facility and carwash building will be utilizing.

**CHAIRMAN BARON** stated it is a very deceiving elevation. He clarified that the wall would ascend in height up to 8 ft. and homeowners would potentially be looking at the back of a RV.

**MS. NOVAK** stated that would be correct. She mentioned that adjacent to that wall on the eastside there is an alley way that runs along that edge before you get to the actual yard of the homes that are in the 7-acre subdivision to the east. There is a separation between the two with the wall for the development an alley way and the walls for the rear yards of the homes. She displayed an aerial map that illustrated the gap separation.

**CHAIRMAN BARON** stated he had another question regarding the cross access easements. He wants to if those will be constructed as part of the first improvement to McQueen Rd.

**MS. NOVAK** stated that matter has been discussed with the applicant and staff has advised that it would need to go in as part of the project to make sure there is appropriate access. It is intended more so that there would be access at least for the carwash users to get out in that area.

**CHAIRMAN BARON** stated just to clarify they would have the ability to have left turning movement out of that cross access on McQueen and right-in right-out access on Chandler Blvd. He sees a gate for the storage facility RV area but doesn't see a gate on the west side.

**MS. NOVAK** stated it is not shown properly but there is a gate on the east side of the property off of Chandler but on the west side of the property it is a just flat straight line. The swinging movement element of the design is not represented but it would probably be a roll gate that would go back next to the storage maintenance building for the property.

**CHAIRMAN BARON** asked if all the street improvements have been completed on McQueen.

**MS. NOVAK** stated the Chandler Blvd improvements are completed but it appears that they are on McQueen. She mentioned there is flush paved median and the alignment of that median break, traffic will fine tune that with what access is along the west side of the road. Because it is a flush median and the tapering with turn lanes going northbound is why they are looking at the consideration of not having any left turn movement. The improvement on Chandler Blvd. would be a west bound Chandler Blvd. left turn lane to get into the project.

**COMMISSIONER KLOB** asked staff if any of the RV storage area is planned to be covered.

**MS. NOVAK** stated that currently it is not represented or planned.

**COMMISSIONER KLOB** asked staff to look at the floor plans and landscape plans as there appears to be a gap between the two buildings.

**MS. NOVAK** stated that the applicant has been revising plans throughout the process and it appears that not all of the plans have been updated. She mentioned that there might be airspace with a single wall for insulation but it will not a separate gap, not two buildings and not two separate walls. It was made very clear to the applicant.

**COMMISSIONER KLOB** stated if it is compared to the elevation designs, it clearly delineates the different structures. His confusion and concern is if the project is going to be a phase development. He also asked if the case moves forward that a stipulation should be added.

**MS. NOVAK** stated what has been conveyed by the applicant is that the intent is that they are going to be built at the same time.

**CHAIRMAN BARON** stated that the applicant should update their development booklets for Council.

**COMMISSIONER KIMBLE** stated that there seems to be a concern with crime in the area. He understands that an open area for housing vehicles could potentially be a proponent for future crime. He asked staff if that has been address by police or if there have been any reports on the crime in that area.

**MS. NOVAK** stated that crime can occur anywhere. It is a secured gated yard. They are not aware of anything stating that this particular area or use can create more crime. She stated that she believes that those concerns came from knowing that it is an older neighborhood. There are some areas that have public housing. There have been a history of issues related to things in that area and there's a concern that the city has worked really hard to maintain the neighborhood and

a fear that adding those types of uses would create a problem again. That is the feeling she gets from having conversations with homeowners.

**MR. MAYO** stated the questions that are being discussed should be directed for the applicant.

**CHAIRMAN BARON** asked if there were any more questions for staff. There were none. He turned it over to the applicant.

**SPENCER BELL, 6185 W. HUNT HIGHWAY** stated he purchased the property four years ago with the intent of self-storage. He mentioned he has a general contractor license and he was looking for a place to build a boat business and operate the business. He picked the location after looking over 50 other properties in the east valley. The reason why he chose the area was because it had the least concentration of self-storage facilities for the amount of people that live in the area. He's been working closely with Ms. Novak on the project and trying to get it moving forward. He started doing research on the self-storage market and what was originally approved in the PAD back in 2005, retail. That area was the closest retail to the north on McQueen Rd. He referred to the PowerPoint. He addressed a comment that was made from the dais. In a one-mile radius, there are no self-storage facilities. However, in a two-mile radius, there are more facilities and they are much older and don't offer the same services such as air conditioning, boat and RV storage. The closest self-storage is to the east and he went in there to see what type of space was available. The facility did not have 10 ft. x 15 ft. units available; it only had three 10 ft. x 10 ft. units. He mentioned that the area has a lot of single-family homes and one of the most popular storage unit sizes are the 10 ft. x 15 ft. and additionally, there is a demand for that size. He also visited the storage facility to the west and at the time they had no units available. The research made him aware that there is a demand for his project in that particular area. He mentioned that the use is very quiet and it has less traffic generation compared to any commercial usage around. While the carwash is shown in the front corner, the portion near residential is the self-storage. It is a very good and quiet neighbor. The neighbors that live to the east will be the most impacted. He stated that both neighbor's, Ray and Jim support the project even though they will be impacted the most. He mentioned the project has come a long way and has implanted stone and extra features such as metal accents. He is really proud of the project and looking forward to having the opportunity to build and run it. He stated one of the neighbors that are not in support of the project submitted a letter that mischaracterized a lot such as the project looking like an RV and car dealership. That is not going to be the case. In regards to the crime, there will be CCTV cameras throughout the facility and an onsite manager there 24/7.

**CHAIRMAN BARON** asked the dais if there were any questions for the applicant. There were none. He turned it over to the speaker cards. He mentioned there were a couple of cards that wished not to speak and will state the names. Nancy Sestito, is opposed to the item and wished not to speak. Jackie Nahs is opposed to the item and did not wish to speak. Sheila Howell is opposed to the item and submitted a letter that is attached to the memo and did not wish to speak.

**SAL SESTITO, 1453 E. BUTLER CIR.** stated he is opposed to the project. He mentioned he's lived in many states and every storage facility that he's seen is located in commercial and industrial areas and has never seen a public storage with RV parking in a residential area. He said crime is an issue and will now have to google research crime statistics and will forward it to City Council. He mentioned that these RV's and boats will be visible from the street. RV's are naturally big and doesn't think anyone would want to see RV's. Covering the RV's was talked about but that will only make it bigger and visible. He stated that if they want to build a carwash to build it on McQueen and Warner where a Classic Auto Spa went out of business and is a very

nice facility. He doesn't think another carwash is necessary and having a person there and security cameras does not stop crime or vandalism. Even with cameras installed, crime is still being committed. He believes that when the facility gets built there will be an increase in crime and he doesn't think anyone should want that in their neighborhood. He thinks that if the project was there people would have never purchased the homes around it. He spoke with 23 people around the neighborhood and 20 of them were against the project. Many of them didn't know the project even existed. He advised those that were in opposition to call, email and have their voice heard. Otherwise, the project will get built. He mentioned he will continue the push because no one wants the project in the neighborhood.

**CHAIRMAN BARON** asked if anyone had any questions for the speaker. There were none. He introduced the next speaker card.

**MICHAEL WHITE, 1085 E. SENATE CIR.** stated he is a criminal justice man and the last thing he likes to do is tell somebody what to do with their property. He believes in the American dream and respects the applicant's desire to build the project. However, he has a family in the neighborhood and they have tried to close down the alleys for several years because there's an undesirable crime problem in the alley corridor. If the project gets built, his concern is that crime will add to the corridor. They have not been successful in closing those alleys down. He asked if this facility would improve other businesses such as Walgreens and CVS. He mentioned he works in the criminal justice arena and his concern is that an 8 ft. wall is not going to be deterrent and it will push the crime further into the neighborhood. He mentioned that the project is not for his neighborhood; even though his neighborhood is grandfathered in allowing parking of RV's. He stated the police department has done a great job with in controlling crime but this project will only increase the crime problem.

**CHAIRMAN BARON** asked if anyone had any questions for the speaker. There were none. He introduced the next speaker card.

**ALEX MERRITT, 258 S. JESSE ST.** thanked the dais for allowing him to speak. He stated he liked the design but his concern stemmed from an incident that occurred in 2015. He and his wife were leaving his neighborhood and were at the intersection of Frye and McQueen when somebody ran a red light and they were hit. They had to stay the night at the hospital and it was not good. His concern with the project is the traffic that will be created. He appreciated the traffic study that was done but he thinks it is misleading. He thinks that people are likely to need their RV's and campers all at once on holiday weeks and in a rush. He doesn't it's a good idea. He respectfully asks the dais to decline the extension. He also stated it is a good project but should be located somewhere else.

**CHAIRMAN BARON** asked if anyone had any questions for the speaker. There were none. He introduced the next speaker card.

**RON MCDONALD, 225 S. SENATE ST.** stated he is really concerned about the traffic safety. He mentioned he had a very disappointing conversation with Ms. Novak regarding safety issues and she mentioned that traffic engineering looked at it and it is ok. If the project is going to be right-in right-out, that would be a universe onto itself but it cannot be left-in left-out. It doesn't makes sense that trucks and trailers pulling boats and RV's that are 45 ft. long in the dark make left turns across three lanes eastbound of Chandler Blvd. just to enter into the facility. He asked if they were going to demo the landscaping and divider on Chandler Blvd. He mentioned that

Ms. Novak stated that if traffic looked at the red vehicle requirements, nothing would ever get approved. He thinks the only way there is going to be safety is if the project is right-in right-out.

**CHAIRMAN BARON** asked if anyone had any questions for the speaker. There were none. He introduced the next speaker card.

**ROBERT BENYO, 201 S. CROSSCREEK DR.** stated the building illustration looked very nice; however, his concern is the outdoor parking for the RV's and boats. Thinks there needs to be stipulation added. He said that Senate and Butler St. will have most of the view of those vehicles.

**CHAIRMAN BARON** asked if anyone had any questions for the speaker. There were none. He introduced the next speaker card.

**ADRIENNE BRODIE, 1387 E. OAKLAND ST.** stated she had several concerns over the project. One of them is the increase of lights, noise and activity. She also said the project will become an eyesore and she personally does not want to see other people's RV's and boats near her home. When reading the action steps, she said it doesn't make any sense to add large vehicles. She did research on similar facilities in the area and found 8 self-storage facilities within a two- mile radius additionally, 11 carwashes within a 4-mile radius.

**CHAIRMAN BARON** asked if anyone had any questions for the speaker. There were none. He introduced the next speaker card.

**JOHN BRODIE, 1387 E. OAKLAND ST.** stated that a lot of people talked about whether or not a self-storage facility would increase crime. From his point of view, he is not worried about the crime surrounding the area. He said there are a lot of single-family residential as well as public housing and dense apartment buildings. He and his family purchased a home in that area in the hopes that the City of Chandler would continue to help develop the downtown area and the Galveston neighborhood as it's a troubled neighborhood. He feels that if a boat storage and a mini warehouse is built in that area, the city is not giving the right message to the people in the depressed neighborhood. He also does not want to be forced to look at boat and RV storage lot every day.

**CHAIRMAN BARON** asked if anyone had any questions for the speaker. There were none. He turned it over to the applicant.

**MR. BELL** stated he'd like to address some of the neighbor's comments and concerns. They are not planning on doing any covered parking or multi-level structures. In regards to traffic, he tried to research statistics on boats and RV's but couldn't find anything. He said he physically went to the nearest boat and RV storage which is the San Tan Storage on Chandler Blvd. He said he is not an engineer and the study he did is not an official study; however, he documented 13 hours of the entire day worth of traffic and 2.5 hour round trip visits per day. It is incredibly low traffic. He understands the concerns but he feels the facility will be the best option for the community. The three corners that were mentioned as being residential are commercial. There is a commercial property on McQueen and Chandler Blvd. to the north of the proposed site, another commercial property on the west side corner of the proposed site and lastly his commercial development that was approved in 2005 as a commercial. He stated it does abut to residential but he feels that a storage facility becomes a positive addition. He felt it was really important to mention the two people that were in support of the project because they are the ones that will be

impacted the most. Vandalism has not been an issue with self-storage facilities and that was part of his research. He doesn't believe that self-storages generate a lot of noise and activity compared to other commercial uses. He mentioned someone brought up the failure of the carwash to the north. The reason behind their failure is because they were overpriced and had poor service. The carwash they are proposing is an exterior express carwash with a new model and he hasn't seen any of those fail. They are unique and quite different from the standard full service and not offered much in the area. In regards to the eyesore comment, he feels they have put a lot of work and effort into the design of the project. A lot of the features that they are incorporating are more costly and difficult to add and feels that the project is the opposite of an eyesore.

**COMMISSIONER HEUMANN** asked the applicant how many jobs the site creates.

**MR. BELL** responded around 7 full time but counting the part times it is more like 12 jobs.

**COMMISSIONER KLOB** asked the applicant if the onsite manager will be living onsite.

**MR. BELL** said yes.

**COMMISSIONER KLOB** asked staff if that changes anything to the zoning.

**MS. NOVAK** stated the zoning code allows for ancillary accessory care takers on storage facilities. She said it very common and do not need any special approval for that.

**COMMISSIONER KLOB** asked if the apartment will be upstairs as the elevation shows the balcony railings. He wants to see a floor plan.

**MR. BELL** said yes, the apartment will be upstairs. He referred to the general concept of the floor plan in the development booklet.

**CHAIRMAN BARON** stated that the design will not be discussed at the dais. However, comments, questions to the applicant or propose stipulations, can be discussed

**CHAIRMAN BARON** asked if anyone had any other questions for the speaker. There were none. He mentioned before he allows discussion at the dais; that they cannot discuss land use, compatibility, design and stuff in that nature.

**COMMISSIONER HEUMANN** asked if they could really extend the timing of the QuikTrip that is already been approved.

**MR. MAYO** stated the condition for the timing extension is on the entire 10 acres which includes the QuikTrip.

**COMMISSIONER HEUMANN** asked why the whole 10 acres are included if the QuikTrip represented part of it and approved in 2005.

**MR. MAYO** stated that when the QuikTrip went in they picked up two parcels, C-3 and MF-3 on Mcqueen and the first of the full length one which is the small sliver of the bottom of it they had to pick up. The commercial design standards do not allow that type of zoning. QuikTrip worked with the surrounding landowners to come up with one large master plan for the whole

site. Phase one was going to be QuikTrip but they zoned the entire 10 acres showing it to be a future commercial center which is the plan attached to the staff packet. He said that's what it was zoned back in 2005, PAD for C-2 on the whole 10 acres and the western half of that was the QuikTrip.

**COMMISSIONER HEUMANN** stated he wanted to clarify if they approve the timing extension they can still disapprove the rezoning and the addition of the self-storage.

**MR. MAYO** stated that was correct and the separate motions are listed in the packet. He also mentioned it is not all or nothing but it does have to be in that order to keep going down the list.

**COMMISSIONER HEUMANN** stated that a resident made a good point about the projects along downtown. He mentioned some sites in the downtown area being approved and some not going anywhere. He thinks that things do change and does not fully agree on a project like this.

**CHAIRMAN BARON** clarified to the dais that if design comments are going to be made they have to be framed in a way where stipulations can be written. Everyone at the dais has to make comments on whether or not they are in support of the time extension first. He suggested if anyone has remarks on architecture to make them so it gives staff some time to generate a stipulation.

**MR. MAYO** advised the commission to discuss the time extension first and if that's successful; then it moves down to the rezoning portion and if that's successfully approved, discussion can occur for the PDP.

**COMMISSIONER KIMBLE** asked if 12 years is more than sufficient and could that possibly change to five or seven years.

**MS. NOVAK** stated it is the nature of the time extension that had never moved forward prior. They have to account for the time as it is calculated from when it expired, in 2008. They have to also add another three years into it as if it were a brand new case. That is why it is such a large number.

**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER ROSE** to deny the rezoning timing extension for twelve (12) years. The motion to deny failed (2-4).

**MOVED BY VICE CHAIR CUNNINGHAM**, seconded by **COMMISSIONER KLOB** to approve the rezoning timing extension for twelve (12) years. The motion to approve passed (4-2).

**COMMISSIONER HEUMANN** stated the use of the project will not benefit the neighborhood or create jobs.

**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER KLOB** to deny the rezoning component DVR17-0011 WATCH TOWER CARWASH AND STORAGE. The Motion to deny passed (4-2).

**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER KLOB** to deny the Preliminary Development Plan (PDP). The Motion to deny passed (4-2).

**CHAIRMAN BARON** stated the Planning and Zoning Commission is a recommended body and the case will be before City Council, January 25, 2018. The final recommendations by the commission were approving the time extension but denying the rezoning and PDP components.

6. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Manager referred to the audience advised them of the great job they did in public speaking and thanked them for participating.

7. CHAIRMAN'S ANNOUNCEMENTS

Chairman Baron stated the next regular meeting is February 7, 2018, 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 7:13 p.m.

  
\_\_\_\_\_  
Andrew Baron, Chairman

  
\_\_\_\_\_  
Kevin Mayo, Acting Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, February 7, 2018 held in the City Council Chambers, 88 E. Chicago Street.

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

Vice Chair Katy Cunningham  
Commissioner Devan Wastchak  
Commissioner David Rose  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner Rick Heumann

Absent/Excused:

Chairman Andrew Baron

Also present:

Mr. Kevin Mayo, Planning Manager  
Mr. Erik Swanson, Senior City Planner  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. RoseMarie Horvath, Assistant City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER KLOB** to approve the minutes of the January 3, 2018, Planning Commission Hearing. The motion passed 5-0 (Commissioner Wastchak abstained as he was not present at the January 3, 2018 meeting, Chairman Baron absent.)
5. ACTION AGENDA ITEMS  
**VICE CHAIR CUNNINGHAM** 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. DVR17-0017/PLT17-0057 ORCHARD HEIGHTS

**Approved.**

Request Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for a single-family residential subdivision, along with Preliminary Development Plan (PDP) approval for subdivision layout, and Preliminary Plat (PLT) approval for an approximate 19-acre, 60-lot single-family residential subdivision located at the southeast corner of McQueen and Chandler Heights roads.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Orchard Heights" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0017, 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. 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.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
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. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
6. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
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. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
9. 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.
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. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Orchard Heights" and kept on file in the City of Chandler Planning Division, in File No.

DVR17-0017, 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. 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. Homes along the southern boundary adjacent to the agricultural properties shall be restricted to one-story homes.

### **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. PDP17-0014 MISSION ESTATES**

### **Approved.**

Request Preliminary Development Plan (PDP) approval for housing product for an approximate 10-acre, 26-lot, gated single-family residential subdivision located north of the northwest corner of McQueen Road and Hunt Highway.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Mission Estates" and kept on file in the City of Chandler Planning Division, in File No. PDP17-0014, 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. The same housing plan and elevation shall not be built side-by-side or directly across the street from one another.
4. All lots within the subdivision shall be limited to single-story homes only.
5. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
6. Window pop-out treatments shall remain consistent on all sides of the homes.
7. Side setbacks shall be 10-feet.

#### **C. LUP17-0032 EGG N' JOE**

### **Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption and within a new outdoor patio as permitted under a Series 12 Restaurant License within a new restaurant located at 4010 S. Arizona Avenue, Suite 4, southwest corner 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.

D. LUP17-0033 CAMBRIA HOTEL & SUITES

**Approved.**

Request Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License, in addition to the existing Series 11 Hotel License. The hotel is located at 3165 W. Frye Road, at the southeast corner of Frye Road and Galleria Way, within Chandler Viridian.

1. Expansion or modification beyond the approved attachments (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 a Series 11 Hotel 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. 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.

E. LUP17-0034 HARKINS CHANDLER FASHION CENTER 20

**Approved.**

Request Liquor Use Permit approval to sell and serve beer and wine, as permitted under a Series 7 Beer and Wine Bar License. The existing theatre is located at 3159 W. Chandler Boulevard, west of the northwest corner of Price and Frye roads.

1. Expansion or modification beyond the approved attachments (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 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 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.

F. ZUP17-0016 VERIZON - EPIPHANY LUTHERAN CHURCH

**Approved.**

Request Use Permit approval to install a monopalm wireless communication facility at 800 W. Ray Road, east of the northeast corner of Alma School and Ray roads.

1. Development shall be in substantial conformance with approved attachments. Expansion or modification of the use beyond approved attachments 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 four live palm trees and landscape shall be maintained at a level consistent with or better than at the time of planting.
4. All trees and shrubs removed shall be relocated or replaced with similar plant species.

G. PRELIMINARY PLAT PLT17-0068 RMB BUSINESS PARK

**Approved.**

For an industrial and commercial business park on approximately 15 acres located north of the northeast corner of Arizona Avenue and Ryan Road.

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

**VICE CHAIR CUNNINGHAM** 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 WASTCHAK** seconded by **COMMISSIONER HEUMANN** to approve the Consent Agenda read in by staff. The Consent Agenda passed 6-0 (Commissioner Kimble abstained from voting on Item F, as he provided consulting services, Chairman Baron absent.)

6. DIRECTOR'S REPORT

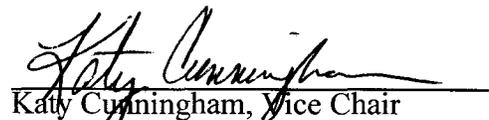
Mr. Kevin Mayo, Planning Manager stated Mr. David de la Torre will frequently be attending Planning Commission.

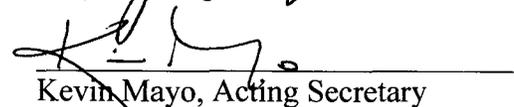
7. CHAIRMAN'S ANNOUNCEMENTS

Vice Chair Cunningham stated the next regular meeting is February 21, 2018, 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 5:38 p.m.

  
Katy Cunningham, Vice Chair

  
Kevin Mayo, Acting Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, February 21, 2018 held in the City Council Chambers, 88 E. Chicago Street.

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

Vice Chair Katy Cunningham  
Commissioner Devan Wastchak  
Commissioner David Rose  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner Rick Heumann

Absent/Excused:

Chairman Andrew Baron

Also present:

Mr. Kevin Mayo, Acting Planning Administrator  
Ms. Jodie Novak, Senior City Planner  
Ms. RoseMarie Horvath, Assistant City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER WASTCHAK**, seconded by **COMMISSIONER KLOB** to approve the minutes of the February 7, 2018, Planning Commission Hearing with minor edits. The motion passed 6-0 (Chairman Baron absent.)
5. ACTION AGENDA ITEMS  
**VICE CHAIR CUNNINGHAM** 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. DVR18-0001 PARK PLACE

**Approved.**

Request rezoning from Agricultural District (AG-1), to Planned Area Development (PAD) for commercial, office, and business park uses (as part of the larger Allred Park Place Master Plan), with Preliminary Development Plan (PDP) approval for site design on property totaling approximately 10-acres located at the southwest corner of Willis and Ellis roads.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "PARK PLACE" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0001, 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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Development Services Director for arterial street median landscaping.
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. 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.

#### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "PARK PLACE" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0001, 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.

#### **B. PDP17-0015 WINDERMERE RANCH**

##### **Approved.**

Request Preliminary Development Plan (PDP) approval for housing product for a 91-lot single-family residential subdivision on approximately 36 acres. The subject site is located at the northeast corner of Cooper and Riggs roads.

#### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Windermere Ranch" and kept on file in the City of Chandler Planning Division, in File No. PDP17-0015, 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 same housing plan and elevation style shall not be built adjacent to or directly across the street from one another
4. The same elevation style and color scheme combination shall not be built adjacent to or directly across the street from one another.

C. CANCELLATION OF THE MARCH 7, 2018 PLANNING COMMISSION HEARING.

**Approved.**

**VICE CHAIR CUNNINGHAM** 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 HEUMANN** seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda read in by staff. The Consent Agenda passed 6-0 (Chairman Baron absent.)

6. DIRECTOR'S REPORT

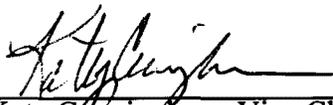
Mr. Kevin Mayo, Planning Manager stated Lucy accepted a promotion with the Accounting Department and it is her last Planning Commission meeting and will be missed. He welcomed Chelsea Plumb, new Sr. Administrative Assistant.

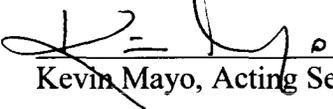
7. CHAIRMAN'S ANNOUNCEMENTS

Vice Chair Cunningham stated the next regular meeting is March 21, 2018, 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 5:33 p.m.

  
\_\_\_\_\_  
Katy Cunningham, Vice Chair

  
\_\_\_\_\_  
Kevin Mayo, Acting Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, March 21, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Baron called the meeting to order at 6:08 p.m.
2. Pledge of Allegiance led by Commissioner Kimble.
3. The following Commissioners answered Roll Call:

Chairman Andrew Baron  
Vice Chair Katy Cunningham  
Commissioner Devan Wastchak  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner Rick Heumann

Absent/Excused:

Commissioner David Rose

Also present:

Mr. Kevin Mayo, Planning Manager  
Ms. Jodie Novak, Senior City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Rosemarie Horvath, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER WASTCHAK** to approve the minutes of the February 21, 2018, Planning Commission Hearing. The motion passed 5-0 (Chairman Baron abstained as he was not present at the February 21, 2018 meeting).
5. ACTION AGENDA ITEMS  
**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 consent agenda and will be approved by a single vote. He stated he had five speaker cards for Item A. After staff reads the consent agenda into the record, the audience will have the opportunity to make their comments and pull any other of the items for discussion or a full presentation.

A. DVR17-0006/PLT17-0020 BELLAZA

**Approved.**

Request rezoning from Agricultural District (AG-1) to PAD (Single-Family Residential) with Preliminary Development Plan (PDP) approval for subdivision layout and housing product, and Preliminary Plat (PLT) approval for a single-family residential subdivision located at the northeast corner of Ocotillo Road and 138<sup>th</sup> Street, east of Gilbert Road.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Bellaza" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0006, 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. 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
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. 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.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
10. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://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 the Development Booklet, entitled "Bellaza" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0006, 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. 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 homeowners' association.
5. The site shall be maintained in a clean and orderly manner.
6. All homes within the development shall be single-story.
7. The same elevation shall not be built side-by-side or directly across the street from one another.
8. The same elevation style and color scheme combination shall not be built adjacent to or directly across the street from one another.
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.

**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. DVR17-0018/PLT17-0039 ARCADIA CROSSINGS**

**Approved.**

Request rezoning from Planned Area Development (PAD) for Multi-Family Residential to PAD (Single-Family Residential) with Preliminary Development Plan (PDP) approval for subdivision layout and housing product, and Preliminary Plat (PLT) approval for a single-family residential subdivision located at the southeast corner of Orchid Lane and Pleasant Drive, east of Alma School Road and north of Ray Road.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arcadia Crossings" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0018, 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. 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
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 or as otherwise approved in a development agreement.
7. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
8. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://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 the Development Booklet, entitled "Arcadia Crossings" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0018, 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. 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 homeowners' association.
5. The site shall be maintained in a clean and orderly manner.
6. The same elevation shall not be built side-by-side or directly across the street from one another.
7. The same elevation style and color scheme combination shall not be built adjacent to or directly across the street from one another.
8. The eastern perimeter wall shall be constructed at seven (7) feet.

#### **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. DVR17-0025/PLT17-0069 DISTRICT AT CHANDLER

**Approved.**

Request rezoning from Single-Family Residential District (SF-8.5) to Planned Area Development (PAD) for Multi-Family Residential with a Mid-Rise Overlay for building height up to 50 feet along with Preliminary Development Plan (PDP) for site layout and building design, and Preliminary Plat (PLT) approval for a multi-family residential development located at the northwest corner of Frye Road and 95<sup>th</sup> Street, west of Dobson Road.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "District at Chandler" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0025, 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
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. 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.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
10. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://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. Building heights shall be limited to a maximum of fifty (50) feet in height.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "District at Chandler" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0025, 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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
4. 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. 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 applicant shall work with Staff to reduce the buildings vertical appearance through the use of color blocking.
8. The applicant shall work with Staff to replace the sloped roof elements with varied parapet height changes.

**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. DVR17-0031/PLT17-0066 HAVEN

**Approved.**

Request rezoning from Planned Area Development (PAD) for Residential to PAD (Residential) with Preliminary Development Plan (PDP) approval for subdivision layout and housing product, and Preliminary Plat (PLT) approval for a residential subdivision located at the southwest corner of Pecos Road and Hartford Street, east of Alma School Road.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Haven" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0031, 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
  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. 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.
  9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
  10. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://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 the Development Booklet, entitled "Haven" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0031, 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. For the detached single-family homes, no more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.
3. For the detached single-family homes, the same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
4. For the optional duplex homes, the same elevation shall not be built side-by-side or directly across the street from one another.
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 homeowners' association.
7. The site shall be maintained in a clean and orderly manner.
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. 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.

E. DVR17-0033 LOTUS PROJECT

**Approved.**

Request rezoning from Planned Area Development (PAD) for Industrial to PAD (Light Industrial and General Office) with a Mid-Rise Overlay for building height up to 90 feet along with Preliminary Development Plan (PDP) for site layout and building design for a light industrial and general office development located at the southwest corner of Frye Road and Roosevelt Avenue, north of the Loop 202 Santan Freeway and west of Kyrene Road.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Lotus Project" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0033, 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
7. Building heights shall be limited to a maximum of ninety (90) feet for general office buildings located on Phase 2.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Lotus Project" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0033, 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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. 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.

F. LUP18-0004 MADURO'S FINE CIGARS

**Approved.**

Request Liquor Use Permit approval to sell and serve beer and wine indoors and within a new outdoor patio as permitted under a Series 7 Beer and Wine Bar License with occasional live entertainment indoors. The existing business is located at 4991 S. Alma School Road, Suite 9, northeast corner of Alma School and Chandler Heights 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. 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. The Liquor Use Permit shall remain in effect for two (2) years 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.

**CHAIRMAN BARON** stated the Commission will now take comments from the audience on Item A.

**ANNE ROHEWEDER 21629 S 138<sup>TH</sup> St.** stated she wanted to thank Jodie Novak and Brennan Ray for working with her as she stated AV Homes has been difficult. She stated her only concern was the lots bordering the north are still small considering they are bordering a two acre and a one acre. She stated that was her only concern at this point.

**CHAIRMAN BARON** asked **MS. ROHEWEDER** if she was opposed to the project based on her comments or if she would just like it if the lots were modified.

**MS. ROHEWEDER** stated she just wanted her comments to be on record. She stated it would be great if the lots were larger on the north side.

**CHAIRMAN BARON** asked if she was acknowledging that the applicant worked with her to take her concerns under consideration. He stated the applicant went through numerous iterations and reduced lot counts to increase lot sizes.

**MS. ROHEWEDER** stated she knew in the first iteration the lot sizes were too small at 7,000. She mentioned trying to squeak by with 7,000 was ridiculous. She stated they moved them up to 11,000 and they had done new elevations. She stated considering they are bordering the one and two acre it would be great if they moved them up higher and that was her only comment.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**LOU HUNGATE, 21837 S 140<sup>TH</sup> St.** speaker card stated she was opposed to Item A but she wished not to speak.

**CHAIRMAN BARON** turned it over to the next speaker card.

**AMY NATIONS, 21833 S 140<sup>TH</sup> St.** stated she was concerned because she was unable to attend the neighborhood meetings. She stated she looked through the packet today and was concerned about the emergency exit coming out of the neighborhood onto 140<sup>th</sup> St., as it comes out right in front of her house. She stated she did not understand why they put it on 140<sup>th</sup> St instead of 138<sup>th</sup> St. She mentioned there is water pooling from 140<sup>th</sup> St. and Ocotillo which concerns some of the neighbors if the property is graded that the drainage issues could become worse. She stated neighbors also had an issue with the horse trail being on Ocotillo. She mentioned it would be safer for the riders and the horses for it to be back behind the subdivision. She stated horses can have a mind of their own and that it is an accident waiting to happen. She was concerned about the setbacks as well but had talked to Jodie Novak and now feels better about them.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There was none. He turned it over to the next speaker card.

**CLOVIS HUNGATE, 21837 S 140<sup>TH</sup> St.** speaker card stated he was opposed to Item A and he no longer wished to speak as the previous speaker addressed his concerns.

**CHAIRMAN BARON** turned it over to the next speaker card.

**LYNN KOUGH, 21631 S 138<sup>TH</sup> St.** stated she wanted to thank Jodie Novak and Brennan Ray for their interaction with the community. She stated she is sorry that Chandler did not buy this property for a park. She stated she is in the adjoining property to the north and they are not happy having a solid wall built right along the property line instead of having a landscape barrier or horse trail on the north side. She mentioned the properties that are on the north side are two acres and one acre and the sizes of the houses along there range from 20,000 to over 45,000 square feet. She stated these are not small properties and that even though concessions have been made, the size at 19,000 are on the corners where they don't affect any of the adjoining houses. She stated what the applicant is doing is putting three houses behind one house. She mentioned there will also be an increase in traffic on 138<sup>th</sup> St., which they already struggle to get in and out. This gives the possibility to bring 80-100 cars into a small area. She mentioned they are concerned about property values and quality of life. She stated it was a beautiful place to be and they have

watched Chandler grow, which is important, but it has taken away their dark skies and quite places. She stated the neighborhood would like them to consider all of this when voting.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He then turned it over to the applicant for Item A.

**BRENNAN RAY, 702 E OSBORN** stated he is here representing the applicant, AV Homes. He thanked **MS. ROHEWEDER** and **MS. KOUGH** for being more than accommodating to listen to what he had to say. He appreciated having open and honest discussion in regards to their and other neighbors' concerns. He stated he was going to focus on the issues that were raised starting with the landscape plan. He stated going through the neighborhood meetings, there has been an ongoing concern about a lot of water that would build up along 140<sup>th</sup> St. He referred to the landscape plan which showed they are making a street improvement to 140<sup>th</sup> St. which will alleviate some of the drainage concerns that has been allowed to occur over time. He stated in regards to the concern about the horse trail, looking at the project as a whole, there are other properties within Chandler where there are multi-purpose trails. He stated the intention was to give those residents that had access to the Layton Lakes trail the ability to continue to do so. He stated they looked at putting things up to north, but it would become a strip of no man's land. He stated it would run the risk of not being maintained which would be more of a disservice to the neighbors. He stated they purposely increased the depths of the lots on that side to create a bigger set back. He stated as they look at what AV Homes is proposing, there has been effort to have the development compatible with the surrounding county residents. He stated they have increased the lot size which has resulted in a decrease in the amount of homes from an original number of 64 to 43. He mentioned although residents may still want larger lot sizes, they believe the sizes they have come up with are still appropriate for the area. He stated he believed that addressed all of the concerns and asked if the Commission had any further questions.

**CHAIRMAN BARON** asked if there were any questions for the applicant. There were none. He asked if there was anyone else who would like to speak on any item before he closes the public hearing. There was none.

**MOVED BY COMMISSIONER WASTCHAK** seconded by **COMMISSIONER KLOB** to approve the Consent Agenda read in by staff. The Consent Agenda passed 6-0 (Commissioner Rose absent and Commissioner Heumann opposed Item C).

6. DIRECTOR'S REPORT

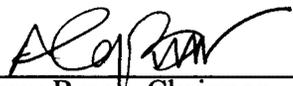
Mr. Kevin Mayo, Planning Manager stated there was nothing to report.

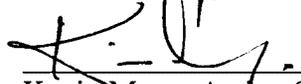
7. CHAIRMAN'S ANNOUNCEMENTS

Chairman Baron stated the next regular meeting is April 4, 2018, 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 6:29 p.m.

  
\_\_\_\_\_  
Andrew Baron, Chairman

  
\_\_\_\_\_  
Kevin Mayo, Acting Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 4, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Baron 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 Andrew Baron  
Commissioner Devan Wastchak  
Commissioner David Rose  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner Rick Heumann

Absent/Excused:

Vice Chair Katy Cunningham

Also present:

Mr. Kevin Mayo, Planning Manager  
Mr. David de la Torre, Principal Planner  
Mr. Erik Swanson, Senior City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Susan Fiala, City Planner  
Ms. Rosemarie Horvath, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER WASTCHAK** to approve the minutes of the March 21, 2018, Planning Commission Hearing. The motion passed 5-0 (Commissioner Rose abstained as he was not present at the February 21, 2018 meeting).
5. ACTION AGENDA ITEMS  
**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 consent agenda and will be approved by a single vote. He stated Item A and Item G are on action and will be heard separately. After staff reads the consent agenda into the record, the audience will have the opportunity to make their comments and pull any other items for discussion or a full presentation.

B. DVR17-0026/PLT17-0059 BRIGHTON PLACE

**Approved.**

Request rezoning from Planned Area Development (PAD) for single-family residential to PAD for multi-family residential, with Preliminary Development Plan approval for site layout and building architecture along with Preliminary Plat approval for a 53-unit multi-family residential development. The approximate 6.5-acre site is located west of the southwest corner of Ray and McQueen roads

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Brighton Place" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0026, 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. 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. 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.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Brighton Place" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0026, 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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
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.

### **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. DVR17-0027/PLT17-0061 WATERFALL**

### **Approved.**

Request rezoning from Planned Area Development for commercial to PAD for single-family residential, with Preliminary Development Plan approval for site layout and building architecture

along with Preliminary Plat approval for a 106-unit development. The approximate 9.7-acre site is located west of the southwest corner of Chandler Boulevard and Cooper Road.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Waterfall" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0027, 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. 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. 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.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Waterfall" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0027, 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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
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.
5. The applicant shall work with Planning Staff to increase the height of the waterfalls an additional 24-inches.

**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. LUP18-0002 FARMBOY FOODS

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors and within a new outdoor patio as permitted under a Series 12 Restaurant License. The new restaurant is located at 1075 W. Queen Creek Road, Suite 1, southwest corner of Queen Creek and Alma School 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 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. LUP18-0003 HANGAR 9 BAR & GRILLE

**Approved.**

Request Liquor Use Permit approval to continue to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License, indoors and within an outdoor patio, and continue indoor live entertainment. The restaurant is located at 980 E. Pecos Road, Suite 5, at the northwest corner of McQueen and Pecos 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. Live entertainment shall occur indoors only and conclude by 11 p.m.
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 (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.

F. LUP18-0006 BIG SUSHI

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License. The new restaurant is located at 2095 N. Dobson Road, Suite 5, at the northeast corner of Warner and Dobson roads.

1. Expansion or modification beyond the approved attachments (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. 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.

**CHAIRMAN BARON** stated he received a speaker card on Item C. He reminded the audience that Item A and Item G are the action agenda and will be discussed after the consent agenda has been voted on. He turned it over to the first speaker card.

**RON MACDONALD, 225 S SENATE ST**, stated he and his neighbors are concerned about the Waterfall project in regards to the difficulties of entrances and ingress to the entrance. He stated it could jam up the intersection of Lakeview and Chandler Boulevard and has a limited capacity in the left turn lane. He stated there are no traffic concerns there now, and this project only has one entrance. He stated this could create traffic problems and would like to know what would happen. He mentioned they noticed the bike lanes are not painted on Lakeview and stop as they are northbound just at the hill. He stated that the entire northbound passageway has no bike lanes. He stated he saw bicyclists go onto the sidewalk to make their way and those are his concerns. He added that the emergency lanes have limited vehicle capacity and would be difficult to use as independent entrances and exits.

**CHAIRMAN BARON** asked if there were any questions for the speaker.

**COMMISSIONER HEUMANN** asked the speaker if he was present at Study Session. He stated they addressed the traffic concerns and wanted to make the speaker aware that they have requested staff to work with the traffic department on Lakeview to add turn signals and other concerns.

**MR MACDONALD** stated he was not aware that there was a Study Session. He mentioned they also had concerns that the U-turn capacity has some value. He stated that there are no bike lanes and there was a traffic study done but it was for commercial use. He stated that is very different from residential.

**COMMISSIONER HEUMANN** stated he just wanted to make the speaker aware that they did address the traffic concerns. He said commercial centers have heavier traffic during different times of the day. He stated in regards to the bike lanes, they have asked staff to work with the traffic department to address those concerns.

**KEVIN MAYO, ACTING PLANNING ADMINISTRATOR** stated they have checked with their traffic engineer in regards to the bike lanes. He stated the bike lanes do fit and he was not sure why they weren't there but that they should go in. He mentioned it is just a matter of getting a crew to go out and paint the bike lanes.

**COMMISSIONER BARON** asked if anyone else from the audience would like to speak on any other item other than the items on action. There was one.

**CYNTHIA MANICKEY, 150 N LAKEVIEW BLVD** stated she had a concern about the traffic flow. She stated there was an accident there this morning. She stated her concern was the traffic pattern there is strictly for the Basis school and the U-turn. She mentioned there is a lot of congestion at certain times of the day and with kids crossing the street there have been accidents because of the U-turn. She mentioned if they put in more traffic, there are chances of more accidents with kids involved. She stated coming out of Tuscan Springs in the opposite direction, there are going to be issues trying to get across to Chandler Boulevard because of all the traffic coming in and coming out. She stated there may need to be stop signs at their entrance.

**CHAIRMAN BARON** asked MR SWANSON with the direction the Commission gave staff earlier, if they are addressing some of these comments or if they need to discuss it further.

**ERIK SWANSON, SENIOR PLANNER** stated they have discussed it and have the direction to work with the traffic division. He addressed the audience and explained that staff is aware of the traffic concerns arising from the Basis school. He stated unfortunately, since this school is state funded; they do not have to go through the normal review process that other commercial developments have to. He mentioned they do a courtesy review and staff will provide comments, but unfortunately, they have traffic issues and staff tries to resolve by providing guidance. He stated the problem they have is that when it is a state funded school, they do not have to listen to staff recommendations because they fall under the protection of the state. He stated they try to work with those schools to make the best site plan as possible but there are limitations to what they can do. He stated they can work with the developer and traffic team to create a solution to these concerns. He mentioned on the site plan for this project there is the main access point on Lakeview Boulevard but there are also two other access points on the east side. He stated those are full access points that residents can utilize. He stated they worked with the developer to get those two access points, which splits the development in half and will lead to some residents to take the access out to Cooper Road and going out to Chandler Boulevard.

**MS MANICKEY** asked if there was an access point off of Chandler Boulevard.

**MR SWANSON** stated there is one on the northeast corner and one at the southeast corner of the site. He stated either one they can go up and reach Chandler Boulevard. He stated there are other access points to Chandler other than the main one.

**MS MANICKEY** stated she still has concerns for the kids crossing the street with the high volumes of traffic.

**MR SWANSON** stated they could reach out to Basis and speak with the traffic division because it is an issue.

**CHAIRMAN BARON** thanked the speaker and turned it over to the next speaker card.

**GORDON JENSEN, 150 N LAKEVIEW BLVD** stated Basis was a bad decision. He mentioned he submitted a written statement in opposition to this project. He stated this should not be compounded with the Basis problem. He mentioned they are concerned and saw the accident from this morning. He said traffic is going to get worse bringing in traffic going the opposite way. He stated they are on nine acres with 29 units in Tuscan Springs and on the

original card, it stated that this project was for single-family homes and he does not see condos as single-family dwellings. He said that his other concern is determining the density of this area.

**CHAIRMAN BARON** thanked the speaker and reminded the audience that they have been made aware of the traffic issue and it will be addressed by staff. He stated a condo is considered single-family. He asked if there was anyone else from the audience who would like to speak on Item C other than issues regarding traffic.

**MR SWANSON** stated he wanted to remind the audience that attending City Council would also be beneficial.

**CHAIRMAN BARON** explained to the audience that attending City Council is definitely beneficial. He mentioned this Commission is a recommending body and their main concerns are with zoning and proper land use. He stated they appreciate comments in regards to bike lanes, etc. but it would be beneficial to bring those issues up at City Council. He then turned it over to the next speaker.

**SUSAN CUSTER, 150 N LAKEVIEW BLVD** stated she wanted to understand the next steps after Study Session or if they would have information before a City Council meeting.

**MR MAYO** stated if anyone wanted to discuss Item C and understand the process he will step out into the atrium. He mentioned he will get everyone's contact information and pass that along to MR SWANSON.

**MS CUSTER** thanked MR MAYO and asked if she could get clarification on the discussion earlier in regards to the two other access points from Lakeview.

**MR SWANSON** stated when the developer initially came in, the two access points were for emergency vehicles. He stated after review, they worked to make sure those became full access that residents can utilize.

**CHAIRMAN BARON** asked if there was anyone else who would like to speak. There was one.

**JOHNATHAN YOUNG, 1790 E BUFFALO** stated he has been in the Mesa Police Department for the past thirteen years and has been to many traffic accidents. He asked if this was Section 8 housing or if this is low-income. He mentioned throughout all of the information he has received, this has not been clarified.

**MR SWANSON** stated with the information they have been given, these appear to be for sale condos. He mentioned they do not get involved with what is for sale or Section 8. He said this is left up to the developer. He stated that what has been approved are for sale units.

**COMMISSIONER HEUMANN** stated with construction costs the way they are today, these are probably going to be \$250,000 to \$380,000 in speaking with the developer. He also wanted to reiterate to the audience that they should attend the City Council meeting for this item. He mentioned this would be another good opportunity to express their concerns.

**CHAIRMAN BARON** asked the audience if anyone else would like to speak on items from the consent agenda. There were none. He then turned it over to the dais for comments.

**COMMISSIONER HEUMANN** asked if they had ever received a better picture of the wall for Item B.

**MR SWANSON** stated they would be getting a better picture in time for Council.

**COMMISSIONER KLOB** stated he would like to add a stipulation that a view fence be added on each driveway along Ray Road. He stated that would help break up the long wall along Ray Road.

**MR SWANSON** stated they can draft a stipulation and work with the developer prior to Council.

**MOVED BY COMMISSIONER HEUMANN** seconded by **COMMISSIONER WASTCHAK** to approve the Consent Agenda with additional stipulations read in by staff. The Consent Agenda passed 6-0 (Vice Chair Cunningham absent).

**ACTION:**

A. DVR17-0014/PLT17-0035 ST. MORITZ

**CONTINUED TO THE MAY 16, 2018 PLANNING COMMISSION MEETING.**

Request rezoning from Multi-family residential (MF-3), Planned Area Development (PAD) for multi-family residential and Planned Commercial Office (PCO) District, to PAD for single-family residential, along with Preliminary Development Plan approval for site layout and building architecture along with Preliminary Plat approval for a 31-unit development. The approximate 2.10-acre site is located at the northeast corner of Chandler Boulevard and Pleasant Drive. **CONTINUED TO THE MAY 16, 2018 PLANNING COMMISSION MEETING.**

**CHAIRMAN BARON** stated he had received a large amount of speaker cards for this item. He mentioned that staff will give a presentation before hearing from the audience. He stated he spoke with a resident who will also be giving a presentation on the behalf of other residents. He mentioned in order to speed up the process, if the resident's presentation covers other speakers concerns, they can choose not to speak about this item and he will read their speaker card into the record.

**MR SWANSON** stated there are three components to this request. The first is a rezoning from multi-family residential (MF-3), PAD for multi-family residential and Planned Commercial Office (PCO). The request is to rezone both of those to PAD for single-family residential. The second component is for a Preliminary Development Plan approval for site layout and building architecture with the third component being for Preliminary Plat approval for the 31-unit development. He stated the site is located at the northeast corner of Chandler Boulevard and Pleasant Drive. He mentioned the request includes 31 units at a density of 15 dwellings per acre. The site is surrounded by single family on the north and there is an alley that bisects the northern property line from the southern property of the single family residential. There is commercial property east of the site and is adjacent to the property line. There are vehicular connections shown in the existing commercial center. Chandler Boulevard is on the south side and then Pleasant Drive in along the west with commercial development west of that. He stated this site is

interesting and rather unique although small, they would deem it as an infill site due to the surrounding conditions. He mentioned the zoning for this site goes back to the 1970s. The establishment of the MF-3, PCO district has a history with conditions added to it that are going to be addressed by a number of the residents and he will touch base on those. The site is about 190 ft. deep from Chandler Boulevard to the northern property line. He stated back in the late 70s there was a zoning case on this site that was done as a staff initiative. The idea was to look at developments adjacent to single-family residential. The staff initiative was to create a buffer from the single-family residential. This resulted in a depth of 100ft, restricting any sort of development to single story. So for a 190ft development, over half of the development would be restricted to single story. What is interesting about the MF- 3 of that time versus current is that the current allowed 18 dwelling units per acre where the old designation allowed for 30 dwelling units per acre. He stated the site at that point in time was roughly 3 acres and had the potential for 90 dwelling units, so it is a big change from what they do now with that zoning designation. He stated the MF-3 currently allows 18 dwelling units and what it being proposed are 15 dwelling units per acre. He stated the site is deemed as an infill which requires them to look at the design a little differently. There is a single point of access on Pleasant Drive and operates as a long cul-de-sac. There are a couple that branch off to the north that hit some pockets. He stated the access point that runs the length of the project does touch the commercial to the east. There will be access there but it will only be emergency access, so there will be no residential or trash pick-up going through. The residential access will be off of Pleasant Drive. The buildings have been designed to be as sensitive as possible to the residential to the north. The northern portion of the site if broken into thirds, the north two thirds have units on an east-west access, so they open up to the east and the backyards on the west. What this does for the northern property owners on the alleyway, is the northern wall has been designed so there is no visibility out into the residential. The elevations show windows that are going to be opaque so there is no direct visibility into those neighbors' property. If they flipped the building and had the rears and front of the building, then they would have the visibility out into the neighbor's yard. He stated the design team took that into consideration. The designs of the buildings are modern in approach and unique in that Chandler does not typically have. He stated when dealing with infill development and the proximity to the downtown, they are a little more open to the architectural design of some of these developments so there are more modern lines. Some of the window treatments and the color palate are very strict lines. They wanted to make sure that although these are modern, there was diversity among the units. When looking at the general building matching, there are some similarities where they are taking a different approach on the application of materials and colors. There are options for different brick, pop out and stone elements. There are different elements for windows and railings for patios. They really tried to keep the building matching but provide options so there is significant change. One of the things important to note from a Commission standpoint are the first three cases. When you look at these properties, they are all infill site. Each one presents its own unique situation. This one is a rectangle so it makes it easier to design. The other cases have interactions with commercial. He mentioned that the difference here is when they are dealing with a small site, one of the biggest things that provides a restraint on the design is trash pick-up and with this one they have a similar situation and they tried to get access out to the commercial but it does not work, the contract does not allow it so there is an exhibit for the trash pick -up that pokes out into the alley way and it will head out to Pleasant Drive. This is not something they have seen in the past but they did work with solid waste to make sure this could be done. As part of the process they held neighborhood meetings that drew a lot of interaction. He stated there was some concern about the product design and the product layout and how that buffer would be maintained. As they worked through that process with the design team, they worked with as many neighbors as possible. He mentioned it is important to note the way the zoning process works is that they recognize that the old zoning had those conditions on

it and when coming in with a new rezoning, it opens up a book to say they have to design based on that so the PAD and PDP carry the setbacks, building heights and design versus the zoning code that says it has to be x y and z. He stated this is the way that Chandler works with PAD and there is that allowance. He mentioned it may take care of some of the neighbor's concerns. He mentioned that as they went through the neighborhood process, the development team tried to explain what are the benefits of this and getting rid of those buffers that will improve the neighborhood as a whole. He stated he did drop off an addendum memo with a letter of opposition attached that came from a resident that is just north of the subject site. He stated there was a second attachment that was a petition from the neighbors in the subdivision to the north.

**CHAIRMAN BARON** asked if there were any questions for staff. There were none. He then turned it over to the applicant.

**NICK WOOD, 1 ARIZONA CENTER** stated his philosophy towards zoning is that it is not a right it is a privilege. He stated this is not a large project in comparison to others they have seen in the downtown area, his clients took their project very serious. They did a lot of outreach which is more than he has seen on other major projects. He mentioned the site is a little bit over 2 acres and to the north is a single-family subdivision and are all single story homes. He stated the site is separated from the subdivision by an alley. He stated to the west there is an office complex and to the south across Chandler Boulevard is a two story multifamily apartment project. He stated that since the 70s, this site has been vacant. The City had an initiative to rezone it for residential on the west side and a small office complex on the east side but it never got filled. He stated this past year; it has been used as staging for all the work that is being done by the city on Chandler Boulevard. A closer look at the site plan reflects all of the work the applicant has done with the neighbors. The main entry is off of Pleasant Drive which is the same entry that was approved in the 70s. There are three rows of complex units, for sale town homes that will side load onto the alley in the back, which is the result the applicant had with neighbors to limit what faced the north. In between those units are the driveways and two car garages. He stated between the next set of units there is green space. In respect to the garbage collection, the city garbage would come in through Pleasant and to the east and exit in that far right hand driveway toward the alleyway. He stated that would be through a gate that would only be used by emergency or garbage collection. On the south side the properties that are on the Chandler side have the same set up except they are turned 90 degrees so what faces Chandler Boulevard is broken up. He mentioned this is unlike other projects that look like one large building. He stated this project wanted to break up that façade by using spacing in addition to architectural elements. On the east side of the properties, there is open space for the residents. He then showed the unit plans and explained they are not huge units in relation to the size of the homes that are on the north side, they are much smaller. He stated they did not want to have these massive buildings behind the neighbors. They stated these are basic two story homes that would not unusually back up to a single family residential. He also mentioned the alley separates the two and is 20ft. wide. He stated another thing they agreed to do with the neighbors was landscaping. He stated there are landscape trees along the north side. He stated the main concern they heard was privacy. They designed this in a way to ensure their privacy with the landscaping and with the orientation of the buildings as well as the size of the buildings. He mentioned these are not massive buildings, they are not oppressive and they are pedestrian scale type buildings with plenty of landscaping throughout. He stated staff mentioned to them it was very important to have a landscape setback from Chandler Boulevard, which they have included. He showed an example of a building that is facing the north of the single family homes, which shows the windows are translucent and no one can see through them. They have a stipulation that the windows must be translucent. He mentioned even if someone would be able to, there are trees and a 20ft distance from the

alleyway. He stated another thing that was important and was heard from the city and the neighbors was breaking up the building as they face Chandler Boulevard. He stated the fronts of each one of the buildings that face Chandler Boulevard will have different design in windows, balconies, and other elements. He mentioned these are starter type homes for young professionals who do not want to live in a subdivision. He stated in respect to their outreach, they went out to the neighborhood and knocked on 240 doors. He showed a graphic with the results that showed 65 neighbors gave verbal support and 125 signed letters of support. He showed the area that they covered which was a half mile from the site to get input from residents. He stated they are happy with the stipulations staff proposed and would answer any questions from the Commission.

**CHAIRMAN BARON** asked if there were any questions for the applicant.

**COMMISSIONER HEUMANN** asked about the back side and landscaping. He asked what the plan was for the trees and what size that planters were going to be. He asked how long it would take for the trees to grow in order to screen it.

**MR WOOD** stated he believe they are ficus and full canopy trees but was not sure of the size.

**CHAIRMAN BARON** stated he saw a case of ficus but there are no sizes. He stated the stenophylla can get to 20ft tall once they grow but they are a fast growing tree. He stated ficus canopy trees can get 50ft high but he does not think that is the right specie. He mentioned the question would be what the size would be going in day one. He stated it may take five or six years to grow.

**MR WOOD** stated his client confirmed they are going to be 24 inch but they can stipulate to 36 inch box trees.

**COMMISSIONER HEUMANN** stated they can wait until they hear from the neighbors and he just wanted clarification. He mentioned it seemed a lot of people were further from the actual development where some was also commercial.

**MR WOOD** stated to the west there is office, to the east is office, and the support is to the north. He mentioned the cul-de-sac of the neighborhood two neighbors gave their support and they had people throughout of the neighborhood that gave support. He mentioned when he did a project on San Marcos, there was a high level of interest, beyond where the project was going to go. He stated a lot of the interest was in regards to traffic and that is why they reached out further in regards to this project. He mentioned it was important for them to let the residents know that it was only going to be a 31-unit development and that even though they have the entrance on Pleasant Drive; they wanted people to know that there will be very little traffic generated.

**COMMISSIONER KLOB** stated he noticed on the side elevations and on some of the rear elevations there are a lot of score lines. He mentioned when he goes to other elevations, the same score lines do not carry through. He asked what materials would be used in the scores.

**FRANCO CALABRESE**, stated on the second floor it would be a typical score line of stucco but would not have the metal that is embedded in the stucco. He mentioned on the first floor they would use the metal to be more pronounced and the score line would carry through each side of the elevation. He mentioned they would be broken up with the pop outs and the small windows.

**COMMISSIONER KLOB** stated the continuity on the elevations are hit or miss and he would like to see the continuity brought up.

**MR CALABRESE** stated in some cases there is differentiation as is shown on the middle units where it is popped out and does not have a balcony. There are different window schemes where the score lines do not carry through. He stated it is an effort to provide diversity in cases where that elevation is popped out to the surface. He mentioned this is something they can look at in more detail to make sure there is consistency with the elevations.

**COMMISSIONER KLOB** stated he also had a question on the homes along the north near the alleyway. He stated they talked about having the translucent glass, however, he does not see it in the development booklet. He stated he wanted to make sure it is noted accordingly for council. He also mentioned the locations of the windows are also not designated on the floor plans.

**MR WOOD** stated if someone is willing to make a motion to support the case, he would make a stipulation to require all of the windows along the alley have translucent or not transparent windows. He mentioned they told the neighbors that this would be in the approval and requested this be an added stipulation.

**CHAIRMAN BARON** stated he agreed and wanted to talk about the score lines. He mentioned before they get into too much detail, they have a lot of neighbors here to speak. He stated he had thirteen speaker cards in opposition to the project. He stated one resident prepared a presentation and they will allow her to have more than the usual three minutes to speak. He stated after the presentation, if no one has anything further to add he can read the speaker cards into the record. However, if someone still wishes to speak they can come up and have their comments put on record. He then turned it over to the first speaker.

**DAVID ARAMBULA, 940 W DETROIT ST** stated he appreciated the applicant's ability to try and work with this site but it still needs work. He mentioned he wanted to give some history and spoke about Tyson Manor in the 1950s. He stated the last home built in Tyson Manor 1 through 5 was at the turn of the century. He mentioned there was fifty years of construction in Tyson Manor with over 100 homes and not one two story. He stated sometime in the 70s they created this multi-family on the site and in 1984 the city initiated an overlay. He stated somebody was concerned about the multi-family zoning and they did not want it to get out of hand so they created three stipulations. He mentioned these were the 100ft. no two-story, the 20 ft. landscape strip, and any product that could be built on this property could only be sold, not rented. He stated they have custom homes here with four cul-de-sacs to the north and he lives in one. He mentioned they all have nice custom homes and the intent is for no two stories. He stated part of the Tyson Manor assemblage that was built to the east of Tyson Manor 4; there were lots that were about 100ft wide and 117ft deep. He stated that strip of land was rezoned to MF-1 and they wanted to build two story homes. He mentioned this was in 1998 and from 1998 through 2000, these smaller homes of 50ft by 117ft were built and they wanted to build two stories. He stated there was a lot of opposition from Tyson Manor and it defeated the no two stories. He asked what the difference is between 1984, 1998 and 2018. He stated he thinks privacy does not run out of time and that is why he is here. He stated the architecture can be debated which he mentioned he thought it should be more foresighted. He stated his main concern is that he is trying to protect the people directly to the north of this property. He stated the 100ft resection was placed many years ago for a reason. He mentioned the applicant spoke about many things such as trees but the City of Chandler comes out repeatedly to tell his mother to cut her trees. He stated the trees will help the mass but will not help view. He stated looking at the site plan, he

can stand on a balcony and he can look off at a 45 degree angle to look into these properties. He stated the most affected homes are 5 who have an approval letter from two properties owned by the same person. He stated they can discuss why they were at first in opposition but are now in support. He mentioned three other people are in opposition. He stated these are the main people. He reiterated that the 100ft restriction was put in place for a reason. He stated he is asking the applicant to think about getting further away. He mentioned he has been designing residential product for over thirty years and he can take this property, do the same thing the applicant is doing and get 18-20 single-family homes that are 50ft wide and 80ft long. He mentioned it would be 30ft away any single story structure, not 20ft away. He stated the units on the south can be two stories. He mentioned these are townhomes, not condos or apartments. He mentioned anytime he does these kinds of projects he ends up getting 8-10 units per acre because he is trying to give a private area to these people. He stated these are townhomes, not condos.

**CHAIRMAN BARON** asked if there were any questions from the speaker.

**COMMISSIONER ROSE** asked for clarification on which cul-de-sac he lives in.

**MR ARAMBULA** stated he lives in the last cul-de-sac which was developed by the large office complex. He stated he has been there for 30 years and is surrounded by a church and multi-family.

**CHAIRMAN BARON** asked if there were any more questions for the speaker. There was none. He then turned it over to the next speaker.

**MARIA S. CADAVID, 961 W DETROIT ST** stated she wanted to thank staff for being helpful. She stated she contacted them after the neighborhood meeting, which she stated she did not like and was disappointed with the setup of the meeting. She stated she just met the developer last Wednesday and she was not contacted at all. She then began her presentation and began to speak about the General Plan. She stated she assisted in the update of the General Plan and the neighborhood designation in that area is very general. She stated neighborhoods should be identified by a group of different types of buildings but with consistent characteristics. She stated that characteristic is that all homes are single story in this case. This includes the Tyson Manor 5 subdivision. She stated the city needs to conform to the General Plan and they would be flexible as the needs of the city change overtime. She mentioned the history that has already been spoken about and included an exhibit showing the current stipulations. She wanted to emphasize that they do not want to kill the project; they just want to work with the applicant to do something for the project that will show improvement. She stated they need to be careful with infill sites because there are not many left in Chandler and they need to pay attention to the details so they do not end up with a bad product. She mentioned going to doors and offering to plant trees is not the way to do good planning. She stated they need to plan well because that will determine the success of the project with the ups and downs of the economy. She showed the requirement for the different zoning districts and she wants to know what maximum lot coverage is permitted. Her calculations show that they are close to 50 percent and stated there are too many units. She stated density is not an issue and the applicant wants to put all of the density against the single family by having one single point of access. She stated she could not tell if there was going to be underground drainage which means they do not have enough space to take care of their own drainage. She also referred to landscaping and thought the type of trees used were not buffer trees but suggested **CHAIRMAN BARON** knew more about landscaping. She questioned the number of dwelling units per acre they were complying with. It appears that they are way above the lot coverage because they appear to be at almost 49 percent. She stated they

are cramping 31-units and they can improve the site in many ways. She stated the residential character is single story and she took pictures along cul-de-sacs which show diversity on roof lines and roof planes. She mentioned no two houses look the same but they are all cohesive. She stated on the south side of Chandler Boulevard there is more density. She showed another exhibit that showed the architecture. She mentioned a lot of details are not clarified and asked what the finish of the screening was on the units. She mentioned it is a nice style but it needed to be better. She stated it does not meet the same standard of the other homes on Chandler Boulevard. She said several units look bland and flat. She referred to her idea on the exhibit for better articulation of the elements. She referred to an exhibit that showed very little open space with one point of access and asked what size lots will comply with the single-family residential districts. She stated there will be a give and take if you get closer to Chandler Boulevard, you give up more setbacks to the rear and give more opportunity for open space. She stated she is requesting the Commission to continue the case and allow the residents to work with the applicants. She stated she has interviewed several neighbors and they did not know what the project entailed and they feel pushed to support the project. She stated they need to save their infill site that will survive the up and downs of the economy.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**JAN LEMAY, 801 W TOLEDO ST** stated she is directly behind the complex they are planning to build. She mentioned there is the 5ft setback which will be 20ft from her house. She stated she wanted the Commission to place themselves in her position and see how they would feel if they were to look from their backyard to see a 24ft, 50ft long condo. She mentioned they have lived there for 34 years and it is a wonderful neighborhood with wonderful people. She stated they have built a home with the planning and zoning as it is and years later a project is going to come in and change it because of the increase in multi-family homes in Chandler. She mentioned it will bring their comps down and the people who have said they are for this project do not understand how it affects the whole neighborhood.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**LAURA DAVIS speaking for BETTY SMITH, 807 W TOLEDO** stated she is speaking for her mother and she is another neighbor who is south to the project. She stated they have done a lot of planning and it is nice that they came to talk to the neighbors but it is about the setback. She believes a 20ft setback should not be in consideration. She stated there should be a greater setback and it is arbitrary to rezone so quickly. She also stated it is nice what they are trying to do but they have to consider that putting the two story in is too much and too big.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He reminded the audience that this process may seem like it is happening quickly but that this meeting is to discuss the rezoning and the project is not done yet. He turned it over to the next speaker card.

**AIMEE RUIZ, 803 W DETROIT ST** stated she and her husband live in the cul-de-sac with wonderful neighbors that is a mature and well established neighborhood. She mentioned their main concerns are the setback area and two stories. She stated it does not fit the flow of what is going along Chandler Boulevard into downtown. She stated downtown is vibrant and new things are springing up with family areas. She mentioned everything to the south of Chandler

Boulevard has the urban vibe but if you drive along Chandler Boulevard it is a completely different feel. She mentioned these are family areas with one story homes that are unique and custom homes that were built well. She stated it seems like this developments aesthetic is different from the classic and mature vibe of the area. She stated she was also concerned about them utilizing the trees to block the buildings. She stated they got their notice in the mail about taking care of their citrus trees in the alley because of certain easements. She is concerned how they are going to jam a tree into this area and keep it maintained while still allowing the access needed there. She stated it seems like cramming so many people in a small area with only one way to get in and out leaves a concern for fire and emergency. She stated the idea of developing this piece of land that had been empty since the 70s is a great idea but the plan does not fit what is available. She stated there needs to be a lot of adjustments made in order to make this happen.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He read in the next speaker card to the record as she did not wish to speak.

**ISABEL ISAACSON, 981 W DETROIT ST** stated she was opposed to the project and two story homes do not provide privacy for neighbors.

**CHAIRMAN BARON** read in the next speaker card to the record as she did not wish to speak.

**TRACEY ISAACSON, 981 W DETROIT ST** stated she was opposed to the project and it did not fit the neighborhood.

**CHAIRMAN BARON** read in the next speaker card to the record as she did not wish to speak.

**GINA ARAMBULA, 940 W DETROIT ST** stated she was opposed to the project and was not in favor of a two story because of privacy and architecture.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**LISA KISER 800 W TOLEDO** stated she is an Arizona native and her mother who is here has been here for over 50 years. She stated her mother moved in with her because she has lived in one of these two story townhomes which they loved. She said she loved the idea of a townhome but they needed a single family home because of health issues. She stated she is not a fan of the cookie cutter houses which are all over the valley. She mentioned Chandler has been her home for many years and there a things that were not mentioned. There are going to be 31 units which mean there will be 62 vehicles with one way in and way out as most people have two vehicles. She mentioned when there was construction on Alma School and Chandler, traffic would go around and up on Pleasant Drive which landed them on Toledo because they did not know they couldn't get out of the dead end street. She stated she was lucky they lived on the end because it is a low mileage neighborhood but she could see traffic becoming an issue. She mentioned the site does not show any parking which means people who are visiting are going to have to park on Pleasant Street. She stated if there is no parking on this street they are going to park on Toledo which they are already have an issue with. She also stated if they are going to change the zoning on this section, what it is going to take for her to ask for her home to be rezoned. She stated they have a great neighborhood and would like the Commission to take all of this into consideration.

**COMMISSIONER BARON** stated there is parking shown on the east end and parallel on the north side of the street. He then read in the next speaker card.

**JEFFREY RUIZ, 800 W DETROIT ST** stated he was opposed to the project.

**COMMISSIONER BARON** read in the next speaker card.

**CHERYL STRONG 921 W DETROIT ST** stated she was opposed to the project and there are too many people, the existing setbacks need to be maintained and no two stories.

**CHAIRMAN BARON** stated he is now going to turn it over to speakers who in favor of the project.

**JOHN MOREHOUSE, 802 W TOLEDO ST** stated he was one of the first homeowners in this neighborhood. He stated he thinks the developer is doing their best effort on this project and living back east, he sees the two story complaint. He stated the homes that go behind were originally planned for two stories but changed to one story and are occupied now. He stated he liked that this project will have an HOA which will help keep they alley maintained and current residents do not. He mentioned there are orange trees that are not maintained by a current homeowner. He stated he talked to the developers about the setback and the uniqueness of this property is that it has been there so long and it would help with noise along Chandler Boulevard. He stated it has been 37 years since a developer has been serious about this property. He stated if this project does not get approved, then what is it going to take for some other project to get passed through. He mentioned there have been efforts from the developer and they have come a long way from his initial negative thoughts about the project. He stated he is half way for it and half way against it. He stated they have had problems about the trash being picked up but the garbage was picked up right on time this morning. He mentioned whatever goes into this property, the city needs to address the traffic on Pleasant and to add speed bumps.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**GARY VEGH, 809 W TOLDEO ST** stated he lives in the first house north of this project. He stated he was initially against it but after speaking with the developer and negotiating certain issues, he has changed his mind. He stated there are office buildings to the west with a lot of traffic there and a lot of traffic that comes across the back dirt lot. He mentioned there is a methadone clinic that also creates a lot of traffic. He said this project would make it safer for their neighborhood and he also owns house 803 which backs up to the property. He stated the trees and the wall are tall so he is positive towards this project. He stated the most important thing to him is making the area safer.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**LARRY VEGH, 806 W TOLEDO ST** stated he loved all of his neighbors and they are not all on the same page. He stated his concern is what else could happen to the property as current zoning allows more density than what is proposed. He said they could end up with a lot more than 31 units. He also stated the proposed costs will ensure professional and working people are going to be living in this community. He stated they have medical offices west of Pleasant and the traffic is horrible. He stated either way, the traffic is not going to get better but 31 units are better than 50 or 60. He mentioned he does not know why so many people are concerned because the main people affected are on Toledo and he owns two of those homes.

**CHAIRMAN BARON** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**SHERRY VEGH, 809 W TOLEDO ST** speaker card stated she was in favor of the item and did not wish to speak.

**CHAIRMAN BARON** turned it over to the next speaker card.

**ROGER REIMAN, 810 W TOLEDO ST** stated he is in favor and he has talked with the developers. He stated they seem to really want to work with the neighborhood. He mentioned they do have more traffic than they used to and there can be left hand turns lanes put on Pleasant. He stated there could also be speed bumps placed there.

**CHAIRMAN BARON** thanked the speaker and asked MR SWANSON how they can address this situation as he believed traffic engineering is not welcome to the idea of speed bumps.

**MR SWANSON** stated there are a couple of factors to consider. He mentioned it depends on the type of street, the speed of the street, and how many homes front onto the street. He stated in this case, there are cul-de-sacs and no homes that actually pop on to Pleasant Drive. He stated this does not mean it cannot be done but it will be a different process with traffic engineering.

**CHAIRMAN BARON** stated since this has been an issue brought up a few times; it should be looked into with traffic. He turned it over to the next speaker card.

**LARRY JAYNE, 806 W TOLEDO ST** speaker card stated he was in favor of the item and did not wish to speak.

**CHAIRMAN BARON** stated he had no more speaker cards and asked if there was anyone else in the audience that would like to speak. There was none. He turned it back over to the applicant.

**MR WOOD** stated one of the wonderful things about his job is he meets a lot of people. He mentioned he has been doing this for over 40 years and these are some of the nicest people he has been able to work with. He stated they have been willing to share, logically, their concerns. He stated they have spent a lot of time with the neighbors listening and he explained they have tried to incorporate all of their suggestions. He mentioned this project and the design is a result of conversations with the neighbors. He stated MR ARAMBULA'S comment about what has changed since the 1950s to now allow a project like this hit home for him. He stated there has been a lot of change and it is important to understand that element. He showed exhibits of the population of Chandler. This showed 3,799 residents in Chandler in 1950, in 1975 there was 20,034, in 1987 there was 67,000 and today there is 260,000. He stated there are a lot of elements that come into play such as the traffic on Chandler Boulevard. He stated he agreed with MR ARAMBULA'S comment that he could design a single-family subdivision; however, he stated they have to take into consideration what happened to the single-family homes that fronted Chandler Boulevard. He stated these were all eventually converted into office. He stated this is because they are in a high capacity transit corridor. He stated the traffic has increased and will continue to increase. He stated Chandler cannot expand anymore, however, there are 60,000 people moving to Arizona a year and most of them are moving to the valley. He stated Chandler has Intel, Orbital, etc. which attracts these people to Chandler. He stated this leaves Chandler having to build up but his applicant is trying to avoid that. He stated the applicant has designed it

in a way that it is not massive and will not create a lot of traffic. He stated they would stipulate to the 24 or 36 box tree along the northern boundary. He stated they would also stipulate to translucent windows. He mentioned a suggestion was mentioned about the design along the buildings of the south side of the parcel. He mentioned there are driveway aprons going into each of the garages and they are grey in color. There was a suggestion to change those to pavers, the same type of pavers that are on the north side of the project and they agree with that change to have consistency. He stated with all of those stipulations, he is happy how his client addressed the issues and they have worked hard with the neighbors.

**CHAIRMAN BARON** asked if there were any questions for the applicant.

**COMMISSIONER HEUMANN** stated some of the streetscapes would be options. He mentioned he is concerned that they would end up getting "plain Jane" looking streetscapes along Chandler Boulevard, which is a main arterial street in Chandler.

**MR WOOD** conferred with his client and he stated each home would have different design elements with windows and such.

**COMMISSIONER HEUMANN** stated he is concerned because it sounds like these would be options.

**FRANCO CALABRESE, 7742 MEDIZONA** stated they would make sure every unit was different from one to the next. He stated this would be accomplished by making different windows, trellises or balconies. He mentioned there would be different colors among the buildings as well. He stated they like the variety in units and if they needed to limit certain options such as requiring one unit to have a balcony and the one next to it cannot. However, he stated they would want to avoid an every other one, because that may disrupt the variety and make it a systematic variety. He stated they have 12 different styles and they are open to a stipulation that governs the variety to address **COMMISSIONER HEUMANN'S** concern.

**MR SWANSON** stated condition number two of the PDP is a standard condition that intends to ensure there is no single elevation that carries out. He mentioned the intent is to make sure the patios, elevations, etc. vary from unit to unit.

**CHAIRMAN BARON** asked what the extent of this condition is to require balconies.

**MR SWANSON** stated the intent is to control the balconies but it does not say if one unit has a balcony then the other cannot. He stated the intent is to control the background of the wall mass. He mentioned they do not want Unit A B and C to have style 1.

**CHAIRMAN BARON** stated with the two color schemes, it may end up looking like a checkerboard. He stated the variety in elevations may help but if there is not enough variation they can start to look very similar. He stated as he was looking closer, there is a lot of inconsistency with scoring. He stated if it is just score lines, then the detail may be critical since it is small and compact. He mentioned if they are to do a stipulation he would be in favor of doing something more specific to have control over the streetscape. He stated Chandler Boulevard is very important because it is the entry to downtown. He stated the character being established outside the edges of the downtown area is important.

**MR CALABRESE** stated the 12 different elevations is a lot for a 31-unit project. He mentioned they do not want to try too hard to make everything look different. He stated the interesting part of this project is there is some consistency and it brings appeal. He stated if you look at all of them, not one of them is a base model compared to another. They are all interesting in their own way. He stated each one is on the same level in terms of value and they are open to a modified stipulation to ensure there is the variety they are looking for.

**CHAIRMAN BARON** stated that because they are small units, if they are broken down into masses, they are identical. He stated what is put on the front of them is critical. He mentioned there should be individuality because there are rooflines and window geometry that are very similar. He asked if there were any more questions for the applicant. There were none.

**MR MAYO** stated if it comes down to crafting a stipulation, they can become rather vague. He stated if they get into detail about which elevations cannot go next to each other and requiring certain units to have specific styles, it can be a verbose process and difficult to implement. He stated picking and choosing elements should be sent to Design Review Committee.

**CHAIRMAN BARON** stated he believes they can come up with a workable stipulation. He asked if there were any questions or comments from the Commission.

**COMMISSIONER HEUMANN** stated he thinks they can come up with a stipulation that is workable with staff.

**MR CALABRESE** stated they have 15 units on Chandler and 3 more on Pleasant where you will see the façade. He stated they can address this in a stipulation for those few units to accomplish what everyone is looking for.

**CHARIMAN BARON** closed the floor and looked to the dais for conversation.

**COMMISSIONER HEUMANN** asked with the zoning as it is today, what could come in and get built today.

**MR SWANSON** stated it is MF-3 with a PAD and PCO. He stated if you break into thirds, the eastern third is PCO, so the only thing that can go there is commercial office. He stated for the remainder, it can be under the MF-3 designation. He stated if they meet the code and because of the conditions with setbacks they can have up to 18 dwelling units per acre with no two story on the north side. He said they would have to meet all conditions currently set in place.

**COMMISSIONER WASTCHAK** asked what the height limitation is on the MF-3 zoning.

**MR SWANSON** stated it is 35ft.

**COMMISSIONER WASTCHAK** stated they could go 11ft higher than what they are proposing and not have to have any zoning requirements other than DR. He asked if they would have to have it reviewed by staff.

**MR SWANSON** stated they would have it reviewed from a permit standpoint, but there would be no public hearing.

**COMMISSIONER WASTCHAK** stated that it could be a 35ft building on Chandler Boulevard 18 unit per acre within that 100ft.

**COMMISSIONER HEUMANN** asked if the 100ft condition is from the alleyway or from the neighboring property.

**MR SWANSON** stated the property itself is just under the 200ft and referred to the exhibit to show where this would place it on the map.

**COMMISSIONER HEUMANN** stated that some building could come in and put a two story or three story on the front but would have to put a single story on the back side.

**CHAIRMAN BARON** asked MR SWANSON if there is a deceleration lane on Chandler Boulevard.

**MR SWANSON** stated this exhibit shows there is a taper with a deceleration lane.

**CHAIRMAN BARON** stated the landscape setback goes right up to the property line so there is now way for the site to shift to the south. He also clarified there are no gates of off Pleasant Drive and there is parallel parking on the north side. He then confirmed with MR SWANSON that Pleasant Drive is a public street and allows public parking. He stated he wanted to have a better understanding of the zoning code in terms of hard zoning compared to PAD and setbacks for the benefit of the audience.

**MR SWANSON** stated with a PAD zoning, it operates as its own zoning designation. He stated there are various uses with PAD and they can be categorized as single-family, multi-family, etc. He stated the idea with a hard zoned designation is someone can come in and submit permits to construct. The idea with a PAD is they have to have a submittal that goes through public and neighborhood meetings. He stated there are specific guidelines for building setbacks, that do not budge, but with a PAD there is some flexibility when the site makes it work. He mentioned some of their commercial cases have a standard setback of 50ft but they have been able to work around it because there is an intersection on a corner, for example. He stated a hard zoning designation does not allow this flexibility. He mentioned as they approach the infill development, some of the standards cannot be met so they have to go through a PAD just to make a project work. He mentioned this is where the PAD comes into play because there has to be a give and take as the city approaches build out. He mentioned in this project, there is the goofy condition of 100ft for single story. He stated this was staff initiated but does not have the specific details of why. He mentioned with this case, the PAD is the appropriate route to ensure a quality development.

**COMMISSIONER HEUMANN** asked if the trash pick-up on this parcel is city or private.

**MR SWANSON** stated it is city with individual trash pick-up. He mentioned any development with individual garages will be city trash pick-up.

**COMMISSIONER HEUMANN** asked where they would put the trash cans out because it would take up places they have designated for parking.

**MR SWANSON** stated this is something they are going to see more of with infill developments. He stated all the trash will go on the south side. He stated there is no parking on the south side.

**COMMISSIONER HEUMANN** stated the garages are 20ft. X 20ft. He mentioned with two cars, you can lose a space for parking if you put the trash can in the garage. He then stated if you do not put the trash cans in the garage, they end up on the street.

**MR SWANSON** stated when it comes to where the trash cans are located; they require them to remain in the garage. He stated this is enforced by code enforcement.

**COMMISSIONER KIMBLE** stated it looks like the majority of the people who live on Toledo are in favor, which are the ones directly behind the project. He stated the people who are on Detroit, are not in favor. He stated those who are the closest to the project are in favor.

**COMMISSIONER HEUMANN** stated it is fifty/fifty at who is opposed and in favor of the project.

**COMMISSIONER ROSE** stated he would like to comment on the development. He stated he did not grow in the neighborhood but knows it is a special neighborhood and this is a delicate situation. He stated there is a big demand for these types of developments and they will bring up the value of the surrounding neighborhood. He stated the applicant did a lot of outreach and would work with Commission, staff and neighbors to make sure they put in something really special.

**COMMISSIONER HEUMANN** asked **CHAIRMAN BARON** in regards to landscaping, what could be put in with a 5ft setback that does not encroach into the alleyway.

**CHAIRMAN BARON** stated nothing would work. He stated an acacia stenophylla can grow very upright but it is transparent and can overhang in the alley. He mentioned the ficus can work but it has to be maintained. He stated it is good that there is an HOA but it would be hard to create a stipulation that would require landscaping to always be there. It would be up to the HOA to enforce that the landscaping be maintained. He stated since this is private property, they could not create a stipulation to control the landscaping.

**COMMISSIONER WASTCHAK** stated he has an issue with the screening on the north side and that the acacia is not a good screening tree. He stated this development is meant to be transitional from residential for density. He stated he would hope the neighbors could see that this is transition. He mentioned he would ask for there to be a bigger setback than 5ft. He stated the project addresses many of the neighbors' concerns but it could be improved.

**COMMISSIONER KLOB** stated there are elements of this project he really likes. He stated this type of project is something they are going to start seeing more of. He stated the applicant has done a great job in maximizing the development while creating a marriage with the surrounding neighbors. He stated he has the same concerns on the 5ft setback and would like to come up with a stipulation from the front elevations on Chandler Boulevards and possibly the alleyway. He stated he stated he would like to see this case go to DRC.

**CHAIRMAN BARON** stated he liked the architecture but believes the 5ft setback needs to be increased. He stated he has had problems in the past where the HOA does not keep the landscaping maintained. He stated the applicant has done a really good job reaching out to the neighbors but there are still a couple of parts that need to be worked out. He stated it is going to be hard to find extra footage on the site to make a larger setback. He stated they could possibly make shorter driveways to make it function. He stated he did not think it would be fair with all of

the comments they have received from neighbors to move forward with an approval to Council. He stated if this gets continued to the DRC, he will not be there as tonight is his last meeting and will look to the other Commissioners to make sure this meets the expectations of what they have discussed tonight.

**MR MAYO** stated they would recommend a 30 day continuance on this case in order for it to go through Design Review Committee, which does put this beyond the Chairman's tenure. He stated to find a happy middle on this project, there has been a lot of direction given to the applicant to come back to DRC. He mentioned what he has heard from the neighbors is that the 100ft condition is a critical issue for certain speakers. He mentioned Commission has stated this is not realistic in an infill environment. He mentioned MR. ARAMBULA'S issue with the transparent windows not fully addressing the concern of privacy as someone can look at a 45 degree angle and still see into the backyard. He stated the Commission also had concern that the selected trees would not survive certain conditions. He stated the developer can take a look at all of these concerns and do some homework before coming back through DRC.

**CHAIRMAN BARON** stated he doesn't know if landscape has to be the solution. He mentioned there could be an architectural solution to create some articulation in the bottom wall that still keeps with the character of the building. He stated there could be use of the side of the building as a wall to do something interesting instead of the masonry wall.

**COMMISSIONER WASTCHAK** referred to the development booklet that showed the side of building is being used as the wall. He stated the main issue is going to be the maintenance of the landscaping.

**COMMISSIONER HEUMANN** stated some of the things when looking into downtown are the lot lines that reduce that space. He stated that it something they should look at as well, which a concern he also heard from the neighbor. He mentioned they could change the back lots and that is his main concern.

**MOVED BY COMMISSIONER HUEMANN** seconded by **COMMISSIONER KLOB** to continue Item A to the May 16, 2018 Planning Commission with a Design Review Committee before. Motion passes unanimously 6-0 (Vice Chair Cunningham absent).

G. ZCA18-0001 CITY OF CHANDLER/AUTONOMOUS VEHICLES ZONING CODE AMENDMENT

**Approved.**

City initiative to amend Article XVIII Parking and Loading Regulations of Chapter 35 (Zoning Code) of the Chandler City Code in preparation for changes in transportation behavior resulting from an increase in autonomous vehicles and ride sharing.

**DAVID DE LA TORRE, PRINCIPAL PLANNER** stated the question staff is trying to answer with this proposal is how the zoning code can be amended to address, encourage, and accommodate ride sharing and autonomous vehicles. He stated in his presentation he will go through research and the main concepts that were found by staff. He stated staff found a variety of cities are doing different initiatives related to autonomous vehicles. He mentioned the best source staff was able to find was Bloomberg's Philanthropy Imitative of Cities and Autonomous Vehicles. He stated they divided cities into different groups: cities that are testing autonomous vehicles and cities who are implementing policies related to autonomous vehicles.

He mentioned Chandler has been hosting Waymo since 2016, so there have been fully autonomous vehicles on Chandler streets. He stated since November 2017, Waymo began testing these vehicles with no humans. He stated other cities such as Las Vegas and Reno are testing autonomous transit which includes buses and shuttles. Washington D.C. is dealing with autonomous rovers, which are delivery robots that go on sidewalks opposed to streets. He stated the second group of cities are dealing with broader policy and transportation issues that address the whole city, not the zoning code. Staff could not find any other city across the country that has worked on their zoning code for autonomous vehicles and ride sharing. He stated the second part of the question is what the experts suggest cities do with their zoning code. An article that is pertinent to this issue was written by Donald Elliot titled "Getting Ready for Driverless Cars."

There are two main concepts within the article. He stated autonomous vehicles and ride sharing are going to reduce the demand for parking while increasing the demand for drop-off and pick-up areas. He stated how much parking is going to be reduced is unknown. He mentioned the article explained all current autonomous vehicles are owned by ride sharing companies. He stated in this scenario, an autonomous vehicle will pick up an individual to drop them off and then will go pick up another person and never park anywhere. He stated in this scenario the parking would be reduced significantly as the only reason for an autonomous vehicle to stop would be to charge. The second scenario all of the autonomous vehicles are owned individually but the individual chooses to use the vehicle to make money when they are not using it. For example, the autonomous vehicle would take the individual to work and then be used by others during the day before returning to pick up the owner from work. In another scenario, autonomous vehicles are owned individually but are not shared with strangers rather they are shared among the household. The car could take the mother to work, the kids to school, and goes back to pick up the mother. This scenario still shows a reduction in parking but not as much in the other scenarios. In the last scenario, autonomous vehicles are owned individually but with humans behind the wheel and in that scenario there is no change in parking demand. He stated in reality, there is a combination of all of these scenarios which no one can predict how this will affect parking demand. He stated the reduction in parking demand will be offset by staging areas. He stated this is a designated space for drop off and pick up. He mentioned this could also be used for valet parking. He stated there is going to be a transition period as people start choosing different transportation behaviors and opt for ride sharing instead of owning their own car. He stated they do not know if it would 10 years or 50 years of transition. He mentioned after the transition period, the city can go back and analyze the transportation behavior and figure out what the parking ratios should be at that time. He stated until that time, it would be premature to try and figure out what those ratios should be. He mentioned this proposal is to find a way for the city to be more flexible as transportation behavior changes. He stated the code amendment is to allow a parking reduction on parking demand studies and to encourage parking loading zones. In terms of the parking demand studies, the zoning code currently allows parking to be reduced based on the parking demand study for a specific use. For example, if an industrial building comes in and they do not believe they need to provide the parking requirement because of their type of use, they can submit for a parking reduction. He stated the proposal is to add to that process and ability to reduce parking based on studies if that reduction is tied to an increase to autonomous vehicles and ridesharing use. He stated it would be up to the developer to submit a parking demand study and upon review the Zoning Administrator can allow for a 40% reduction in parking reduction, which is what is allowed today. He stated the parking demand study would also look at passenger loading zones, staging areas and short term parking. Short term parking would be for delivery services such as UberEats and GrubHub. He stated the zoning code does not say anything about loading or passenger loading zones, however, ADA and the Chandler Building Code do require accessible loading zones for specific uses. He mentioned many developments do provide passenger loading zones such as Harkins Theatre at Chandler Fashion

Center. He provided other examples such as AJ's, the Ice Den, and the Gilbert Gateway Town Center. The intent behind staff's proposal is it just has to meet the minimum but the developer can make it as nice and as embellished as they want, so long as it is open to the public. He stated in order to encourage more of these loading zones; the proposal allows a 10% parking reduction for each passenger loading zone that is in accordance with the table he provided up to 40%. He stated the calculations provide a range. He gave an example of a building with 25,000 square feet all the way up to 74,000 square feet would be eligible for a 10% parking reduction based on one passenger loading zone for that square range. The loading zone spaces exceeding that ratio would not be eligible for a parking reduction. He stated larger reductions can be requested by the applicant based on a parking demand study. He mentioned approval or denial of the request would be at the discretion of the Zoning Administrator. He stated this is the check of the proposal, because sometimes it may not make sense to reduce parking if the use still called for parking. The proposal outlines standards for the loading zones. They have to be approximately 50 ft. from the primary entrance and greater distance is allowed when loading zones are shared with other businesses. He stated they cannot be shared with fire and emergency lanes. They must comply with minimum dimensions, which are currently being prepared. He stated they must also prepare pedestrian amenities, such as benches. He stated prior to Planning Commission electronic communication was provided to various stake holders and he received positive feedback from a commercial broker. He stated they already have started to install passenger drop off zones and they ran into an issue in the Town of Gilbert. He mentioned they wanted to install passenger loading zones but could not because it would bring them under the required parking ratio. He stated this proposal is helpful in addressing that specific situation. He stated he also received feedback from the Chandler Chamber of Commerce. They had a question about how much the parking studies are going to cost. He stated the city is not going to require businesses to hire a consultant to put together a parking study. He mentioned current provisions in the zoning code allow staff to reduce parking for a specific use. He stated staff has already worked with properties to reduce their parking and they did not have to hire a consultant. He stated depending on the complexity of the project a developer may want to hire a consultant, but it is not a requirement.

**CHAIRMAN BARON** asked if there were any questions.

**COMMISSIONER HEUMANN** stated he wanted to thank staff for getting ahead of this because it is a need going into the future. He mentioned they have to be careful about the staging area and certain kinds of businesses that are already challenged in parking. He stated restaurants can be a challenge, with some being a parking nightmare, but ride sharing and autonomous vehicles could potentially alleviate that.

**COMMISSIONER WASTCHAK** stated he also appreciates staff coming up with this proposal. He stated they may approve a project now, but overtime that requirement is going to be reduced. He stated he liked the ability on the administrative level to make adjustments. He stated when a decision is made based on a parking demand study there may not be the ability to enforce what is presented. He asked if there will be any tools in place to enforce this.

**MR DE LA TORRE** stated taking out parking or adding a loading zone would require a civil permit, because it affects the draining on the property. He mentioned the permit would be the way of enforcement and they could inspect the improvement.

**COMMISSIONER WASTCHAK** stated that is the plan to put in a loading zone. He stated there is the ability for an administrative decision based on the parking demand study. He

mentioned someone could come in with a parking demand study and get administrative approval for the parking reduction and wanted to know how they will make sure the applicant would do what they said they are going to do.

**MR DE LA TORRE** stated the process would be an administrative review process. He stated staff could figure out a way to issue an administrative use permit. They have a site inspector who reviews approvals and site development plans. He mentioned they would have to think more about how that would be enforced.

**MR MAYO** stated they have a parking demand study option to reduce parking in the zoning code currently. He explained **MR DE LA TORRE'S** example of an industrial business that says they need 60 parking spaces instead of the 150 required by the zoning code. They can come in and demonstrate that they only need 60 but a caveat of that is they are required to show where they can get the parking back if they need it in the future. He mentioned, this is a good comment that they would discuss further on how they could recapture parking if they needed it.

**CHAIRMAN BARON** asked what happened when one of the uses changes. He stated what if a higher performing restaurant came in behind a lower performing restaurant. He provided an example of the new Dutch Bro's that came in and has created this problem.

**MR DE LA TORRE** stated they receive requests all of the time from developers who want to come into an existing property and the first question they ask if there is enough parking. At that time, staff will review and determine if there is enough parking or whether there was a previous reduction in parking. He mentioned it all needs to be accessed and reviewed but it is looked at very carefully.

**MR MAYO** referred to **CHAIRMAN BARON'S** example and explained the city would put something into code not needing it, but then end up needing it in the near future. He stated they had a code amendment a few years ago to work with a property owner to find offsite agreements for parking. He stated the Dobson and Germann example has been successful for Chandler. He stated the property owner ended up securing an agreement with the Church on the other side of Dobson to allow employees to park there. He stated it can become an enforcement deal with the property owner but in the end they have administrative tools to order compliance.

**CHAIRMAN BARON** referred to **MR DE LA TORRE'S** example of parking structures. He stated he had attended a conference where they are converting parking structure into rentable space. He mentioned they are designing them so there are flat areas with the idea being the advent of autonomous vehicles and these parking structures can be repurposed in the future. He mentioned there could be language added to the code in regards to this when it goes to Council. He mentioned the presentation included a lot of labels regarding Uber and Taxi's but to add a definition on what they think autonomous vehicles or ride sharing is. He stated this may allow them to be more specific to people who are asking for that.

**COMMISSIONER KLOB** asked if there are any offsets to the development code. He asked if there are any trade-offs to give developers as an incentive to adding loading zones.

**MR DE LA TORRE** stated the only offset they have looked at is the reduction in parking if the loading zone is installed. He mentioned that is an interesting comment that they can look at.

**COMMISSIONER KLOB** stated he wanted clarification on the multi-family discussion from earlier. He wanted clarification on the definition on multi-family and if that included condos.

**CHAIRMAN BARON** stated there was a comment regarding for sale and for rent. He stated the reality that for sale units on the condos is still considered single-family.

**COMMISSIONER HEUMANN** stated the different position of Chandler is that we are 85 percent residential build out as they begin to redevelop.

**MOVED BY COMMISSIONER HUEMANN** seconded by **COMMISSIONER KLOB** to approve Item G as read in by staff. Motion carries unanimously 6-0 (Vice Chair Cunningham absent).

6. DIRECTOR'S REPORT

Mr. Kevin Mayo stated this is more than likely Chairman Baron's last meeting and thanked him for his service. He stated it has been a wonderful experience working with him and Chairman Baron's fingerprints have been left across the city.

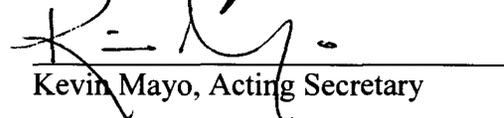
7. CHAIRMAN'S ANNOUNCEMENTS

Chairman Baron stated the next regular meeting is April 18, 2018, 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 9:02 p.m.

  
Andrew Baron, Chairman

  
Kevin Mayo, Acting Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, April 18, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Vice Chair Cunningham called the meeting to order at 5:31 p.m.
2. Pledge of Allegiance led by Commissioner Kimble.
3. The following Commissioners answered Roll Call:

Vice Chair Katy Cunningham  
Commissioner Devan Wastchak  
Commissioner David Rose  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner Rick Heumann

Absent/Excused:

Chairman Andrew Baron

Also present:

Mr. Kevin Mayo, Planning Manager  
Ms. Jodie Novak, Senior City Planner  
Mr. Erik Swanson, Senior City Planner  
Ms. Rosemarie Horvath, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER WASTCHAK**, seconded by **COMMISSIONER KIMBLE** to approve the minutes of the April 4, 2018, Planning Commission Hearing. The motion passed 6-0 (Chairman Baron absent).
5. ACTION AGENDA ITEMS  
**VICE CHAIR CUNNINGHAM** 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. She stated they have pulled the second item from the agenda for a full presentation.
  - A. APL17-0004 CHANDLER AIRPARK AREA PLAN/DVR17-0028/PLT17-0062 HORIZON

**Approved.**

Request Area Plan Amendment to the Chandler Airpark Area Plan from High-Density Residential and Medium-Density Residential to Low-Medium Density Residential, and Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for Single-Family Residential with Preliminary Development Plan (PDP) approval for site layout and housing product, along with Preliminary Plat (PLT) approval for a single-family residential subdivision. The approximate 36-acre site is located at the northeast corner of Germann and McQueen roads.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Horizon" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0028, 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. 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. 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.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
7. The following stipulations shall be the responsibilities of the subdivider/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 overflight activity, and is encumbered by an avigational easement to the City of Chandler."
8. 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.
  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](http://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.
  10. 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.
  11. 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.

12. 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 the Development Booklet, entitled "Horizon" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0028, 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 same elevation shall not be built side-by-side or directly across the street from one another.
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 homeowners' association.
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.

#### **Preliminary Plat**

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

**VICE CHAIR CUNNINGHAM** asked if anyone from the audience would like to have this item pulled for a full presentation. There was none.

**MOVED BY COMMISSIONER WASTCHAK** seconded by **COMMISSIONER KLOB** to approve the Consent Agenda read in by staff. The Consent Agenda passed 6-0 (Chairman Baron absent).

#### **ACTION:**

- B. DVR17-0024 MESQUITE GROVE MARKETPLACE (DISCOUNT TIRE)

#### **Approved with additional stipulations**

Request Rezoning from Planned Area Development (PAD) for Neighborhood Commercial to PAD (Neighborhood Commercial and Motor Vehicle Repairs) with Preliminary Development Plan (PDP) for site layout and building design for a motor vehicle repair business. The property is located at the northeast corner of Gilbert and Riggs roads.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Mesquite Grove Marketplace (Discount Tire)" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0024, 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 conditions adopted by the City Council as Ordinance No. 3024 in case PL99-035 except as modified by condition herein.
3. The hours for motor vehicle repair uses shall be limited to Monday through Friday 8 a.m. to 6 p.m., Saturday 8 a.m. to 5 p.m., and closed on Sundays.
4. The motor vehicle repair uses are limited to the approximately 1.2-acre parcel on Gilbert Road.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Mesquite Grove Marketplace (Discount Tire)" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0024, 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 conditions adopted by the City Council as Ordinance No. 3024 in case PL99-035 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. All signs shall comply with the Comprehensive Sign Package approved in case PDP08-0017.
5. Raceway signage shall be prohibited within the development.
6. Landscaping shall be in compliance with current Commercial Design Standards.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The site shall be maintained in a clean and orderly manner.
9. The applicant shall work with Staff on the location and building design integration of the service entrance section (SES).
10. If the floor plan and building orientation substantially changes from that represented in the Development Booklet, a new Preliminary Development Plan shall be required.

**JODIE NOVAK, SENIOR CITY PLANNER** stated this request has two components. The first is the rezoning request to rezone 5.2 acres from PAD for Neighborhood Commercial to PAD Neighborhood Commercial and Motor Vehicle Repairs. They want to keep the current zoning but add the land use for motor vehicle repair. The second component is the Preliminary Development Plan, which is the site layout for a motor vehicle repair use. She stated the use would be occurring on 1.2 acres of the remaining 5.5 acres. The proposed motor vehicle repair use would be for a tire store. She mentioned this property is part of a larger 9.9 acre commercial center parcel. The parcel was zoned for neighborhood commercial back in 1999 as a part of a master plan zoning which included the Mesquite Grove neighborhood subdivision which abuts this site on the north and east sides. She mentioned there was a request in 2009 to develop the 9.9 commercial corner. The zoning history included amending the zoning at that time to allow a self-storage facility which exists today. The remaining 5.5 acres has yet to develop, so this would be one of the first components of that development. Back in 2009 when the site did get approval for a commercial center it had included the self-storage facility as well as three individual lots or PADS. There was intent at the time to have three individual PADs. One was a grocer, one was a

bank and one was a child day care center. At this time there is a request to allow the motor vehicle on all of the vacant land and a development plan on the most northern part to allow a tire store. They have worked with the developer to ensure it is integrated with the existing PDP that has been approved for the commercial center to make sure the vehicular access, pedestrian access, etc. are in line with what was previously approved. She stated architecturally they have ensured the building has matching material, colors, etc. that look the part of the rest of the center. She stated this proposal will blend in with the rest of the center and match the architectural theme of what was already approved back in 2009. She stated signage is not included but there is a sign package that is for the entire commercial center, the applicant will have the liberty to develop under the current standard which is consistent with their signage code. If they decided they wanted to come through with different signage staff would work with them at a later time and they could come back through a separate PDP. Staff has recommended adding a condition; they are working with the applicant on the location of the service entry section which is a mechanical box that had their meter boxes. They are working on where the best location would be for SRP to access that. The proposed use is consistent with the current zoning that was intended for a commercial corner. With motor vehicle repair uses, the zoning code would allow them in C-2 or C-3 commercial zoning. The code does require consideration if the property allows C-1. They would be able to amend the PAD zoning in order to consider that. It is very common to have motor vehicle within commercial centers in the city. There are centers with a mixture of C-1 and C-2 uses. The siding and location of the building is separated from open space in the subdivision with additional landscaping on the site, pavement, drive aisles and a 2 story office/caretaker building that is associated with the storage facility. She stated there is a substantial distance from single-family residential. In other cases, they would not normally have a motor vehicle repair use immediately abutting a residential property, but this meets that intent because it is quite separated. She mentioned the developer did their neighborhood outreach and a neighborhood meeting was held in February. There were nine area residents that did attend and some expressed concerns about a motor vehicle use. Their concerns were about additional traffic, noise, odor and property devaluation. She stated following the meeting, staff received phone calls and emails from residents expressing their concerns and that they would like this site to be developed as more of a retail/restaurant center. She mentioned following sending out the report to the board, she received some additional correspondence that she handed out prior to the meeting. One is an email received in support of the development and there is another email expressing opposition. She stated staff is recommending approval of the request and she would be happy to answer any questions.

**COMMISSIONER HEUMANN** stated Discount Tire has limited hours from 7am-6pm and is closed on Sundays. He wanted clarification that once they approve the zoning for a repair use, if another repair shop could come in and have various hours of operation.

**MS NOVAK** stated **COMMISSIONER HEUMANN** was correct. She mentioned zoning applies to the land use. They do not regulate the business, the business name or who the actual user is of a property or a building. She mentioned motor vehicle repair is a use defined in the zoning code, so any business that meets that definition of a use would be able to go on the property.

**COMMISSIONER HEUMANN** asked if they were allowed to add a stipulation for the hours of operations.

**MS NOVAK** stated in recent years, they have gotten out of adding stipulations that limit hours of operation because they do not have the resources for enforcement and it becomes a big

challenge. She mentioned while it may be advantageous because it sends a message that there is a condition which can provide some comfort to residents, it can become difficult because they do not have staff available after hours to enforce it.

**VICE CHAIR CUNNINGHAM** asked if there were any more questions from the dais. There was none. She addressed the audience and informed them the applicant would first give a presentation and then they would take comments from the audience.

**PAUL GILBERT, 701 N 44<sup>TH</sup> ST** stated a very important part of this presentation is the focus on the user, Discount Tire. He stated he would first like the Assistant Vice President of Distribution for Discount Tire to give a background on Discount Tire.

**DON THRAILKILL, 20225 N SCOTTSDALE RD** stated their founder and owner started the company in 1960 in Michigan. He stated today, the owner and founder has retained ownership throughout and is still a privately held company with 983 stores in 38 states. He mentioned they have a store in Chandler which has exceeded its capacity to serve customers, and part of their site selection is to give some relief to that store. He mentioned they have a number of other stores in the surrounding area that have exceeded their capacity. He stated he wanted to be clear they do not do any type of automotive repair. He stated they are a retailer of tires. He mentioned part of their success is giving back to the community. They give free flat replacement and rotation to their customers. He mentioned half of their business leaves with no charge for the free services that they do. He stated the owners have been involved in a lot of different charities across the valley. He stated he started his career changing tires, then as a manager, and got an opportunity to work in the corporate office. He mentioned he has lots of experience in their stores and he can answer any questions they may have. In terms of site selection, they look at a number of cars per household and a lot of other information before they put together a target map. He stated being a retail use they want to be in retail centers.

**COMMISSIONER KIMBLE** asked how they address the noise issues. He mentioned changing tires is a noisy process.

**MR THRAILKILL** stated their hours of operation are 8am-6pm Monday through Friday, 8am-5pm on Saturdays and they are closed on Sundays. He mentioned they have provided an acoustic study that was taken from one of their existing stores. The air wrenches have a muffler to reduce sound and he the study shows they are lower than the city requirements for the decibel level.

**MR GILBERT** stated they are here to focus on two things. They are asking for a rezone to add an additional use to the approved commercial PAD and they are asking for a PDP approval. He mentioned the PDP is for the site layout and they are proposing a tire shop, Discount Tire. He provided an exhibit showing the surrounding properties of the site. He mentioned to the north, there is an existing self-storage facility, to the east is another existing self-storage facility. He mentioned that self-storage buffers the tire shop completely from the subdivision to the north. To the south is more vacant commercial property and to the west is a large 20 acre commercial zoned medical facility that features a wide variety of uses. He stated they are not adjacent to any residential uses and are buffered to residential uses. He mentioned they are located adjacent to two arterial streets, Gilbert and Riggs, and the location of these uses is where Discount Tire locates. He stated they are a retail use and in some of the letters, they are being accused of being an industrial use, which they are not. He stated they do not locate in industrial locations. He then provided exhibits showing where current Discount Tire stores are located, which showed their locations in commercial centers. He also mentioned their stores are surrounded by residential

uses. He reiterated that Discount Tire locates in retail centers. He explained they like to locate in retail centers so their customers can drop off their car and get their tires serviced while they shop in the retail center. He also mentioned they are closed Sundays and their hours are limited to 8am-6pm. He mentioned they would be happy to agree to stipulate to those hours. He mentioned with a PDP, it is a proper stipulation with an application of this nature. He mentioned every one of their stores has these hour restrictions and they follow them strictly. He stated they are a retailer and they do not do anything but tires. He stated no matter what kind of car a customer drives or where tires were previously bought, if someone needs a flat tire replaced they do it. He mentioned they have fixed over 5 million flat tires and that is why they choose to be surrounded by residential uses. He mentioned they are replacing a previously approved Fresh and Easy grocery store, which had 24/7 operations. He stated this had just as much, if not more traffic than what will be produced by their store. He mentioned they have worked very closely with the staff to integrate the building and site elements with the Mesquite Grove Marketplace approved PDP. The tire shop is strategically placed along Gilbert Road and the site is designed to create activity to the adjacent vacant land. He mentioned their overall theme is harmonious with what has been approved already and they have made a lot of changes consistent with what they were told to do by staff. They also have heavy landscaping all along the project, which provides an adequate buffer to the surrounding development. He mentioned their service bay is screened from street view. The service bay door is located on the south side of the building, facing the interior of the commercial development and away from the residential areas. He stated the number one concern is noise and mentioned they have only received three complaints over one year from all of their 980 stores. He stated they have provided empirical evidence that shows they do not produce noise with an acoustic study. The study concluded they are below the ambient noise level of what already exists. The study showed the potential maximum noise impact to the residential property lines is well below typical day time municipal noise level limits. He stated it is below every municipal day time noise level limit he is aware of. The projected maximum levels are within the typical ambient noise levels of these areas. He stated the study is based on empirical evidence from an existing store, indicating they are not going to create a noise problem for the immediate area.

**VICE CHAIR CUNNINGHAM** asked **MR GILBERT** to read in the company name that did the study into the record.

**MR GILBERT** stated the company is Acoustical Consultant Services and the individual that performed the study is Tony Sola, PO BOX 41182 MESA, AZ. He stated in addition to this study, they have additional protection against noise in this neighborhood because of the residential walls. He mentioned the study did not even take this into account. He mentioned in conclusion, they are here with strong recommendation of approval from staff and they have addressed what he thinks is the number one concern of the neighbors. He stated they have presented an amendment to the PDP that is integrated with what is there and are providing a high quality product.

**VICE CHAIR CUNNINGHAM** then turned it over to the first speaker card.

**MARK SILVER, 3057 E LIBIA PL** stated he and his wife moved to the community back in December. He stated they came here because of family and friends and is appreciative of all the Planning Commission has done to create a thriving community. He mentioned he is a loyal Discount Tire user and understands the owner is committed to giving back to the community. He stated in terms of the sound, he had not seen the decibel study. He stated he knows a little about sounds and sound travels variably according to temperature, environment, etc. He mentioned

when they had their home valued, it lost some value because they are located on Riggs which has traffic. He mentioned a barrier wall does not limit the traffic noise. He stated the increased traffic is another concern. He saw the proposal showed 40 parking spots and that is a lot of parking. He stated the Discount Tires that he has used; the workers wear protective hearing when they are working in the bays. His other issue is the facility across the street is going to be for seniors who have Alzheimer's or neuro dysfunction. He stated they have disrupted sleep and sleep during the daytime during the proposed store hours. He stated his last concern is that this proposal calls for a complete rezoning of the 5.23 acre site. He mentioned those are his concerns and they have been addressed, which other neighbors support.

**DAN CARROLL, 5722 E MESQUITE GROVE WAY** stated his concern is how having this type of development will impact the home values of the neighborhood. He stated they enjoy their community and he thinks the landscape brings up value to the home, but new businesses like this which make that community a more service oriented neighborhood will degrade the value of the property.

**KAREN SYENS, 5769 S DRAGOON DR** stated her house is four houses down from the proposed development. She stated the applicant mentioned it was not noisy, but that she can hear noise from Riggs Road from her backyard. She stated the applicant also mentioned they located their stores in retail centers so customers can go shopping, but there is no shopping in that center. She mentioned this could take away from having a restaurant or local business that could open up in that area. She mentioned she also agreed with what the other two speakers had said as well.

**SUSAN CARROLL, 5722 E MESQUITE GROVE WAY** stated she wanted to point out that she respects the business Discount Tire. She mentioned the issue is not with the business; it is that the business is not in the right place. She stated it was mentioned that they like to build in commercial centers but if you look at all of the commercial centers they are represented by more than one business. She mentioned there is storage to the west and questioned if that was a commercial use. She stated in contrast there is building by a Wal-Mart and each area had a least a half mile of area. She mentioned she did a map search on where tire shops are located, and showed different locations of where Discount Tires are located. She mentioned their locations are in large commercial centers, which are appropriate. She mentioned this location is low density and on a small corner in their community. She showed an exhibit of the proposed site and stated the distance from the Discount Tire and a home was a football field. She mentioned her other concern is that there are three PAD's. One was designated for a grocery store, another for a bank and the last for a daycare center. Her concern is that there are no tire shops near daycare centers and they are mutually exclusive. She stated if they put in a tire shop in that area, their probability of getting a daycare center or something more neighborhood friendly is zero. She stated they are going to end up with light industrial types of businesses. She mentioned she is opposed to this item because of the location and they could go across the street or up the street to Gilbert and Ocotillo. She mentioned they would like to see a grocery store, a restaurant or a daycare facility. She mentioned this is an area that has a lot of kids and there are young families, and the area needs to be served. She provided some development ideas that would make the area family friendly, such as opening a small farmers market or kitchen store. She stated these are things that are going to serve the community. She also mentioned service ideas such as Edible Arrangements or florist would be a good idea. She mentioned planning is about the future and they should think about what the future is. She concluded by stating they can consult with the experts to figure out what would fit best in this community.

**COMMISSIONER KLOB** thanked the speaker for her presentation. He mentioned she brought up that the separation between the tire shop and neighborhood is about the length of a football field. He mentioned there are no doors or opening along that north face of the tire shop, so there would not be any direct noise transition.

**MS CARROLL** stated there are a lot of hard surfaces that produce an acoustic echoing. She mentioned her neighbor behind her has a dog that barks. She mentioned the thing about sounds is that it can bounce off hard surfaces. She mentioned there has also been a dramatic increase in the ambient noise from Gilbert Road once it was widened and elevated. She mentioned extra noise would be on top of that ambient noise.

**VICE CHAIR CUNNINGHAM** turned it back over to the applicant.

**MR GILBERT** stated in regards to the issue of sounds, they have provided empirical data that showed they do not create a sound problem in the neighborhood. He mentioned they have over 900 stores throughout the United States and noise is not a problem. He stated that while the ambient noise from Riggs and Gilbert Road is high and increasing, their study shows they are below that ambient noise level, so they would not be adding any noise. In addition, they have taken precautions in the way their bays are set and there distance. He mentioned they are a football field away, and they will not hear the store. He stated he does not see how this will affect the value of the surrounding homes as there has never been any data that shows they cause a detriment or decrease in value in adjacent homes. It has been raised this would not be a proper use next to a daycare center. He mentioned on 23<sup>rd</sup> and Happy Valley, they are putting a store in next to a Tutor Time with their full support. He stated the evidence is to the contrary that they are causing problems or will cause problems with childcare facilities. He stated they have heard a lot of nice uses to go into this site, but this has been a difficult site to market. The site across the street has also been difficult and it has the same zoning. He stated they would love the uses that have been proposed but they have a use that is signed and ready to go. He mentioned there has not been a lot of opportunity with this site for the past nine years and this applicant is well known and respected. There were illustrations shown of Discount Tire shops and every single one of those locations are in a residential area. He mentioned that is where Discount Tire goes. He mentioned this is a terrific site because it has the unusual ability to buffer the sound because of the mini storage. He stated the 40 parking spots cover 15 spots for employees and the rest are for customers. He mentioned they are complying with the ordinance for the parking. In essence, the applicant feels they have made a compelling case and staff is in support. He mentioned they are the first to agree that their idea of shopping won't have a lot of application right now, but it may in the future. He mentioned all corners of this intersection are zoned for commercial uses and the other one is a large medical facility that is not in opposition. He reiterated they have strong recommendation from staff for approval, a well-designed plan, and have made sure they meet all of the requirements of the PDP.

**COMMISSIONER KLOB** stated there was a discussion about an assistant living facility across the street. He asked **MR GILBERT** if anyone from the facility has reached out to express their concerns or if they have discussed the development with them.

**MR GILBERT** stated they provided a full disclosure to them on what they were proposing. He stated they have not received any correspondence from them.

**VICE CHAIR CUNNINGHAM** asked if there were any more questions for the applicant. There were none.

**COMMISSIONER HEUMANN** asked if this use would be just for the particular part of the PAD or if the whole site would be able to have an auto use.

**MS NOVAK** stated the land use request is for all of the remaining land, just over 5 acres, to add the motor vehicle repair use.

**COMMISSIONER HEUMANN** asked if the Commission has the right to limit the use just to this particular PAD. His concern is if this is approved, the next person does not have to come back to this Commission. He mentioned someone could come in and do full service repair shop.

**MS NOVAK** stated Commission does have the purview to look at rezoning all the remaining 5 plus acres for the added land uses, they could certainly add a condition limiting the amount of acres.

**COMMISSIONER HEUMANN** asked if they could come up with additional stipulations. He stated he appreciated residents coming out and he understands the challenge with this site. He mentioned this is challenging because it is a small trading area and that is why it is difficult for retail uses to come into the area. Discount Tire is a good neighbor, there is one a mile from his house next to a residential. He stated he is concerned about rezoning to allow other uses potentially going in there that could be full service auto repair. He stated he would like to stipulate that this is the only place on the site that could do that and stipulate the hours of operation to protect the neighbors.

**MS NOVAK** stated they could add a zoning condition that auto vehicle repair uses should be limited to the hours of Monday – Friday 8am-6pm, Saturday 8am-5pm and closed on Sundays. She mentioned there could be a stipulation on the zoning request to limit the auto vehicle repair use to the 1.2 acre parcel proposed for Discount Tire.

**COMMISSIONER HEUMANN** asked if they could change the motor vehicle repair to state tire repair.

**MS NOVAK** stated since it is tied to the rezoning, they are asking for the land use of motor vehicle repair, which is all encompassing.

**KEVIN MAYO, ACTING PLANNING ADMINISTRATOR** stated in the zoning code, there is no tire shop just as they do not have Mexican restaurant. He stated the PDP will dictate down the orientation of the building, to where all of the services are occurring in the building. He mentioned the PDP would control that impact and he would urge Commission to keep it focused on motor vehicle repair. He stated in the stipulation, it needs to reference the 1.27 acre as identified in the PDP and that will be fixed in the legal description.

**COMMISSIONER HEUMANN** stated the stipulation of any significant change to the floor plan would bring it back to Commission and Council. He stated they do that on use permits when someone represents X, in case someone else comes in to change the property to Y.

**MR MAYO** stated they can add that to a PDP stipulation. He mentioned this PDP will get pretty rigid if they have to come back through Commission for a change on the building.

**COMMISSIONER HEUMANN** stated he would like to have it clearly spelled out, to protect the neighborhood.

**MS NOVAK** stated in regards to condition number four, they can draft a condition that states a motor vehicle repair use is limited to the 1.2 acre parcel. She mentioned for condition number five for PDP component, they have a standard condition for it being in conformance with the development booklet. It would be the addition on condition ten that would say if the building area substantially changes from what is represented in the development booklet; a new PDP would be required.

**COMMISSIONER HEUMANN** stated he was fine with those stipulations.

**COMMISSIONER KLOB** stated in the stipulation if the area changes, that would imply a footprint change or an addition. Whereas the direction **COMMISSIONER HEUMANN** was going is if there was internal change that would trigger it to come back into review. He mentioned trying to avoid any kind of doors or openings to the north, that would create a noise issue but it would change the area.

**MS NOVAK** stated she can modify condition ten to state if the floor plan and building orientation substantially changes, then a new PDP shall be required.

**VICE CHAIR CUNNINGHAM** asked if there were any more questions. There were none.

**MOVED BY COMMISSIONER HEUMANN** seconded by **COMMISSIONER KLOB** to approve the action agenda with additional stipulations. Motion passes unanimously 6-0 (Chairman Baron absent).

6. DIRECTOR'S REPORT

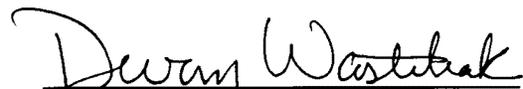
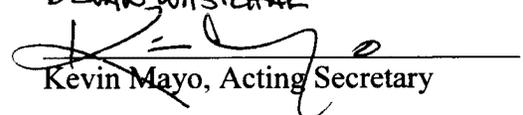
Mr. Kevin Mayo, Acting Planning Administrator stated this is **VICE CHAIR CUNNINGHAM'S** last meeting and it has been an honor working with her.

7. CHAIRMAN'S ANNOUNCEMENTS

Vice Chair Cunningham stated the next regular meeting is May 2, 2018, 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 6:45 p.m.

  
~~Andrew Baron, Chairman~~  
DEVAN WASTCHAK  
  
Kevin Mayo, Acting Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 2, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Commissioner Wastchak 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:

Commissioner Devan Wastchak  
Commissioner David Rose  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner Rick Heumann  
Commissioner Matt Eberle  
Commissioner Gregg Pekau

Absent/Excused:

Also present:

Mr. Kevin Mayo, Planning Administrator  
Ms. Jodie Novak, Senior City Planner  
Ms. Jenny Winkler, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER KLOB** to approve the minutes of the April 18, 2018, Planning Commission Hearing. The motion passed 5-0 (Commissioner Eberle and Commissioner Pekau abstained).
5. **ANNUAL PLANNING COMMISSION BUSINESS MEETING**  
Election of Officers:
  - A. Chairman
  - B. Vice Chairman

**COMMISSIONER WASTCHAK** stated they are welcoming two new commissioners, Commissioner Pekau and Commissioner Eberle.

**COMMISSIONER EBERLE** stated it is great to be part of the Planning and Zoning Commission and they look forward to it.

**COMMISSIONER WASTCHAK** stated they are going to be nominating a new Chairman and Vice Chairman as the previous Chairman termed out and asked the dais for nominations.

**COMMISSIONER HEUMANN** nominated **COMMISSIONER WASTCHAK** for Chairman, seconded by **COMMISSIONER ROSE**. (Motion passed 7-0). **CHAIRMAN WASTCHAK** nominated **COMMISSIONER HEUMANN** for Vice Chairman, seconded by **COMMISSIONER KLOB** (Motion passed 7-0).

6. ACTION AGENDA ITEMS

**CHAIRMAN WASTCHAK** 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. He asked if there was anyone in the audience who would like to have an item pulled for discussion. There was none.

A. DVR18-0002 GREYWOOD PROFESSIONAL OFFICES

**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 an office building located south of the southwest corner of Frye Road and Gilbert Road, north of Pecos Road.

B. PDP17-0016 WESTECH CORPORATE CENTER LOT 19

**Approved.**

Request Preliminary Development Plan (PDP) approval for site layout and building design for a light industrial with office building located within Westech Corporate Center; east of the northeast corner of Arizona Avenue and Corporate Place, north of Warner Road.

**Preliminary Development Plan**

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 2858, in case PL98-0020 WESTECH PAD.
2. Development shall be in substantial conformance with Attachment A, Development Booklet, entitled "Westech Corporate Center Lot 19", kept on file in the City of Chandler Planning Division, in File No. PDP17-0016, except as modified by condition herein.
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.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities 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. The site shall be maintained in a clean and orderly manner.
8. No outside storage or display of any kind will be permitted for any business outside of the fenced yards behind buildings. Such storage shall not be taller than the perimeter fence and shall not reduce the amount of available parking spaces as required by Chandler Zoning Code.
9. 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.
10. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

11. All raceway signage shall be prohibited within the development.
12. All future signage shall conform to the City of Chandler Sign Codes. Any deviations from such codes require Preliminary Development Plan approval.
13. The applicant shall work with Staff to extend the two horizontal dark bands and add three vertical dark bands to break up the wall plane on the east elevation.

**MOVED BY COMMISSIONER KIMBLE**, seconded by **VICE CHAIRMAN HEUMANN** to approve the consent agenda read in by staff. The consent agenda passed 7-0.

7. DIRECTOR'S REPORT

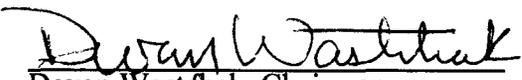
Mr. Kevin Mayo, Planning Administrator welcomed the two new commissioners and congratulated the newly elected Chairman and Vice Chairman.

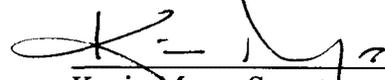
8. CHAIRMAN'S ANNOUNCEMENTS

Chairman Wastchak stated the next regular meeting is May 16, 2018, 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 5:37 p.m.

  
Devan Wastchak, Chairman

  
Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, May 16, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Commissioner Wastchak called the meeting to order at 5:38 p.m.
2. Pledge of Allegiance led by Commissioner Kimble.
3. The following Commissioners answered Roll Call:

Chairman Devan Wastchak  
Vice Chairman Rick Heumann  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Matt Eberle  
Commissioner Gregg Pekau

Absent/Excused:

Also present:

Mr. Kevin Mayo, Planning Administrator  
Mr. David de la Torre, Principal Planner  
Ms. Jodie Novak, Senior City Planner  
Mr. Erik Swanson, Senior City Planner  
Ms. Jenny Winkler, City Attorney  
Ms. Catherine Flores, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER HEUMANN**, seconded by **COMMISSIONER KIMBLE** to approve the minutes of the May 2, 2018, Planning Commission Hearing. The motion passed 7-0.
5. ACTION AGENDA ITEMS  
**CHAIRMAN WASTCHAK** 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. He stated there are some people in the audience who have asked to speak and they will have that opportunity. He asked if anyone in the audience would like an item pulled for a full presentation. There were none. He then stated Staff will read in the consent agenda and then those who wish to speak will be able to do so. He also mentioned he will be abstaining from Item B because of a conflict.
  - A. APL17-0003 SOUTHSORE AREA PLAN AMENDMENT/DVR17-0019/PLT17-0053 PINELAKE CONDOMINIUMS

**Approved.**

Request amendment to the Southshore Area Plan from Business Park to Residential. Request Rezoning from Planned Area Development (PAD) for Business Park to PAD (Residential) with Preliminary Development Plan (PDP) approval for subdivision layout and housing product for a residential condominium development, and Preliminary Plat approval. The property is located at the southwest corner of Ocotillo Road and Pinelake Way, east of Arizona Avenue.

### **Rezoning**

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "PINELAKE CONDOMINIUMS", kept on file in the City of Chandler Planning Division, in File No. DVR17-0019, 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. 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. 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. 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.
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. 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.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
10. Homebuilder will advise all prospective homebuyers of the information on future City of Chandler facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://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 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 existing railroad tracks and railroad right-of-way 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 railroad track and railroad right-of-way, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. 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.

12. 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 existing industrial property and industrial businesses 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 existing industrial property and industrial businesses, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. 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.
13. 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.
14. 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 existing Salt River Project electrical facility property 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 Salt River Project electrical facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. 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 "PINELAKE CONDOMINIUMS", kept on file in the City of Chandler Planning Division, in File No. DVR17-0019, except as modified by condition herein.

2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
4. The property 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. 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 same elevation style and color scheme combination shall not be built adjacent to or directly across the street from one another.

**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. DVR17-0014/PLT17-0035 ST. MORITZ

**Approved.**

Request rezoning from Multi-family residential (MF-3), Planned Area Development (PAD) for multi-family residential and Planned Commercial Office (PCO) District, to PAD for single-family residential, along with Preliminary Development Plan approval for site layout and building architecture along with Preliminary Plat approval for a 31-unit development. The approximate 2.10-acre site is located at the northeast corner of Chandler Boulevard and Pleasant Drive.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "St. Moritz" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0014, 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. 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. 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
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
7. Should street or alley conditions (including maintenance or closure) restrict or prohibit residential collection trucks from exiting into the alley from the development, the City shall designate the east side curb line of Pleasant Drive as the location for curbside solid waste collection. Upon the City notifying the Homeowner's Association of any change in collection, the Homeowner's Association shall be responsible for notifying Homeowners.

#### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "St. Moritz" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0014, 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. The same elevation shall not be built side-by-side or directly across the street from one another. Adjacent elevations shall require differing stone elements and /porch patio design.
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 homeowners' association.
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.

#### **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 WASTCHAK** stated he had a speaker card for Item A.

**GENE MINCHUK, 252 N. STARBOARD** stated he has a property located across the street from the project and they are zoned industrial. He stated he would like to develop this property in the future and wanted that on the record.

**VICE CHAIRMAN HEUMANN** asked staff if there are restrictions in the property to make sure people know what the surrounding properties are.

**JODIE NOVAK, SENIOR CITY PLANNER** stated she and this gentleman are meeting next week. She stated he has received a PAD zoning on his property and it has been zoned for light industrial. She mentioned the property is located within the Chandler Airpark Area Plan so it is planned for industrial development. He was interested in this project wondering if there was a

opportunity to do residential on the north side of Ocotillo Road. She stated they discussed that the area plan is for industrial and there are conditions within this development that stated industrial is within the area.

**VICE CHAIRMAN HEUMANN** stated he wanted to make sure he knew they are protecting his property as well. He mentioned this goes into the deed.

**CHAIRMAN WASTCHAK** asked if there were any more questions on Item A. There were none. He then turned it over to **VICE CHAIRMAN HEUMANN** for Item B.

**VICE CHAIRMAN HEUMANN** stated he received a couple speaker cards for Item B. He then read them into the record.

**ROGER REIMAN, 810 W TOLEDO ST** speaker card stated he was in favor of this item.

**LISA KISER, 800 W TOLEDO ST** stated they had an opportunity to speak with the applicant and the planner about some of the changes. She stated they appreciated the changes but they are still concerned with the area. She mentioned there is nothing north of Chandler Boulevard that is a two story. She stated they are semi-custom homes in the area and this development is very nice but is not as unique as the property that is already in the neighborhood. She mentioned they are concerned about the access to the alley and the traffic that will be on Pleasant Drive. She stated they have added a turn lane to Pleasant and traffic has already increased. She mentioned they are concerned about the potential 62 added vehicles. She stated those are her concerns and they appreciate the changes that have been made, but it is still difficult to see the two story project in that area.

**VICE CHAIRMAN HEUMANN** asked if there were any questions for the speaker. There were none. He asked if there was anyone else in the audience that would like to comment on this item. He then turned it back over to **CHAIRMAN WASTCHAK**.

**CHAIRMAN WASTCHAK** asked if there was a motion for Item A and B.

**MOVED BY COMMISSIONER ROSE**, seconded by **VICE CHAIRMAN HEUMANN** to approve the consent agenda read in by staff. The consent agenda passed 7-0.

7. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Administrator stated there was nothing to report.

8. CHAIRMAN'S ANNOUNCEMENTS

Chairman Wastchak stated the next regular meeting is June 6, 2018, 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 5:50 p.m.

  
Devan Wastchak, Chairman

  
Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 06, 2018 held in the City Council Chambers, 88 E. Chicago Street.

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

Chairman Devan Wastchak  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Matt Eberle  
Commissioner Gregg Pekau

Absent/Excused:

Vice Chairman Rick Heumann

Also present:

Mr. Kevin Mayo, Planning Administrator  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Jenny Winkler, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER ROSE**, seconded by **COMMISSIONER KIMBLE** to approve the minutes of the June 6, 2018, Planning Commission Hearing. The motion passed 6-0 (Vice Chairman Heumann absent).
5. ACTION AGENDA ITEMS  
**CHAIRMAN WASTCHAK** 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 two separate motions. He stated nothing is going to be given a formal presentation unless someone would like to have an item pulled for a full presentation. He asked the audience if anyone would like any items pulled. There was none. He then asked if anyone has conflicts on any items from the consent agenda. Commissioner Kimble stated he had conflicts on items A and B.

A. LUP18-0005 GOOD TIME CHARLIES

**Approved.**

Request Liquor Use Permit approval to continue to sell and serve all types of spirituous liquor indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The request includes to continue live music indoors and within an outdoor patio at an existing restaurant located at 6045 West Chandler Boulevard, Suite 7, 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 live entertainment on the patio(s) in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs 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 (i.e., restaurant owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. Live music on the patio may occur Friday through Sunday, no later than 8 p.m, and shall be limited to acoustic bands with small amplifiers only.
9. The Liquor Use Permit shall remain in effect for three (3) years 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.

**B. LUP18-0007 CURRY BOWL INDIAN RESTAURANT**

**Approved.**

Request Liquor Use Permit approval to continue to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License, indoors and within an outdoor patio, and continue indoor entertainment. The existing restaurant is located at 955 W. Chandler Heights Road, Suites 1 and 2, at the southeast corner of Chandler Heights and Alma School roads.

1. Expansion or modification beyond the approved exhibits (Floor/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.

**C. LUP18-0008 CREOLE CAJUN BISTRO**

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors and within an outdoor patio as permitted under a Series 12 Restaurant License, and request live music indoors. The existing restaurant is located at 5070 South Gilbert Road, Suite 4, the southwest corner of Gilbert and Chandler Heights 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 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 live entertainment on the patio(s) in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs 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 (i.e., restaurant owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. All exterior doors shall remain closed and shall not be propped open during live music.
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.

**D. LUP18-009 HASH KITCHEN CREATIVE BREAKFAST & BAR**

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License. The new restaurant is located at 2855 W. Ray Road, Suite 4, the southeast corner of Ray and Price roads.

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

**E. LUP18-0010 PIZZA ON 87**

**Approved.**

Request Liquor Use Permit approval to continue to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License, indoors and within an outdoor patio. The existing restaurant is located at 1368 N. Arizona Avenue, Suite 101, north of the northwest corner of Arizona Avenue and Ray Road.

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

F. LUP18-0011 GALETO BRAZILIAN STEAKHOUSE

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors and within an outdoor patio as permitted under a Series 12 Restaurant License at a new restaurant located at 825 North 54<sup>th</sup> Street, the northeast corner of 54<sup>th</sup> and Harrison streets.

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.

G. LUP18-0012 LA MADELEINE FRENCH BAKERY & CAFÉ

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors as permitted under a Series 12 Restaurant License at a new restaurant located at 3605 West Chandler Boulevard, Suite 7, the southeast corner of Chandler Boulevard and Hearthstone Way.

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.

H. ZUP17-0015 T-MOBILE AT ALMA SCHOOL & ELLIOT

**Approved.**

Request Use Permit approval to install a monopalm wireless communication facility at 3150 North Alma School Road, northwest corner of Alma School and Elliot roads.

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.

I. ZUP17-0019 VISTA STAR OFFICES

**Approved.**

Request Use Permit approval to allow an office within a residential conversion on a property zoned Single-Family District (SF- 8.5). The property is located at 442 West Chandler Boulevard, west of the northwest corner of Chandler Boulevard and Nebraska Street.

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. 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 site shall be maintained in a clean and orderly manner.
4. 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.

J. ZUP18-0002 MID MOUNTAIN EXCAVATION

**Approved.**

Request Use Permit approval to continue to operate an excavation business on property zoned Planned Area Development (PAD). The site is located at 930 E. Germann Road, west of the northwest corner of Germann and McQueen roads.

1. Expansion or modification beyond the approved attachments (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 property.
3. The site shall be maintained in a clean and orderly manner.
4. The Use Permit shall be extended for a period of 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.

K. ZUP18-0005 CASA DE MONTESSORI

**Approved.**

Request Use Permit approval to continue to operate a residential child care for a maximum of 10 children in an existing single-family residence. The residence is located at 410 N. Vine Street, north and east of the northeast corner of Chandler Boulevard and Alma School Road.

1. The residential childcare home shall have no more than ten (10) children for compensation, at any time.
2. Should the applicant sell the property, this Use Permit to operate a childcare home shall be null and void.
3. The site shall be maintained in a clean and orderly manner.

4. 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.

L. ZUP18-0006 WIN BEAUTY SALON

**Approved.**

Request Use Permit approval to continue to operate a commercial beauty salon within a residential conversion on property zoned Single-Family District (SF-8.5). The property is located at 284 S. Dobson Road, at the northwest corner of Frye and Dobson roads.

1. Expansion or modification beyond the approved attachments (Site/Floor 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 property.
3. Increases in on-site employment over that represented as equivalent to three (3) full time employees shall require new Use Permit application and approval by the City of Chandler.
4. The site shall be maintained in a clean and orderly manner.
5. The Use Permit shall be extended for a period of 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.

M. PRELIMINARY PLAT PLT18-0012 SKYLINE SCHOOLS – CHANDLER

**Approved.**

For a charter school on approximately 9 acres located east of the southeast corner of Arizona Avenue and Riggs Road.

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

**CHAIRMAN WASTCHAK** stated he received some comment cards that he will read into the record.

**JAMES BARRETT, 25827 S EASTLAKE DR** speaker card read he is in favor of Item A and did not wish to speak.

**DANIEL BRANCH, 2055 S STEARMAN DR** speaker card read he is in favor of Item H and did not wish to speak.

**BEVERLY GONZALEZ, 431 N VINE ST** speaker card read she is in favor of Item K and her house sit in front of Casa de Montessori and hasn't been any disturbance.

**CHAIRMAN WASTCHAK** asked if there were any more comments from the audience. There was none. He then turned it over to the dais for a motion.

**MOVED BY COMMISSIONER ROSE**, seconded by **COMMISSIONER KLOB** to approve the consent agenda read in by staff. The motion carries unanimously with **COMMISSIONER KIMBLE** declaring a conflict on Item A and Item B.

7. DIRECTOR'S REPORT

Mr. Kevin Mayo, Planning Administrator stated Council has adopted a policy to allow Planning Commission to call in. He stated no more than two Commissioners can be absent and call in. He mentioned in order for Video Production to be appropriately staffed, we need to know five days ahead of time if a Commissioner plans to call in.

8. CHAIRMAN'S ANNOUNCEMENTS

Chairman Wastchak stated the next regular meeting is June 20, 2018, 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 5:42 p.m.

  
\_\_\_\_\_  
Devan Wastchak, Chairman

  
\_\_\_\_\_  
Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, June 20, 2018 held in the City Council Chambers, 88 E. Chicago Street.

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

Vice Chairman Rick Heumann  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Matt Eberle  
Commissioner Gregg Pekau

Absent/Excused:

Chairman Devan Wastchak  
Commissioner Robert Klob

Also present:

Mr. Kevin Mayo, Planning Administrator  
Mr. Erik Swanson, Senior Planner  
Ms. Jodie Novak, Senior Planner  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Jenny Winkler, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER PEKAU**, seconded by **COMMISSIONER KIMBLE** to approve the minutes of the June 6, 2018, Planning Commission Hearing. The motion passed 5-0 (Chairman Wastchak and Commissioner Klob absent).
5. ACTION AGENDA ITEMS  
**COMMISSIONER ROSE** 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 one motion. He stated nothing is going to be given a formal presentation unless someone would like to have an item pulled for a full presentation. He asked the audience if anyone would like any items pulled. There was none.

A. DVR17-0016/PLT18-0005 DOBSON COVE

**Approved.**

Request Rezoning from Community Commercial (C-2) to Planned Area Development (PAD) for single-family residential, with Preliminary Development Plan (PDP) approval for subdivision layout and housing product and Preliminary Plat (PLT) approval for a 27-lot single-family residential subdivision. The approximate 6.4-acre site is located north and east of the northeast corner of Dobson and Elliot roads.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Dobson Cove" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0016, 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. 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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
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. 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. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
7. 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 homeowners' association.
9. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.

### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Dobson Cove" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0016, 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. 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. All homes built on corner lots within the residential subdivision shall be single-story.
5. No more than two, two-story homes shall be built side-by-side for lots 1-9.

### **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. DVR18-0004 CHANDLER REGIONAL MEDICAL CENTER**

**Approved.**

Request Rezoning from Planned Area Development (PAD) for a hospital to PAD for a hospital with Mid-Rise Overlay for the approximate 35-acre site for building heights up to 90 feet, with Preliminary Development Plan (PDP) approval for a parking garage.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled “Chandler Regional Medical Center” and kept on file in the City of Chandler Planning Division, in File No. DVR18-0004, 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. Building heights shall be limited to a maximum of 90 feet in height.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled “Chandler Regional Medical Center” and kept on file in the City of Chandler Planning Division, in File No. DVR18-0004, 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
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.

**C. PDP18-0006 UNIQUE POOLS & LANDSCAPES**

**Approved.**

Request Preliminary Development Plan (PDP) approval for the site layout and building design for a light industrial with office development located within Westech Corporate Center; east of the northeast corner of Arizona Avenue and Corporate Place, north of Warner Road.

**Preliminary Development Plan**

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 2858, in case PL98-0020 WESTECH PAD.
2. Development shall be in substantial conformance with Attachment A, Development Booklet, entitled “Unique Pools & Landscapes”, kept on file in the City of Chandler Planning Division, in File No. PDP18-0006, except as modified by condition herein.

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.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities 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. The site shall be maintained in a clean and orderly manner.
8. No outside storage or display of any kind will be permitted for any business outside of the fenced yards behind buildings. Such storage shall not be taller than the perimeter fence and shall not reduce the amount of available parking spaces as required by Chandler Zoning Code.
9. 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.
10. All raceway signage shall be prohibited within the development.
11. All future signage shall conform to the City of Chandler Sign Code. Any deviation from such code requires Preliminary Development Plan approval.

**D. PDP18-0007 PECAN TRACE**

**Approved.**

Request Preliminary Development Plan approval for single-family residential housing product. The approximate 17.5 acre site is located at the southeast corner of Lindsay and Ocotillo roads.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecan Trace" and kept on file in the City of Chandler Planning Division, in File No. PDP18-0007, 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.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
5. The site shall be maintained in a clean and orderly manner.
6. The same elevation shall not be built side-by-side or directly across the street from one another.

**E. ZUP17-0007 Z-BEST MEDICAL TRANSPORTATION**

**Approved.**

Request Use Permit approval to operate an office in a residential conversion zoned Agricultural (AG-1) District. The property is located at 821 West Warner Road, east of the southeast corner of Warner 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. 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 site shall be maintained in a clean and orderly manner.
4. 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.

F. ZUP18-0007 PRIDE GROUP, LLC

**Approved.**

Request Use Permit approval for automobile customization and accessory installation within a Planned Industrial District (I-1) zoning district. The property is located at 4013 W. Lindbergh Way, the northwest corner of McClintock Drive and the Loop 202 Santan Freeway.

1. Expansion or modification beyond the approved attachments (Site Plan, Floor 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 property.
3. The site shall be maintained in a clean and orderly manner.
4. All vehicle storage shall occur within the gated area.
5. All automotive work shall be performed within the building.
6. 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. LUP18-0001 THE YARD CIGAR BAR

**Approved.**

Request Liquor Use Permit approval to continue to sell and serve beer and wine indoors and within an outdoor patio as permitted under a Series 7 Beer and Wine Bar License within an existing cigar bar. The bar is located at 1981 West Elliot Road, east of the southeast corner of Elliot 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 7 Beer and Wine Bar 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.

H. LUP18-0013 TRYST CAFÉ

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors and within an outdoor patio as permitted under a Series 12 Restaurant License, and request live entertainment indoors at a new restaurant located 4205 South Gilbert Road, Suite 1, south of the southeast corner of Gilbert and Ocotillo 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 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. 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.

**COMMISSIONER ROSE** stated he received a comment card that he will read into the record.

**JEFF TRAPP, 1125 N TICANA LN** speaker card read he is in favor of Item G and did not wish to speak. .

**COMMISSIONER ROSE** asked if there were any more comments from the audience. There was none. He then turned it over to the dais for a motion.

**MOVED BY COMMISSIONER EBERLE**, seconded by **COMMISSIONER HEUMANN** to approve the consent agenda read in by staff. The motion passed 5-0 (Chairman Wastchak and Commissioner Klob absent).

7. DIRECTOR'S REPORT

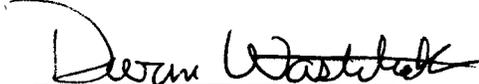
Mr. Kevin Mayo, Planning Administrator stated he wanted to remind the Commission to contact both him and MS. CHELSEA PLUMB, if they are aware they are going to be absent. He also wanted to congratulate MS. JODIE NOVAK on accepting a new position with the City of Avondale and stated tonight is her last meeting. He wanted to publicly thank her for all of her service.

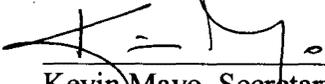
8. CHAIRMAN'S ANNOUNCEMENTS

Commissioner Rose stated the next regular meeting is July 18, 2018, 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 5:40 p.m.

  
\_\_\_\_\_  
Devan Wastchak, Chairman

  
\_\_\_\_\_  
Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, July 18, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Wastchak called the meeting to order at 5:38 p.m.
2. Pledge of Allegiance led by Commissioner Eberle.
3. The following Commissioners answered Roll Call:

Chairman Devan Wastchak  
Vice Chairman Rick Heumann  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Matt Eberle  
Commissioner Gregg Pekau

Absent/Excused:

Also present:

Mr. David de la Torre, Principal Planner  
Mr. Erik Swanson, Senior Planner  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Jenny Winkler, City Attorney  
Ms. Catherine Flores, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIRMAN HEUMANN**, seconded by **COMMISSIONER ROSE** to approve the minutes of the June 6, 2018, Planning Commission Hearing. The motion passed 5-0 Chairman Wastchak and Commissioner Rose abstained).
5. ACTION AGENDA ITEMS  
**CHAIRMAN WASTCHAK** 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. There were two items asked to be pulled for a full presentation. He mentioned everything else on the agenda will be voted on in a single motion. He asked the audience if anyone would like any other items pulled. There was none.
  - A. DVR18-0006 NEW SQUARE MIXED USE DEVELOPMENT

**Approved.**

Request Rezoning from Planned Area Development (PAD) for office and retail to PAD for uses consistent with the Cultural and Entertainment designation of the South Arizona Avenue Corridor Area Plan. The approximate five acre site is located at the northwest corner of Arizona Avenue and Chicago Street.

**Rezoning.**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler 87" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0026, 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 conditions adopted by the City Council as Ordinance No. 4758 in case DVR16-0026, except as modified by condition herein.

C. LUP18-0014 JIN SHABU

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors as permitted under a Series 12 Restaurant License. The restaurant is located at 2055 North Dobson Road, Suites 4-6, northeast corner of Dobson and Warner 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 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.

D. LUP18-0015 HELLUVA BREWING COMPANY

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors and within an outdoor patio as permitted under a Series 12 Restaurant License and operate a microbrewery as permitted under a Series 3 Domestic Microbrewery License. The new business will be located at 3950 West Ray Road, Suite 5, northeast corner of Ray Road 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 12 Restaurant license and a Series 3 Domestic Microbrewery 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 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.

E. ZUP18-0003 UPTOWN BRIDAL & BOUTIQUE

**Approved.**

Request Use Permit approval to continue to operate a specialty wedding boutique retail business within a building zoned Planned Area Development (PAD) 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 be extended for a period of 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. CANCELOTION OF THE AUGUST 01, 2018 PLANNING AND ZONING COMMISSION MEETING

**Approved.**

**VICE CHAIRMAN HEUMANN** stated he is excited about the Item A. He mentioned they are going to be building a new parking garage and he wants to make sure they look at the quality of the architecture on Site 6 and that the garage is going to be deigned in way that enhances that. He mentioned over the years, as a City they tell the developer how to make their project look great. He mentioned they need to lead by example and ensure they work with the developers.

**MOVED BY VICE CHAIRMAN HEUMANN**, seconded by **COMMISSIONER KIMBLE** to approve the consent agenda read in by staff. The motion passed 7-0.

**ACTION:**

B. PDP18-0004 LAYTON LAKES VILLAGE

**CONTINUED TO THE AUGUST 15, 2018 PLANNING COMMISSION MEETING**

Request Preliminary Development Plan approval for site layout and building architecture for a commercial shopping center. The approximate 8.8 acre site is located at the southeast corner of Gilbert and Queen Creek roads.

**ERIK SWANSON, SENIOR PLANNER** stated as a result of the conversation had during Study Session, there were two added conditions discussed regarding architecture. He stated starting with condition number 8, the applicant shall work with staff to provide additional architectural articulation on the shop buildings, and condition number 9 states the application shall work with staff to add additional colors and materials including horizontal elements to the office building, and 10 the applicant shall work with staff to provide sufficient pedestrian access south to the restaurant PAD building. He stated he believed this covers the concerns that were expressed by Commissioner other than the discussion regarding the drive thru. He then turned it over to the applicant.

**JEFF KOST, GLENWOOD DEVELOPMENT COMPANY** stated he lives in this community and agrees with MR. SWANSON'S added stipulations. He mentioned he also agreed that he dislikes the sissoo's and has multiple projects where he is going to be replacing them. He mentioned they are trying to find the right users for this project. He stated they need to have convenience and drive-through's in order to make this work. He stated he wanted to pull is off of consent is because they fast food, is his project and that is a make or break for him. He is happy to work with staff in regards to possibly moving the building further from Gilbert Road. He

mentioned he doesn't exactly want to do that but wants to find a middle ground. He stated they can remove some of the parking and move it east to eliminate the traffic. As he spoke with MR. SWANSON, they felt it may be a good way of approaching this. He mentioned in regards to the four drive-through's for this project, they do not have the anchor. With the Airpark and Layton Lakes residents, they all ask for Black Rock Coffee. He mentioned Black Rock Coffee is interested in being here. The residents and business owners want drive-through's but also want sit down restaurants. He mentioned if he turned the fast food PAD into retail, it would remain vacant as he already has a lot of square footage dedicated to retail. He stated this would not be a feasible thing to do and wants to find a middle ground to make the fast food work. The connectivity was cut off between the school and the office building; this office building is actually the schools administration. He mentioned this is part of the commercial project and it was being conveyed as a school. He stated the only concerns brought up in their neighborhood meetings was in regards to traffic, not on Gilbert Road, but people driving through their subdivision. He mentioned if you look at the centers to the south, there are multiple drive-through's at all of them, they have the anchors. He stated he does not have that anchor but he thinks they have done this in a proper and safe way for the community. He then asked if he could answer any questions.

**CHAIRMAN WASTCHAK** asked if there were any questions from the Commission.

**VICE CHAIRMAN HEUMANN** asked if he had a user for that site.

**MR KOST** stated there are three different users that want to be there. They are just waiting for approval. One is Black Rock and they are new into the market. He stated there are others that are interested that are not Chick-fil-a.

**CHAIRMAN WASTCHAK** asked if there were any more questions.

**COMMISSIONER KLOB** stated the applicant talked about moving the restaurant PAD to the east. He noticed there is a double drive there and also a parking for Building 5 on the west side. He stated in shifting that over to the east, would they then lose parking for Building 5 or what would be proposed for that adjustment.

**MR KOST** stated they are over parked at this project so they would make sure that they are at least over requirement and make it work.

**CHAIRMAN WASTCHAK** turned it to the dais for further discussion. He asked **COMMISSIONER HEUMANN** if he would still consider the proposed change to eliminate the drive through at the southwest corner.

**VICE CHAIRMAN HEUMANN** stated his concern is with the traffic. He mentioned there are three other PADs and would like to see the drive through's narrowed down. He mentioned they are already having enough problems with traffic in the City as it is, and does not want to have an issue here three years down the road.

**CHAIRMAN WASTCHAK** stated one of his proposals was to eliminate the drive to the north so there is at least one less drive through from a traffic standpoint. He asked if that is something the rest of the Commission would consider.

**VICE CHAIRMAN HEUMANN** stated he could live with that as a compromise but he thinks they are looking for problems on the road in the future and would like to solve it now.

**COMMISSIONER PEKAU** stated losing a drive through that is northbound on Gilbert is going to hurt the applicant's economic means and it is the foundation of the development. He mentioned if there is not an anchor, it will hurt the chance for the park to be successful. He mentioned if there are adjacent properties that have a higher density of drive through's then what is the major concern. He mentioned these are all vacant lots so they don't know the true safety concerns.

**CHAIRMAN WASTCHAK** stated he thinks **VICE CHAIRMAN HEUMANN'S** concern is that the fact that there is school with traffic is what makes it different from other properties. If there was no school, then there may not be an issue with this property.

**VICE CHAIRMAN HEUMANN** stated there is already a concern with traffic flow. He mentioned this is not a local school in terms of people walking but it's mostly people being driven. He mentioned in the afternoon it is a nightmare already and it will add to the level of intensity in that area. He stated they will get a high turnover regardless of what goes in and will make money by selling off the PAD's and he understands that. He mentioned the compromise of eliminating one of them would eliminate some of that intensity. He stated he cannot speak for the seven drive through's at the Sprout's center and asked Staff for clarification.

**MR SWANSON** stated it's on the Fry's side. He mentioned he did not know all of them but there is Taco Bell, a bank, a gas station, Burger King and he could not remember the other ones. On the Sprouts there is Dairy Queen, Starbucks, and ATM for a Bank of America, and if you add Phase 2 there is a drive through. So there would potentially be four if you take Phase 1 and Phase 2.

**COMMISSIONER KLOB** stated his challenge with the drive through for the restaurant PAD on the south is with it being adjacent to the only right in drive off of Gilbert Road and it is a hard right to get into the restaurant PAD area. He stated it is also met with a double queuing lane that feeds this drive through, so you have people exiting creating a bottleneck at that drive cut from Gilbert Road. He stated that is going to compound the safety issues that **VICE CHAIRMAN HEUMANN** had mentioned. He stated he is necessary opposed to the restaurant PAD being there but is more concerned about the location of the driveways and would like to them to be reworked. He referred to the driveway to the north for Building 1 that loops around and does not feed directly to an arterial drive. He mentioned that may help with some of the congestion coming and going off of Gilbert Road. He stated he sees this as a big bottleneck with the potential for accidents.

**COMMISSIONER PEKAU** stated they have two ingress and egress points that is more than efficient to handle a two lane drive through. He stated there is one to the north and one to the south that would help with any congestion.

**CHAIRMAN WASTCHAK** stated when traffic looks at the site they consider the entrance to into the office as handling the traffic for the office. He stated there is the second point there but it handling the office building traffic as well and it is not an additional retail center entry point. He asked if traffic takes into consideration the concerns that are being brought up.

**MR SWANSON** stated traffic certainly looks at the offsite ingress and egress elements as well as the onsite circulation and how that is handled. He mentioned in this case, they would have looked at it but he cannot recall if there are any issues they brought up. He stated they really want to make sure the commercial shopping center is tied with the office development to the south to ensure it seems like one seamless project. He stated there could be a co-main lane and it is also important to note the access on the south side is full access. He mentioned the one on the commercial is just right in right out, but the office has the left out as well. He stated if there is the concern with the amount of traffic coming in, there may be benefit to eliminate some of the parking along Gilbert Road. He stated if there is still a real concern with the design then they can take the case to DRC and really look at the options to give the applicant opportunity to look at different drive-through configurations.

**CHAIRMAN WASTCHAK** asked the Commission if they would like to take case to Design Review Committee.

**VICE CHAIRMAN HEUMANN** stated he thinks it is good idea. He mentioned trying to dissect it from here, it can create issues. He mentioned they could work through a lot of different configurations at DRC.

**COMMISSIONER KLOB** stated if they are going to take it to DRC then they could bring up the architectural comments as well.

**COMMISSIONER EBERLE** asked if the August 15, 2018 Planning Commission meeting date is the best date possible for the applicant.

**MR SWANSON** stated this is the only date since they previously canceled the August 1, 2018 Planning Commission meeting.

**MOVED BY VICE CHAIRMAN HEUMANN** seconded by **COMMISSIONER KLOB** to continue Item B to the August 15, 2018 Planning Commission meeting with a Design Review Committee meeting in between. The motion passed 7-0.

#### F. ZUP18-0008 HAPPY PETS PALACE & PLAYGROUND

**Approved with added stipulation.**

Request Use Permit approval to allow outdoor dog play yards to operate together with a doggy daycare, overnight dog boarding, and puppy training facility. The property is located at 1080 E. Pecos Road, Suites 15 to 18, at the northeast corner of Pecos and McQueen roads.

1. Expansion or modification beyond the approved attachments (Site Plan, Floor Plans, Elevations, and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to another property.
3. The site shall be maintained in a clean and orderly manner.
4. The fabric canopy structures shall be maintained in a manner similar to that at the time of installation.
5. 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.

6. 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.
7. No noise shall be emitted from the outdoor play areas that 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.

**SUSAN FIALA, CITY PLANNER** stated this case was heard at Study Session and mentioned she can go more into detail or turn it over to the applicant.

**CHAIRMAN WASTCHAK** asked if anyone needed any further information or if they would like to go straight to questions.

**VICE CHAIRMAN HEUMANN** stated they have a 24 hour ordinance through the City and asked if this project was built after that ordinance was approved by Council.

**DAVID DE LA TORRE, PRINCIPAL PLANNER** stated he does not know that information off the top of his head and he would have to research. He mentioned the 24 hour ordinance was approved in 1999 or 2000 and he does not remember particularly when this center was built.

**VICE CHAIRMAN HEUMANN** stated this use permit is for an outdoor use but he has some concerns in terms of the nighttime use and it being 24 hours. He stated he wanted to know if the clarification on that would be based off of the ordinance.

**MR DE LA TORRE** stated the 24 ordinance was intended for retail businesses. He mentioned in particular large single use retail was the focus. He stated this particular use is under the commercial zoning designation, however, he does not know if it would be considered 24 hours because it is not open to the public during certain time frames.

**MS FIALA** stated this business is not retail and the public is only allowed to come to between the hours 6:00 a.m. and 6:30 p.m. A 24 hour business is more akin to fitness centers or drive through where they are open to the public. She mentioned the overnight boarding is already permitted under the commercial use.

**VICE CHAIRMAN HEUMANN** stated he would disagree. He stated a veterinarian would keep animals overnight to potentially 70 dogs at night and so he thinks its comparing apples. He mentioned the 24 hour ordinance was designed around noise as well. He stated he would like to hear from the applicant.

**KRISTIN THOMA-MAHAN, KTM DESIGN STUDIOS** stated she is the designer working on the exterior and interior of the project. She mentioned there are playrooms and kennels that will have buffering for sound proofing. She mentioned 20 dogs is typically the average night, except for maybe holidays so 70 dogs would not be typical to be there overnight. She mentioned they feel there is enough sound proofing on the inside to where neighbors are not going to be disturbed.

**VICE CHAIRMAN HEUMANN** stated the narrative said 70 dogs.

**MS THOMA- MAHAN** stated they have another location in Mesa and they will accommodate up to 70 dogs but that would not occur unless it was some peak holiday. Based off of data from the Mesa location over the past five years, 20 dogs is the average for overnight boarding.

**VICE CHAIRMAN HEUMANN** stated he is aware of the need for this. He asked if they take the dogs out one at a time or all at once after 6:30 p.m.

**MS THOMA-MAHAN** stated they take each dog out individually around 9:00 p.m. for the bathroom and that process takes about an hour total.

**CHAIRMAN WASTCHAK** asked if there were any more questions for the applicant. He then turned it over to the dais for discussion.

**VICE CHAIRMAN HEUMANN** asked if there was a two year time stipulation and mentioned there was a bridal salon that had a one year stipulation to start out with. He asked if there was a reason why they did a two year versus a one.

**MS FIALA** stated the two year allows for the construction.

**CHAIRMAN WASTCHAK** asked if it is possible to have the same sound stipulation they have for restaurants put on this application. He mentioned if they put something in here that allows neighbors to see that if they have a problem with noise they can bring that stipulation up.

**MS FIALA** stated they can add that stipulation that sound cannot be emitted outside the commercial line that would affect other businesses and residential areas.

**CHAIRMAN WASTCHAK** asked to have that stipulation added.

**MOVED BY VICE CHAIRMAN HEUMANN** seconded by **COMMISSIONER KLOB** to approve Item F with the added stipulation. The motion passed 7-0.

7. DIRECTOR'S REPORT

David de la Torre, Principal Planner stated there was nothing to report.

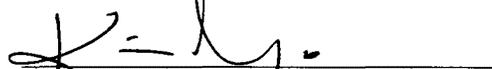
8. CHAIRMAN'S ANNOUNCEMENTS

Chairman Wastchak stated the next regular meeting is August 15, 2018, 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 6:29 p.m.

  
Devan Wastchak, Chairman

  
Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, August 15, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Wastchak 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 Devan Wastchak  
Vice Chairman Rick Heumann  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Gregg Pekau

Absent/Excused:  
Commissioner Klob  
Commissioner Eberle

Also present:

Mr. Kevin Mayo, Planning Administrator  
Mr. Erik Swanson, Senior Planner  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Jenny Winkler, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIRMAN HEUMANN**, seconded by **COMMISSIONER KIMBLE** to approve the minutes of the July 18, 2018, Planning Commission Hearing. The motion passed 5-0 (Commissioner Klob and Commissioner Eberle absent).
5. ACTION AGENDA ITEMS  
**CHAIRMAN WASTCHAK** 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. He stated one of the items that several people have shown up for, Item D, has been continued to the October 3, 2018 Planning Commission meeting. He mentioned they will read the continuance into the record but nothing more until the October 3<sup>rd</sup> hearing. He stated those who came to speak on this Item should come back on that day but if they still wish to speak today they may do so after the consent agenda has been read into the record. He asked if anyone would like to have any other item on the consent agenda pulled for a full presentation. There were none.
  - A. APL18-0001 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR18-0003 SOLLID CABINETRY

**Approved.**

Request Area Plan Amendment to the Chandler Airpark Area Plan from Parks and Open Space to Light Industrial and Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for light industrial along with Preliminary Development Plan (PDP) approval for site layout and building architecture. The approximate 17.5 acre site is located at the southwest corner of Germann Road and Stearman Drive.

### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Sollid Cabinetry" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0003, 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. 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 "Sollid Cabinetry" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0003, 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. 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. 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. In the event that only phase 1 is constructed, a drive aisle meeting Fire Department standards shall be provided along the west side of the phase 1 building, and the western most entry and drive shall be constructed to ensure vehicular circulation to the rear of the building.

C. PDP18-0004 LAYTON LAKES VILLAGE

**Approved.**

Request Preliminary Development Plan approval for site layout and building architecture for a commercial shopping center. The approximate 8.8 acre site is located at the southeast corner of Gilbert and Queen Creek roads.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Layton Lakes Village" and kept on file in the City of Chandler Planning Division, in File No. PDP18-0004, 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. 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.

D. PDP18-0009 BANNER PROJECT A

**Continued to the October 3, 2018 Planning Commission Meeting**

Request Preliminary Development Plan approval for site layout and building architecture for the development of the hospital campus, including a medical tower. The approximate 18.3 acre site is located at the northeast corner of Alma School and Willis roads.

E. ZUP17-0022 AZ AUTOMASTERS

**Approved.**

Request Use Permit approval to continue the operation of an automotive repair and performance modification business within a building zoned Planned Industrial (I-1) District. The existing business is located at 4122 West Venus Way, west of the northwest corner of Venus Way and 79th Street.

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. Any substantial change in the floor plan, including but not limited to expansion, additional of uses, and the like, shall require re-application and approval of a Use Permit.
3. 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.

4. The Use Permit is non-transferable to other locations.
5. The site shall be maintained in a clean and orderly manner.
6. The Use Permit shall be extended for a period of 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.

F. LUP18-0016 WILD ELK DEN

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License. The new restaurant is located at 275 W. Warner Road, Suite 1, west of the southwest corner of Arizona Avenue and Warner Road.

1. Expansion or modification beyond the approved attachments (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.

G. LUP18-0017 SOHO 63

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor indoors and within an outdoor patio as permitted under a Series 6 Bar License. The request includes live music both indoors and within the outdoor patio. The existing venue is located at 63 East Boston Street, east of the southeast corner of Arizona Avenue and Boston Street.

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 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 live entertainment on the patio(s) in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs adjacent businesses and residential areas.

H. LUP18-0018 GRUBSTAK

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License, indoors and within an outdoor patio. The new restaurant is located at 4165 S. Gilbert Road, Suite 5, south of the southeast corner of Gilbert and Ocotillo roads.

1. Expansion or modification beyond the approved attachments (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 reapplication and approval of a Liquor Use Permit.
6. Music and television broadcasts 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.

**VICE CHAIRMAN HEUMANN** asked for clarification on the trees being in front of the opening for the carwash on Item B.

**KEVIN MAYO, PLANNING ADMINISTRATOR** stated that was correct and they work with the applicant administratively between now and council.

**CHAIRMAN WASTCHAK** stated there are some people here who are wishing to speak. He turned it over to the first speaker card.

**KHAWAR AZAD, 1432 S APACHE DR** stated his concern is the perceived secrecy. He mentioned he is a member of the HOA and did not receive much information. He stated once they had their own conversation, not from Banner or anyone else, they sent out letters to their community and then the case was continued and they received no notification. He stated they had people across the road mention they did not know about this case and stated they are within the 600ft radius. He mentioned this was odd and would like Planning and Zoning to look at this case thoroughly and give the community an opportunity to talk about it. He stated he would like to have more open discussion before huge projects like this come through.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There was none. He then wanted clarification from staff that they notified the community according to requirements.

**ERIK SWANSON, SENIOR PLANNER** stated the notification requirements are 600ft around the property and a quarter mile for the HOA. He stated they get mailers sent back as undeliverable. They use the Maricopa County Assessor's which is the most accurate. He stated in this particular case he has created his own list of neighbors following the neighborhood meetings to be notified because that concern was expressed. He stated when he found out the item was going to be continued, he sent out an email to those neighbors. He mentioned if he has the information, he will send it out notification and he is still adding to his list so he will take MR AZAD'S speaker card and add him to be notified as well.

**MR AZAD** stated if he does not pay his property tax, Maricopa County will be after him pretty fast so even if you send a letter to an address with "Current Resident", it won't be undeliverable. He then stated a little more effort would be appreciated.

**CHAIRMAN WASTCHAK** stated they will look into the information and make sure MR AZAD is notified. He mentioned his understanding was the applicant requested the continuance so they could continue talking which is one of the concerns. The Commission has not seen anything on the project because staff is still working with the applicant.

**COMMISSIONER PEKAU** asked what community the speaker currently resides in.

**MR AZAD** stated he is in the Carousel community located by the 202 and Alma School on the southwest corner. He mentioned a gentleman from another community made them aware of the project and it spread by word of mouth. He stated if they can't get notification to all of the neighbors, at least get it to the HOA board.

**VICE CHAIRMAN HEUMANN** stated the City Council and Commission has changed things over the years for the notifications. If the HOA is notified, the HOA needs to notify the neighborhood. He mentioned this case is being continued to allow more conversation but the City makes the applicant send notification within a certain radius but sometimes the HOA gets it and does not send out notification.

**MR AZAD** stated he is on his HOA board.

**VICE CHAIRMAN HEUMANN** stated MR AZAD would need to speak with his management company if it is in that quarter mile. He mentioned if it never got there, then that is a separate conversation. He mentioned this case is being continued to give the community and the applicant an opportunity to work together.

**CHAIRMAN WASTCHAK** turned it over to the next speaker card.

**JOHN WILSON, 1062 W MAPLEWOOD ST** stated he was notified because his wife is the HOA President and that his property is actually 750ft away from the project. He mentioned it does not say to the HOA that they need to notify the neighborhood and it is just a postcard with a pamphlet. He stated it would be helpful if the notification mentioned notifying the neighbors. He mentioned he went to the second neighborhood meeting and Banner had talked about the timing with the meeting but what was not mentioned was anything they had done to mitigate concerns. He stated the helipad is no longer on the ground and was moved to the roof which is 150ft from the apartment complex, which is one of the largest concerns. He stated he had a meeting with 20-25 neighbors and has a petition signed with people who want this project to be stopped. He mentioned the helicopter is going to be flying over homes and the problem is that when you build a hospital, you build it first and develop around it. He mentioned there are apartments to the east, single family to the west and southwest and a church directly to south. He stated it's already built up and it is a little late to be shoving a hospital in a residential community. He mentioned this was zoned in 2012 and they built a one story Banner medical office that was supposed to be expanded. He stated this is no longer going to be expanded. He mentioned the neighbors are upset that a zoning for a medical doctors office can be changed to a four story hospital with a helipad on the roof. He did some research using the PD traffic website and found that there has been an injury accident there every two weeks since the beginning of the year. He stated these are only the accidents police respond to and thinks there may be more than what is reported. He stated an old traffic study was used and no one has actually gone out to put the counters down. He mentioned this is a very busy intersection and Banner Health is going to have 21,000 visitors per year, 42,000 at full build which is just patients. The employees alone will count for more than that so they are being disingenuous with the information. He mentioned he is

looking forward to the Banner outreach and using the Next Door app or social media to get the word out. He stated he wants the Planning and Zoning Commission to listen to the residents that this is not the proper application for that land.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. He stated they are not talking about the case tonight and he hopes they have some productive meetings with the applicant and when they actually do see the project they can see the efforts. He mentioned they are here to listen to what the neighbors have to say and will make their determination from the recommendation of staff as well as the neighbors. He turned it over to the next speaker.

**CHRISTIAN WAGEN, 1194 W REMINTON** speaker card read they are opposed to Item D and comments that it is a dangerous intersection and there will be much worse destruction of a peaceful neighborhood.

**CHAIRMAN WASTCHAK** read in the next speaker card.

**PETRA WAGEN, 1194 W REMINGTON** speaker card read they are opposed to Item D and comments that it is not appropriate for residential area and there is another hospital one mile away on Dobson and they don't need another.

**CHAIRMAN WASTCHAK** read in the next speaker card.

**FENGYUAN LI, 1470 S KAREN DR** speaker card read they are opposed to Item D and are concerned about traffic/public safety.

**CHAIRMAN WASTCHAK** read in the next speaker card.

**PING CONI, 1111 W LONGHORN DR** speaker card read they are opposed to Item D and concerned about public safety and traffic.

**CHAIRMAN WASTCHAK** read in the next speaker card.

**PATTI ZINKE and KEVIN ZINKE** speaker card read they are opposed to Item D and comments that traffic is already an issue at Alma School and Germann Road.

**CHAIRMAN WASTCHAK** read in the next speaker card.

**MARY MEYERS, 1106 W ARMSTRONG WAY** speaker card read they are opposed to Item D and attached the following comments:

1. Cars parking along Willis Ave from Alma School to Comanche by hospital visitors/staff.
2. Residents disrupted by sounds of ambulance and police sirens 24-7.
3. Helicopter take-offs/landings and noise of helicopters flying over residential neighborhood.
4. This is a residential area. Other area hospitals are in primarily commercial areas such as Dignity Chandler, Dignity Mercy Gilbert, Banner up by 60 Fwy in Mesa.
5. Impact of traffic from regularly scheduled Cornerstone Church events during weeknight evenings, Sundays and several days a week now compounded by traffic from a major hospital.

6. In addition, Alma School is one of the key traffic arteries going North South in the east valley and already has major traffic issues. Why can't this hospital be located on Price corridor?
7. There are additional large lots on Alma School and 202 that will be developed with residential that will compound traffic congestion in the future.
8. Due to current traffic patterns and density on Alma School there are already numerous accidents between Alma School and 202 south to Germann. Hospital traffic would exacerbate an already serious situation.
9. Why is such a hospital necessary at Willis and Alma School when just 2 ½ miles away Chandler Regional Medical Center is located?
10. Our property values.
11. Added traffic will add additional risk to school children daily bus traffic/stops on Willis.

**CHAIRMAN WASTCHAK** asked if there was anyone else that would like to comment or speak and reminded the audience that Item D will be heard at the October 3, 2018 meeting.

**PARRISH SPISZ, 63 W MAHOGANY PL** stated he wanted to thank MR SWANSON for working on the carwash project (Item B) and he thinks it is a good example of the developer and community coming up with solutions. He stated he would request to see the presentation on this to read it into the record to get a better idea on the visuals. He mentioned he heard VICE CHAIR HEUMANN request tree changes and is curious on how that looks.

**CHAIRMAN WASTCHAK** asked if the speaker would like the item pulled for a full presentation. The speaker did.

**MR SPISZ** stated the development is zoned commercial and he would imagine they would look to make sure it is the best use for this land. He mentioned a carwash isn't something that anyone really wanted, but it will be okay with the added stipulations. He mentioned he is curious to see the traffic studies because that corner is going to be really big with the apartments and new housing going in.

**CHAIRMAN WASTCHAK** stated when they have the full presentation that will have an opportunity to look at that.

**MR SPISZ** stated he would like to see if there were any noise studies as well.

**CHAIRMAN WASTCHAK** stated they will address that when the item is presented. He then asked if there was anyone else who would like to speak. There was one.

**GREGG LOCKRIDGE, 1474 W REMINGTON DR** stated he had a question in regards to the hospital project. He mentioned the title of the project is "Banner Project A" and the site layout provided only showed this site without specific buildings. He asked if there are other projects that are a part of this that are going to be in the site plan or is Project A just the description of the project.

**MR SWANSON** stated the Banner Project A is simply a title and they do not have a plan in place for a Project A, B and C. He mentioned when it comes before Commission the full site plan that is being proposed will be provided.

**CHAIRMAN WASTCHAK** asked if there were anyone else that wished to speak. There was one.

**JUDIE DOW, 1061 W LONGHORN DR** stated she is speaking on the hospital project and her house is located right next to Alma School so she has a big concern. She mentioned noise is a big concern with the helipad and the hospital on Dobson already has one so she does not see the need for another one just a couple miles down the road. She stated when the medical center in Chandler Regional was developed back in the 60s; the residential was not as established. She stated her neighborhood is a very established community of people with kids. She mentioned she cannot explain to a one year old why they are being woken up by a siren or helicopter. She stated traffic is also a concern but the community is made up of young people with kids and there will be a big problem with children crying in the middle of the night. She provided a Gilbert Chandler map with locations of current hospitals and the proposed hospital. She stated she did not understand why they need to be so close. She mentioned she understands the need with the population increasing but questioned if this was the best location with an established residential community and high traffic. She mentioned South Chandler is developing and would be easier to zone without disrupting neighbors.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There were none. He asked if there was anyone else in audience who like to speak. There was none. He then looked to the dais for a motion on the remaining items on the consent agenda.

**MOVED BY COMMISSIONER ROSE**, seconded by **COMMISSIONER PEKAU** to approve the consent agenda read in by staff. The motion passed 4-1 with **COMMISSIONER HEUMANN** voting no on Item C.

**ACTION:**

B. PDP18-0002 CARWASH & RETAIL DEVELOPMENT AT OCOTILLO CROSSING LOT 2

**Approved with additional stipulations.**

Request Preliminary Development Plan approval for site layout and building architecture for commercial shopping center. The approximate 2.1 acre site is located south of the southwest corner of Arizona Avenue and Chandler Heights Road.

**MR SWANSON** stated **MR SPISZ** was very instrumental in the neighborhood meeting process of getting the comments to get rid of the drive thru and making changes to the carwash itself. He mentioned he will clarify those comments and will go into further detail if necessary. He mentioned the comments regarding architecture during Study Session were just about fine tuning some things and it is in substantial conformance with what was proposed. The comments during Study Session related to the elements on the building itself but no change to the size. There was also a comment about additional landscape being added to the front of the carwash. He stated he can go into detail and would be happy to answer any questions.

**MR SPISZ** stated this is a good example of the developer and neighborhood coming together for a solution that is generally favorable. He mentioned he would like to know if there are potential concerns regarding traffic in that general area because of the increase in density as well as the noise. He wanted to know if there is any recourse if noise becomes a problem for neighbors.

**MR SWANSON** stated when a project comes in for review, they send it to a multi-disciplinary board. He mentioned civil engineers, traffic, fire and police review it to make sure it conforms to the City's standards. If there is ever a concern about traffic, they will require a traffic study. He stated a good example of that is the Banner project in which they had asked for updated traffic study. He mentioned for this case and the low intensity of the carwash and the inline shops, it was not requested. He does not know if the apartment was required to produce one but at the time of development they would have required it. If there was an issue with traffic it would have resulted in a change to the site plan. He mentioned from a traffic standpoint, there were not any issues. He stated in terms of noise, there was a noise study done and there did not appear to be any issues with noise being different from any other type of business operation.

**VICE CHAIRMAN HEUMANN** stated this case is not a PAD zoning case and this is basically for architecture. He stated he commended the applicant for working with the neighbors. He stated this was approved back in 2010, so the Commission at this point is looking at the architecture. He mentioned he commended the applicant working with the neighbors to remove a drive thru and adjusting the hours of operation. He stated because this is a Preliminary Development Plan, it would not come under the traffic things unless it tried to go outside of the uses it was originally approved for.

**MR SPISZ** stated the concern he has is that it was approved in 2010, and eight years later things have changed. He mentioned things have grown and there has been more development. He stated how things changing over time affect decisions that were made, that may not work now.

**VICE CHAIRMAN HEUMANN** stated he understood MR SPISZ point but the zoning was approved in 2010 and when people bought homes, this zoning was in place. He mentioned a carwash is allowed in this zoning and the applicant has worked with the neighborhood. He stated if a completely new project was coming through, it would be scrutinized in a completely different way.

**KEVIN MAYO, PLANNING ADMINISTRATOR** stated he wanted to address something MR SPISZ has asked earlier in regards to noise. He mentioned the zoning code does not allow a project to go in and crank up enough jet engine noise that the neighbors will just have to deal with. He stated their noise ordinance is based on nuisance so if it gets loud, you would end up calling the police and the police would come out to investigate. He stated with car washes, they are getting more familiar and are aware of where the noises come from. He mentioned the noise comes from the tunnel entry and the exit of the carwash, so they work on the orientation to make sure it is not aiming towards the homes. He stated the exit is usually the loudest, and they make sure that is not the pointed towards the homes. He mentioned they work with the applicant and study what has been submitted but that does not mean that once it is approved and it ends up too loud, then too bad and there is no recourse. He stated if it becomes a nuisance, you would contact the City and they would look into it.

**JERRY PLANK, 5055 E WASHINGTON ST** stated he is the architect on the project. He mentioned to address certain concerns, MR MAYO is correct. They had a noise study done and they actually flipped and moved where the carwash was so they do not exceed the noise ordinance. He mentioned the same owner, owns the gas station on the corner which has a carwash now. He stated as a part of this, they would shut down that carwash and put this one in. He stated to address VICE CHAIRMAN HEUMANN'S question about trees, they are live oaks which have much denser leaves and they do not have a problem adding two or more trees. He stated part of the reason they turned the building was so it was not facing the apartments. He also

stated they wanted to make this carwash part of the ARCO. He mentioned they have no problem removing the stripes but they did have a problem with the hours. He stated they would like to ask for a change to that stipulation as 10 o'clock to 6 o'clock is a little restrictive. He would like to ask for the hours to be changed to 8 o'clock to 6 o'clock which are the same hours as every other carwash in the valley. He stated this owner has gone through great lengths working with the neighbors and considering they moved the car wash far away from the neighbors, they believed the hours are restrictive.

**CHAIRMAN WASTCHAK** asked if there were any questions for the applicant.

**VICE CHAIRMAN HEUMANN** asked who recommended the hours and he thought it was the applicant that requested these hours.

**MR SWANSON** stated the hours were a result of the neighborhood meeting. He mentioned there were concerns expressed about the hours and during the neighborhood meeting the property owner agreed to limit the hours. He confirmed prior to the writing of the memo that the hours proposed at the neighborhood meeting were still intended.

**MR PLANK** stated there was confusion between MR SWANSON and himself. He stated four people showed up at the neighborhood meeting and they addressed the main issues that have already been discussed. He stated when MR SWANSON emailed him regarding the hours, he communicated with his client and the client sent back different hours but he sent MR SWANSON an email stating he was fine with the proposed hours. Since then, they have been waiting to request for those hours to be changed and since the case was pulled from the consent agenda, he is asking for that change now.

**CHAIRMAN WASTCHAK** asked if there were any more questions.

**VICE CHAIR HEUMANN** asked staff if they would be able to change the hours or let council make that decision because the neighbors have not been notified about the proposed hour changes.

**MR SPISZ** stated he cannot speak for the rest of the neighbors but because of all the other changes the applicant has made, he does not see a problem with the hours being 8:00am-6:00pm.

**CHAIRMAN WASTCHAK** turned it to the dais for discussion and asked if there were any questions. There were none.

**VICE CHAIRMAN HEUMANN** stated he would like to change the hours from 8:00am-6:00pm.

**COMMISSIONER PEKAU** stated he would like to see the carwash operating under the same as other carwashes, which is before 8:00am. He mentioned he would like to see consistency.

**CHAIRMAN WASTCHAK** stated the neighbors have stated they are okay with 8:00am and he would not be comfortable approving something with earlier hours before the neighbors have had a chance to provide their input.

**VICE CHAIRMAN HEUMANN** stated the applicant is wanting the hours to be 8:00am-6:00pm, so he would leave it as it is for 8:00am-6:00pm.

**MOVED BY VICE CHAIRMAN HEUMANN**, seconded by **COMMISSIONER KIMBLE** to approve Item B. The motion passed 5-0.

7. **DIRECTOR'S REPORT**

Kevin Mayo, Planning Administrator stated they are going to be on an aggressive plan to move everything into the digital realm. He stated if you look on the City's new website, you can see the Planning page has changed with added maps, etc. They have been moving towards keeping cases linked on the maps page. He mentioned part of this move is to move zoning cases online so applicants can submit digitally as well. The goal is to have all our processes moved to digital by April of next year. He stated he would like to reach out to the Commission to see what their capabilities are in terms with receiving agenda packets electronically.

**VICE CHAIRMAN HEUMANN** stated he wants to commend staff because when he was on Council he pushed to get things electronically. He mentioned it may benefit if Commission was supplied with iPADS.

**COMMISSIONER ROSE** stated tonight was a special night where neighbors came out. He mentioned with people thinking things are secret; staff should make sure people are registered and getting mail. He mentioned for the record that for the future to make sure there is notification and to not wait for a piece of mail. He wanted to know the best thing to tell citizens where they can register to get notification.

**MR SWANSON** stated with the increase in social media and the various platforms, staff is going to have a conversation about what is the best way to get information out. He mentioned the Next Door social media application was mentioned and their public information officer has the ability to go out and contact HOA. However, the HOA has to accept that contact. He mentioned whatever platform they look at, they understand that neighborhoods and the public are getting more involved. He mentioned they would need to find a way to meet them at their needs versus just sending a postcard. He stated it is up to the HOA to contact the City to register and when someone new becomes a member they need to notify the City.

**VICE CHAIRMAN HEUMANN** stated he believes the City has improved with social media and it is the City's responsibility to reach out and not wait for the HOA to contact the City. He mentioned the City needs to be proactive in pushing information out. He stated the more transparent they are, the less problems they will have.

**CHAIRMAN WASTCHAK** stated asked if the zoning log is going to be available electronically as well.

**MR MAYO** stated it will be available electronically.

**CHAIRMAN WASTCHAK** stated is would be nice to see a description of the project on the log as well.

8. CHAIRMAN'S ANNOUNCEMENTS

Chairman Wastchak stated the next regular meeting is September 5, 2018, 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 6:29 p.m.



Devan Wastchak, Chairman



---

Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, September 5, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Wastchak called the meeting to order at 5:39 p.m.
2. Pledge of Allegiance led by Commissioner Klob.
3. The following Commissioners answered Roll Call:

Chairman Devan Wastchak  
Vice Chairman Rick Heumann  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Gregg Pekau  
Commissioner Matt Eberle

Also present:

Mr. Kevin Mayo, Planning Administrator  
Mr. Erik Swanson, Senior Planner  
Ms. Lauren Schumann, City Planner  
Ms. Jenny Winkler, City Attorney  
Ms. Cathy Flores, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY COMMISSIONER KIMBLE**, seconded by **VICE CHAIR HEUMANN** to approve the minutes of the August 15, 2018, Planning Commission Hearing. The motion passed 6-0 (Commissioner Klob abstained as he was absent at previous meeting).
5. ACTION AGENDA ITEMS  
**CHAIRMAN WASTCHAK** 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. He stated one item, Item B, is going to be pulled for a full presentation and the rest will be read into the record.
  - A. APL18-0002/DVR18-0005/PLT18-0010 MADISON PARK

**Approved.**

Request Area Plan Amendment to the Chandler Airpark Area Plan from Public/Semi-Public Facilities to Low-Medium Density Residential, with Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, along with Preliminary Development Plan approval for site layout and housing product, and Preliminary Plat (PLT) approval for a 28 lot single-family residential subdivision. The approximate 4.3 acre site is located east of the southeast corner of Pecos and McQueen roads.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Madison Park" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0005, 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. 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. 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.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
7. The following stipulations shall be the responsibilities of the subdivider/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."
- 8. 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.
- 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](http://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.
- 10. 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.
- 11. 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 wastewater treatment 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 statement outlining that the site is adjacent to or nearby a wastewater treatment facility, 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 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 "Madison Park" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0005, 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. 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. 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.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
5. Landscaping shall be in compliance with current Commercial Design Standards.
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 homeowners' association.
8. The elevation for the lots adjacent to Pecos Road should consist of two Plan One floor plans that shall not be placed side by side.

#### **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. PDP18-0003/PLT18-0023 CHANDLER AIRPORT COMMERCE PARK (CACP)**

#### **Approved.**

Request Preliminary Development Plan approval for site layout and building architecture for an office/industrial/warehouse development, along with Preliminary Plat approval. The approximate 78 acre site is located south of the southeast corner of McQueen and Queen Creek roads.

#### **Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler Airport Commerce Park (CACP)" and kept on file in the City of Chandler Planning Division, in File No. PDP18-0003, 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. 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. 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.
4. The applicant shall work with Planning staff to provide perimeter screen walls. Perimeter screen walls may be a combination of solid, staggered, and view fencing.

5. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
6. Raceway signage shall be prohibited within the development.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
8. Landscaping shall be in compliance with current Commercial Design Standards.
9. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
10. Trees along the southern property boundary shall be placed 20 feet on center.

**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. PLT18-0025 FKC GILBERT II

**Approved.**

Preliminary Plat approval for a medical office building located south of the southwest corner of Frye and Gilbert roads.

**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. CANCELTION OF THE SEPTEMBER 19, 2018 PLANNING AND ZONING COMMISSION MEETING

**Approved.**

**CHAIRMAN WASTCHAK** asked if there were any questions on the Items on the consent agenda. There was one.

**PAUL MESHER** from the audience came up to speak but recording is inaudible and left no speaker card.

**ERIK SWANSON, SENIOR CITY PLANNER** in response to the speaker's question, stated when looking at the landscaping plan there is a plan in place for the future landscaping on the eastern edge. He stated Phase 1 along the southern boundary ensures landscaping is provided on the southern boundary and they are looking at the screen wall and the interaction on whether not it is full wall or not so that was combined with Condition Number 4. They have not address the eastern edge but that it a bit wider than the southern. He stated what they are looking at on the eastern edge is about 40 feet so in addition to what the park already has there will be 40 ft of additional landscaping with parking and drive aisles.

**MR MESHER** speaker inaudible.

**MR SWANSON** stated the concern was with the south side and if there was a concern with the east side that would be up to the Commission on whether or not they wanted to address it.

**COMMISSIONER HEUMANN** asked if they could add to the stipulation for the 20 feet on center to include the eastern boundary.

**KEVIN MAYO, PLANNING ADMINISTRATOR** stated the code says 20 feet on center for those trees so even when they come in it is automatically going to be 20 feet on center.

**CHAIRMAN WASTCHAK** asked if there were any other questions. There was one who left no speaker card and majority of recording was inaudible.

**MR SWANSON** in response to the speaker stated the applicant met with the Airport Administrator to ensure that everything was fine from a design standpoint. He stated they had the same concerns as the speaker about the building heights. The proposed elevations are well within what the limits are. They are currently at 43 feet and the eastern ones hit a 44-45 foot max building height. He stated they are required to send notice to the FAA regarding notice to construct.

**SPEAKER** stated Applebee is a main exit and entrance and asked if that would no longer being accessible during and after the project.

**MR SWANSON** stated Applebee will remain open so no construction will occur on Applebee. He mentioned if you were standing on Applebee, it's all vacant land right now but there is a fence on the northern edge and then there is a fence 300 feet in. All of that is proposed park, so the project itself won't touch any of that land. There will be construction to improve the eastern edge of McQueen along their frontage but it won't impact Applebee other than traffic on that eastern side. He mentioned this site will have two access point, one just north of the park entrance. He mentioned they will not be tearing anything out and it will not impact Applebee.

**SPEAKER** stated she understood and her final comment is about noise abatement. She mentioned if this is to be used as a distribution hub, are they looking at semi-trucks coming and going which allow the use of air breaks which can become a big problem for the neighbors.

**MR SWANSON** stated from a noise standpoint, he does not know regarding the air breaks and what situations those are best used in. From a general noise stand point, they do have an ordinance in the code toward industrial uses that if it becomes an issue they can go out and work with the property owner to get it under control. He mentioned in the past with some industrial properties, their machines were very loud and they worked with them to put dampers on it, so there are restrictions within the code that they don't have the freedom to do whatever they want from the noise standpoint.

**SPEAKER** asked if there something they can put in the agreement saying they cannot have 18 wheelers coming in at 3 a.m. disrupting the entire neighborhood.

**MR SWANSON** stated that is what the noise ordinance pertains to. Part of it applies to the construction and the other pertains to the operations of the business once it is in place.

**SPEAKER** asked if MR SWANSON can provide her with the information to look at the noise ordinance.

**MR SWANSON** stated he can speak with the **SPEAKER** after the meeting and provide the requested information.

**CHAIRMAN WASTCHAK** asked if there were any more questions.

**COMMISSIONER EBERLE** asked if this structure is built and the remainder of the runway is paved, what does that look like.

**MR SWANSON** stated it does not impact the site itself because it is not at the end of the runway. He stated when this site went through the zoning process, it went to the Airport Commission and since they are simply dealing with a design standpoint now, it does not undergo the same review with the Airport Commission. He mentioned the Madison Park memo states the overflight patterns for the site. He mentioned there will be overflights over the property but the biggest concern is the impact of the land use such as airport operations, drive issues and neighbor complaints about noise. He stated another issue are lights from a building and construction standpoint. When looking at development adjacent from the airport, industrial uses are best because they don't generate noise complaints. He mentioned when they developed the Airpark Area Plan it's those types of uses like office and industrial that are located adjacent to the airport because they are not going to be the ones that cause trouble and work best with the airport.

**COMMISSIONER HEUMANN** stated this is not a rezone case, the zoning was put in place in 2007 so they are developing the architecture and landscape but the zoning was already approved.

**CHAIRMAN WASTCHAK** asked if there were any more questions for items on the consent agenda. There were none.

**MOVED BY COMMISSIONER HEUMANN** seconded by **COMMISSIONER KLOB** to approved the consent agenda read in by staff. The motion passed 7-0.

**ACTION:**

**B. DVR17-0030 MISSION CROSSING AT CHANDLER RANCH**

**Approved.**

Request Rezoning from Planned Area Development for commercial office to PAD for single-family residential, along with Preliminary Development Plan approval for subdivision layout and housing product for a 32-lot residential duplex development. The approximate 5.7 acre site is located at the northeast corner of Pecos Road and Canal Drive.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Mission Crossing at Chandler Ranch" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0030, 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. 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. 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.
  5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
  6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
  7. 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](http://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.
  8. 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 wastewater treatment 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 statement outlining that the site is adjacent to or nearby a wastewater treatment facility, 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 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 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 the Development Booklet, entitled "Mission Crossing at Chandler Ranch" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0030, 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. 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. 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.
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 homeowners' association.
6. The applicant shall work with Planning staff to provide additional guest parking stalls consistent with adopted policies.

**MR SWANSON** stated this site fits the bill of an infill piece so when looking at it from a design standpoint, it does not meet the letter of the law when it comes to the residential design standards. He mentioned they still want to maintain that the community is still properly designed and the architecture has a level of design enhances the area. He mentioned during Study Session there were several concerns expressed about some of the details in the development booklet which he thinks is the main reason it triggered the item being pulled to action. He stated with that he is happy to answer any questions.

**CHAIRMAN WASTCHAK** asked if the applicant would like to come up and speak.

**SEAN LAKE, 1744 S VAL VISTA** stated this is a challenging property. They first started working with the city back in June or July of last year. He mentioned as **MR SWANSON** has pointed out, this has been a subject of much consternation for the City of Chandler as far as the landscaping that is along the eastern side. He mentioned the property was originally conveyed to an HOA that never operated but remained in that ownership so no one knew over the course of 20 or 30 years how to acquire it and it became an anchor on how to develop the property. He mentioned when they first met in a Pre-tech, the idea was to go buy the tax liens and then foreclose on the property. Over the last year and many months, they have been working diligently with the city. As for the project, they think it is well designed and some things can be cleaned up and he can answer any questions regarding that.

**CHAIRMAN WASTCHAK** asked if there were any questions for **MR LAKE**. There were none. He then stated some of the items that came up as he reviewed the project was that it appeared as an incomplete submittal. He mentioned his concern was that he wanted to make sure the applicant was going to work with staff on comments made. He stated he wanted a landscape plan that provides more specifics than what was submitted. He also wanted clarification on how the buildings are to be landscaped and the plans did not show walls that go in between and behind the buildings. He mentioned the view fence currently shows ½ inch pickets that are tacked on the front of the fencing and he has asked the applicant to take the pickets and make them ¾ of an inch so they are more sturdy. He stated he would also like clarification on the crossing that are shown as a grey line on the plan, so he would like to know if those are stripes or enhanced pavement. He stated he would like more detail on the entries and how they are going to be shown and installed.

He stated he would also like clarification on the signage and suggested the applicant show more signage elsewhere. He also had a concern about trash pick-up and how that is going to be handled, so he would like to have that included in future applications for Council to consider. He also had a concern about guest parking and the applicant showed where they have added some in the middle but he would like to see if they can add some parallel. He stated he also wanted color enhancement on the color palette. He mentioned the labeling of the color schemes are not clear on what elevation it relays to and would like clarification as well as additional information about stone material that is being called out. He stated on the elevations there was a comment about the stone veneers called out as optional, and he has asked the applicant to not make it optional and include it on the elevations. He stated that covers most of the comments he has and then asked if anyone else had any more questions.

**COMMISSIONER KLOB** asked MR SWANSON what the minimum parking dimension for a single space and the minimum drive width.

**MR SWANSON** stated the standard parking stall is 9 x 19 and with a drive way they are typically looking at 20 foot wide. What they look for is the two car garage with an interior dimension of 20 x 20 that would convey out to the driveway.

**COMMISSIONER KLOB** stated if they have designated parking spaces on the side entry units he is concerned about maintaining a minimum drive for egress and ingress into those units should there be two cars parked on either side. He would like to establish what the minimum width needs to be. He stated there is a lot that he does not think is going to work with the driveway that is proposed.

**MR SWANSON** stated what they can do is ask the applicant to fine tune the development booklet with what they have proposed. He mentioned he will work the applicant that shows it can be accommodating and provide sufficient parking.

**COMMISSIONER HEUMANN** stated he thinks they are trying to accommodate the business community to get this through and wanted be sure the applicant is okay with getting all of this done.

**MR LAKE** stated they can get this done. He mentioned he appreciated the Commission working with them because of the circumstances and they will work diligently to get a complete packet for Council. He stated he wrote every issue that was brought up and responded through email on what they are going to be working on.

**CHAIRMAN WASTCHAK** stated he reviewed this and they have provided a lot of comments but what he did not state is that he does think they have done a nice job with the elevations. He mentioned he thinks it is a good product that just needs some clarification on some things.

**MOVED BY COMMISSIONER HEUMANN** seconded by **COMMISSIONER KLOB** to approve Item B with comments incorporated before heading to Council. The motion passed 7-0.

6. DIRECTORS REPORT

David de la Torre, Planning Manager stated there was nothing to report.

7. CHAIRMAN'S ANNOUNCEMENTS

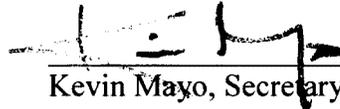
Chairman Wastchak stated the next regular meeting is October 3, 2018, at 5:30 p.m. in the Council Chambers at the Chandler City Hall, 88 East Chicago Street, Chandler, Arizona.

8. ADJOURNMENT

The meeting was adjourned at 6:15 p.m.



Devan Wastchak, Chairman



Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, October 17, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Wastchak called the meeting to order at 5:36 p.m.
2. Pledge of Allegiance led by Vice Chairman Heumann.
3. The following Commissioners answered Roll Call:

Chairman Devan Wastchak  
Vice Chairman Rick Heumann  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Gregg Pekau  
Commissioner Matt Eberle

Also present:

Mr. John Knudson, Public Works & Utilities Director  
Mr. Kevin Mayo, Planning Administrator  
Mr. David de la Torre, Planning Manager  
Mr. Erik Swanson, Principal Planner  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Kelly Schwab, City Attorney  
Ms. Chelsea Plumb, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIR HEUMANN**, seconded by **COMMISSIONER ROSE** to approve the minutes of the September 5, 2018, Planning Commission Hearing. The motion passed 7-0.
5. ACTION AGENDA ITEMS  
**CHAIRMAN WASTCHAK** 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. He stated all Items will be read into the record and voted on in a single motion, other than the Banner Project, Item D.

B. DVR18-0007/PLT18-0037 BERGE 80

**Approved.**

Request Rezoning from Agricultural (AG-1) to Planned Area Development for single-family residential, with Preliminary Development Plan (PDP) approval for subdivision layout, and Preliminary Plat (PLT) approval for a 241-lot single-family residential subdivision. The approximate 80-acre site is located south of the southeast corner of Lindsay and Ocotillo roads.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Berge Ranch" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0007, 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. Sign packages, including freestanding 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.
5. All homes built on corner lots within the residential subdivision shall be single-story.
6. Lots along Lindsay Road shall be limited to no more than two two-story homes adjacent to each other.
7. Lots along the northern property boundary that abut parcels with existing homes shall be limited to single-story.
8. Lots along Lindsay Road, located north of the main entrance, shall be no more than 50% two-story, and no more than two two-story homes shall be adjacent to each other.

**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. DVR18-0011 EASTERN ART ACADEMY

**Withdrawn by applicant.**

Request Rezoning from Planned Area Development (PAD) for business park to PAD to expand the list of permitted uses to include recreational uses within Building 6 of Warner Commerce Park. The subject site is located at 385 East Warner Road, the southwest corner of Warner Road and Delaware Street.

E. LUP18-0019 SLEEPY WHALE LLC

**Approved.**

Request Liquor Use Permit approval to sell and serve beer and wine as permitted under a Series 7 Beer and Wine Bar License, indoors and within a new outdoor patio. The new business is located at the northwest corner of Arizona Avenue and Frye 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 non-transferable to any other location.
3. The site shall be maintained in a clean and orderly manner.
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. No noise shall be emitted from outdoor speakers on the patio(s) in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs adjacent businesses and residential areas.

F. LUP18-0020 HANGAR 9 BAR & GRILLE

**Withdrawn by applicant.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor as permitted under a Series 6 Bar License, indoors and within an outdoor patio, and continue indoor live entertainment. The existing bar is located at 980 E. Pecos Road, Suite 5, at the northwest corner of McQueen and Pecos roads.

G. LUP18-0021 THE PARK AT COPPER CREEK

**Approved.**

Request Liquor Use Permit approval to sell and serve beer and wine indoors and within an outdoor patio/pool area as permitted under a Series 7 Beer and Wine Bar License for a senior living facility located at 901 South 94th Street, northeast corner of 94th Street and Pecos 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 7 Beer and Wine Bar 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.

H. ZUP17-0020 VISTA STAR'S STORAGE

**Approved.**

Request Use Permit approval to continue to allow storage within a Medium-Density Residential (MF-1) zoned district. The property is a vacant lot located west of (in the rear of) the duplex at 516 N. Washington Street, north and east of Oakland Street and Arizona Avenue.

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. 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 site shall be maintained in a clean and orderly manner.
4. Storage materials shall not exceed the height of the property walls.

I. ZUP18-0004 ALL J'S DETAIL

**Approved.**

Request Use Permit approval to continue the operation of an automotive detailing business within a Planned Industrial (I-1) zoned district. The existing business is located at 7045 West Galveston Street, Suite 11, east of the southeast corner of Galveston and 54th streets.

1. Expansion or modification beyond the approved exhibits (Floor Plan, Site Plan, Narrative) shall require reapplication and approval of a Use Permit.

2. The Use Permit is non-transferable to other store location.
3. There shall be no vehicle maintenance and repair, auto body or mechanical engine work, tire and/or wheel shop, vehicle customization and accessories, sales, leasing, vehicle related retail sales, or the like.
4. The site shall be maintained in a clean and orderly manner.
5. There shall be no vehicle parking, storing, detailing, or the like on City streets. All vehicles shall be maintained on-site.
6. There shall be no working on vehicles in front of the building; all detailing shall occur in the building or at the rear of the property.
7. As represented by the applicant, clients are restricted to corporate accounts only; no individual, general public clients are permitted.
8. The Use Permit shall remain in effect for five (5) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

J. ZUP18-0010 COMMUNITY OF CHRIST CHURCH

**Approved.**

Request Use Permit approval to allow the construction of a new church building in a single family zoning district (SF-8.5) and continue operation of the existing church. The site is located at 730 N. Alma School Road, north of the northwest corner of Alma School Road and Galveston Street.

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. 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.

K. ZCA18-0002 CITY OF CHANDLER/ZONING CODE AMENDMENTS TO TRANSITION FROM LIQUOR USE PERMITS TO ENTERTAINMENT USE PERMITS

**Approved.**

City initiative to amend Chapter 35, Land Use and Zoning, of the City of Chandler, Arizona, City Code regarding the transition from Liquor Use Permits to Entertainment Use Permits.

**CHAIRMAN WASTCHAK** stated he had two speaker cards for Item B that is on the consent agenda. He turned it over to the first speaker.

**JAY DORSEY, 4227 E GLACIER PLACE** stated one of the issues was resolved with the north facing lots and keeping those at single story. He mentioned they were concerned about the density, the lots are only 55 foot wide compared to 65 foot wide on Montero Ranch so they are going to see a lot more density in the homes behind them. He mentioned those were the concerns in addition to visibility and the characteristics of the neighborhood.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker card.

**NATHAN FINCH. 14524 E HORSESHOE DR** stated he lives just south of the property and the southern edge of the development is along the Brooksfarm Road alignment. He has been unable to find out how they are dealing with the alignment and if they are putting a block wall or anything on his side of the property. The neighborhood meeting that was supposed to occur, he got the notification from the developer's attorney five days after it occurred, so he does not have clarity on what is happening along the alignment. He is concerned about two story homes being erected looking over the property.

**ERIK SWANSON, PRINCIPAL PLANNER** stated he can send MR FINCH the development booklet via email. He mentioned along the alignment, there is an existing canal and that is going to be underground and utilized as a path. There is roughly a 20 foot setback and then the property boundary so there is going to be no improvements encroaching onto your property for this site.

**MR FINCH** clarified that the current canal is going to be buried and turned into a path and then there is an additional 20 foot setback.

**MR SWANSON** stated there will be a 20 foot setback and within that 20 foot setback will be the canal.

**MR FINCH** asked if they are going to be landscaping that southern portion.

**MR SWANSON** stated they are having conversations with the canal company to get landscaping in there but as of right now, the canal company does not want any landscaping.

**MR FINCH** asked if they are going to ensure there will still be everything in place to still allow for irrigation after they bury the canal.

**MR SWANSON** stated yes, they have to.

**MR FINCH** stated in terms of two story properties, he and the four other homes along that alignment would like similar treatment as the homes to the north.

**MR SWANSON** stated at this point they do not have housing product and he has not seen what it looks like. He mentioned regarding his concerns, the applicant is in the audience and will take those into consideration. He stated he does not know if all of the lots are single story, but that is something they will examine when the housing product is submitted and there will be another public hearing.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There were none. He asked if there were any more questions regarding any items on the consent agenda. There was one.

**SPEAKER NAME AND ADDRESS INAUDIBLE** stated she has been to both neighborhood meetings regarding Item A. She stated the first meeting there were a lot of people there and by the time the second meeting came around, four homes went up for sale. She stated this is kind of coincidental, so she is concerned how this is going to affect home values and safety. She mentioned she has sent information with pictures of trees because she does not care for pine trees that have needles that fall all over the place which could cause a fire hazard and did not receive a response. She was also concerned about additional pests with the ground being dug up.

**SPEAKER DID NOT LEAVE SPEAKER CARD OR SAY NAME AND ADDRESS INTO THE RECORD** stated he does not live with his mother-in-law but he does own property in Chandler. He asked if it is required by law for the builder to notify new residents and buyers that there was a possibility for this land to be rezoned for commercial use.

**MR SWANSON** stated he did not know the strict legal requirements but that Taylor Morrison has been out there for quite some time. He mentioned the site is not zoned for Commercial and that is what this process is going through. He mentioned right now it is agricultural, which is a residential land use so it would require an approval by Council to rezone it commercial. He does not know if there is any legal requirement to let the home owners know that the property can be rezoned at a later point in time.

**KELLY SCHWAB, CITY ATTORNEY** stated there is not a legal obligation to notify of things that could happen because they cannot be predicted, but going through the rezone like this is a public process and that's why it is advertised with notices send out, etc.

**SPEAKER** asked if the people who have put their homes up for sale are required to let potential buyers know that this land could possibly be rezoned for commercial.

**VICE CHAIR HEUMANN** stated they have a large orange sign on the property that notifies people of what is going on.

**SPEAKER** asked if the Commission was willing to have a vacant property next to this property, because ten houses have already been put up for sale.

**VICE CHAIR HEUMANN** stated they have commercial centers all over the city and they have homes abutting them. He stated he thinks this is a really good product and he is not aware of any place in the city where there is a vacant neighborhood next to a commercial center. He stated the city has gone from 25,000 to 250,000 people, so there is going to be more commercial centers.

**SPEAKER** asked if the notes from the Study Sessions are available to the public.

**CHAIRMAN WASTCHAK** stated the information for the meeting here is what goes on record but the Study Session is not. He mentioned if he would like to have the case pulled for a full presentation, it is his right because right now it is on the consent agenda and will be voted on in a single motion. He also wanted to note that they are a recommending body so they take in everything the applicant has brought forward and talk through design etc. He mentioned if they approve this, there is still discussion at City Council who ultimately approves it.

**SPEAKER** requested that the item be pulled for a full presentation.

**CHAIRMAN WASTCHAK** stated Item A will be pulled for a full presentation from the consent agenda and asked if there was any more questions. There was one.

**ED LUCAS, 3962 E PRESCOTT DRIVE** stated there is an organic or mulching type of business and was wondering when the drop off from the landscaping is going to cease and when will the debris be removed.

**MR SWANSON** stated if Council approved the project it be would shortly after and the intent would be by the end of the year they start moving everything out.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There was none. He asked if there were any more questions regarding the consent agenda. There was none.

**MOVED BY COMMISSIONER PEKAU** seconded by **VICE CHAIR HEUMANN** to approve the consent agenda as read in by staff. The motion passed unanimously 7-0.

**ACTION:**

A. APL18-0003 SECTION 30 AREA PLAN AMENDMENT/DVR18-0009 THE STEELYARD

**Approved.**

Request Area Plan Amendment from Single-Family Residential to Commercial in the Section 30 Area Plan, and Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for commercial, with Preliminary Development Plan (PDP) approval for site layout and building architecture for an approximate 4.6 acre site located at the southeast corner of Gilbert and Chandler Heights roads.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "The Steelyard" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0009, 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. 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 "The Steelyard" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0009, 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. 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. 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.

**MR SWANSON** stated the Belle Monte subdivision is adjacent to the sites east and southern boundary and along the west side is Gilbert Road and along the north side is Chandler Heights Road. He mentioned in 2004 this site was part of the Riggs family which was sold off to build Riggs Ranch. He mentioned the Belle Monte estate was combined with the Riggs Ranch development on the north side of Chandler Heights Roads and the landing at Riggs Ranch just east of that northeast corner. The intent was a master plan community and with the failing of the market in 2008, Amberwood Homes ended up selling off the residential at Belle Monte and it was acquired by Taylor Morrison. When that project came in, there was a ghost plan for the subject site and it showed what it would look like if it were to remain residential. The plan showed a street connection of the northern most street would continue westward and loop around the subject site and pop out on the southern side. Ultimately, Taylor Morrison did not acquire the property and at that point in time, the residents were not selling homes. He mentioned there is no way they could require this corner to be annexed into that subdivision and the street design system does not allow for it, so they looked at what is the proper land use for this corner. He stated this site is also part of the Southeast Chandler Area Plan (SECAP) and in the area plan it is designated as residential but there is language that allows the consideration for commercial development along an arterial street. However, in the Section 30 Area Plan it is called out for single family residential. So what they are trying to do is marry the two area plans to provide consistency and that is the area plan amendment component. He stated with the development of the subdivision to the east, any residential development for this site would have to become a separate subdivision and with the site of only 4.6 acres that has frontage of arterial streets on both sides, the likelihood of that happening is pretty close to zero. He mentioned with that being said, when looking at this site they looked at it as being development for commercial. He stated looking at the adjacent intersection, those commercial developments are a lot larger. He mentioned in this case and working with the design team, they understood this is going to be a smaller and more neighborhood friendly development. They took into consideration the Southeast Chandler Area Plan design guidelines. He mentioned earlier on working with the development team, they understood the impact to the subdivision so when looking at the site plan and, the landscape area has a minimum of 20 feet with some at 24 feet to give as much buffer to those homes. He mentioned code requires evergreen trees but there is concern with using pine, so the design team has worked with neighbors to come up with the appropriate tree. At this point in time, they don't care as long as the neighbors are happy. He wanted to make sure the speaker understood that they do not have to use pine and they will go with whatever makes the neighbors happy. He then stated he can address the speaker's concerns about the development and touch on the vacant neighborhood as Vice Chairman relayed to. He stated when they look at developments they do not look at what happens to market values around the area. He mentioned usually when a development comes in, instead of there being vacant land, there is typically a positive result but they do not get into that with their decision making. They take into

consideration what the area plan and zoning says. He stated in this case, it meets all of those requirements and that's why staff is recommending approval. He mentioned in regards to the pests, he believed the applicant may be better equipped to answer those questions.

**CHAIRMAN WASTCHAK** asked if there were any questions.

**VICE CHAIR HEUMANN** asked if the applicant would like to address the speakers concerns instead of giving a full presentation.

**GARY HAYES, 2198 E CAMELBACK RD** stated they have met with the speaker at both neighborhood meetings and the last communication they received from her were some pictures of trees. He mentioned they have had multiple neighborhood meetings to make sure they have addressed all the concerns of the neighbors. He stated the site plan is set up this way is because they asked us to push everything towards Gilbert Roads, and they did. He mentioned the email from the speaker asked about stash trees, which are right now evergreen elm. He stated there are other neighbors who want evergreen, and the speaker wants stash. He mentioned, across the board no one wanted pine. He stated the code states pine trees but they do not want to put something in that people do not want. This is going to be a neighborhood center and they want people in that neighborhood to use this center and they want to be good neighbors.

**CHAIRMAN WASTCHAK** asked if there were any questions.

**COMMISSIONER EBERLE** stated he really liked how they reused the tower. He mentioned they are always interested in keeping the historic elements as they build out Chandler, so he appreciated that.

**MR HAYES** stated every single neighbor except for one, said thank you for keeping the tower. He mentioned he thinks it fits with the SECAP but with a neat little twist on it.

**COMMISSIONER KIMBLE** asked if he has seen homes values go down because of a commercial neighborhood property.

**MR HAYES** stated he has seen the opposite because people want amenities.

**VICE CHAIR HEUMANN** asked if the trees along the southern boundary are stash or elms.

**MR HAYES** stated some are stash and some are elms.

**CHAIRMAN WASTCHAK** asked if there were any more questions. He asked if there was anyone in the audience that would like to speak in response to the applicant.

**MARY THOMAS 3033 PEACHKNOT PL** stated the pictures she sent, she did not know the name of the trees and her friend said they were ash trees. She stated her friend told her they were redwood ash.

**CHAIRMAN WASTCHAK** asked if there anymore questions. There were none.

**MOVED BY VICE CHAIR HEUMANN** seconded by **COMMISSIONER KLOB** to approve Item A. The motion passed 7-0.

D. PDP18-0009 BANNER PROJECT A

**Approved.**

Request Preliminary Development Plan approval for site layout and building architecture for the development of the hospital campus, including a medical tower. The approximate 18.3 acre site is located at the northeast corner of Alma School and Willis roads.

**RECOMMENDED ACTION**

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Banner Project A" and kept on file in the City of Chandler Planning Division, in File No. PDP18-0009, 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. Compliance with original conditions adopted by the City Council as Ordinance No. 4383 in case DVR12-0008, except as modified by condition herein.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Sign packages, including freestanding 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 applicant shall work with Planning staff to provide articulation along the north and south elevations of the future expansion.
8. Stone shall wrap the western corners of the future expansion area.
9. The general conformance statement within the development booklet narrative shall be stricken from the narrative.
10. The helipad shall be located on the roof.
11. The Alma School and Willis roads intersection traffic signals shall be upgraded to provide the ability for protected left turn movements.
12. Alma School and Willis roads intersection improvements shall include modifications to the center median south to Maplewood Street, with lane restriping to carry three southbound thru-lanes through the intersection.

**MR SWANSON** stated his presentation on this item is going to be a little different than normal. He has a PowerPoint to cover some of the big picture items as well as going through the staff memo. He mentioned there are many residents behind him who are going to speak on this item. He stated he passed out an addendum memo that includes a petition of opposition. He stated this is a request for PDP approval for a hospital campus with a medical tower. He referenced the presentation and there are a number of categories that they will see on the right side of the screen. The subject site falls within a neighborhood category and that category is predominately residential but addresses the appropriate ability for development of industrial, institutional and commercial development. This map is not going to call out specifics of where a commercial property is located, etc. but it will show how the city generally develops. Also, on this map are growth areas. He mentioned this site is part of the Alma School Place Area Plan and it covers up to Pecos Road, down to Willis Road between Alma School Road and Arizona Avenue. He mentioned it is similar

to the previous case with the Section 30 Area Plan as there are smaller area plans throughout the city and this site lands within the Alma School Place Area Plan. This plan was developed in 2005 and at that point in time, this site was designated for commercial retail office. It is important to note there is residential directly east of it and at that point in time it was considered for higher density. He mentioned in 2008 there was the Parkland Crossing development and the density for the multi-family was increased from the original 2006 from 13 dwelling units per acre to 18 dwelling units per acre. He stated it is important to note that the building at the north end of the site was considered for an office development and in 2006 as part of the zoning process, a mid-rise overlay was requested. A mid-rise overlay is a request in which the building height can exceed 45 feet and requires a broader neighborhood notification process, two neighborhood meetings and it has to be specifically called out in the request. In 2006 it was approved for up to 60 feet. He mentioned in 2012, Banner came in and wanted to develop a medical center. The building on the very southern end is the existing building today and was planned and approved for medical office. There was a proposal for an expansion to the building north of that, which was approved but has not been developed. He mentioned the northern end is more vacant but there was a future phase call out and Banner reiterated the importance of the mid-rise overlay in case of a medical office, so in 2012 they reestablished the mid-rise overlay. Looking at the current plan, there is a request for a PDP approval for a hospital campus. He mentioned within the approval back from 2012, there was approval for medical office use and medical facility. There is specific language in the development booklet and the staff memo and stipulations that state the zoning for the property allows for C-2 uses. This particular case, when you look at hospital, it falls within the C-2 use and allowed by right. He mentioned tonight there is not a request for rezoning and PDP, it is for only PDP because the zoning is already in place. He mentioned they have had a lot of neighborhood meetings. There have been required meetings and separate neighborhood meetings held by neighbors that staff has been invited to. In this particular case, only one neighborhood meeting was required and a handful of neighbors attended at that time expressing concern over the ability for a hospital to develop on the site. They were under the impression that medical office was allowed but not necessarily a hospital. The hospital was not explicit in the previous approvals although it was always mentioned that medical uses could occur and as mentioned earlier, the C-2 designation on the site allows a hospital. He mentioned in addition to that concern, there were many neighbors who were concerned about traffic and helicopter flights. He stated staff looks at the use of a helicopter/helipad as an ancillary use to the hospital. He mentioned those are found at Chandler Regional and Mercy Gilbert as well as some other hospitals. He stated some other concerns were Willis Road traffic. He mentioned coming out of the neighborhood meeting, they had a conversation with the design team and stated this really has to have some further discussion. Eventually, the item was scheduled to come before Commission and it was continued but there were some neighbors that spoke at that meeting. The intention of that continuance was to get the development team back out to the community to have additional conversations. He stated there has been a few more meetings but the applicant will speak more about that. He mentioned at the second neighborhood meeting, several neighbors came out expressing the same concerns but mainly regarding the hospital use and traffic. He stated they recognize traffic is a concern and as part of this process the traffic team has been examining Alma School Road to see what improvements can be done. He mentioned things such as restriping can occur that will alleviate some of the traffic concerns. There will also be discussion tonight about the amount of traffic coming and going to the hospital campus and looking at the timeline of when employees come and go from the hospital. He mentioned the Public Works & Utilities Director is here and he can address those concerns in more detail. He referred back to the second neighborhood meeting and stated many neighbors attended to express concerns which has resulted in a petition of opposition. He mentioned one thing that has not come out of the process, is the design. He mentioned as this

is a PDP, there has been no concerns about the architecture that he has been made aware of. He stated he would be happy to answer any questions.

**CHAIRMAN WASTCHAK** asked if there were any questions.

**VICE CHAIR HEUMANN** asked for clarification on the site layout presented in his PowerPoint. He asked if the building shown is both of the towers shown in the booklet or just one.

**MR SWANSON** stated that is Building N and just shows the first phase. The development booklet shows the second phase that extends off to the left.

**VICE CHAIR HEUMANN** asked if he has something to show the audience so they know what the full build out would be on this booklet.

**MR SWANSON** stated he will show an elevation that better captures it. He showed the future expansion which shows they pushed the most intense portion of the building out closer to the freeway. He referenced an area on the PowerPoint and stated that area has been designed for a mid-rise that was approved in previous years as mentioned and it will only apply to that area. He stated in the event they came in and wanted to expand the mid-rise overlay, they would have to come back through the public hearing and neighborhood meeting process.

**VICE CHAIR HEUMANN** stated he thinks showing just the first phase does not show the full intensity of the site, so showing this to the audience gives them a better picture. He mentioned back in 2012 when this was changed to medical uses, in reality, they could have a medical building that goes up to 60 feet with hundreds of doctors office. So it could not necessarily be a hospital but it could be a building with multiple floors of offices having patients constantly coming and going.

**MR SWANSON** stated he is absolutely correct.

**VICE CHAIR HEUMANN** stated he just wanted to understand the full intensity they are allowed to build here whether it is a hospital or not. He mentioned the helicopter is considered an ancillary use and but the helicopter was never mentioned in previous approvals and wanted to know if that would not change the original zoning because it was not there. He stated a helicopter is a major thing in comparison to a lot of offices.

**MR SWANSON** stated in their zoning code there is no specific table that calls out helicopter uses for medical related things. They have helicopter ports, which is something completely different and would be seen at an airport. When they are dealing with a hospital, it is defined as an ancillary use as the helipad as it is used to drop off or pick up a medical patient that needs care use. It is not a separate used, it is tied to the use of a hospital. It would be different if every patient was transported using a helicopter, but with this hospital it is an ancillary use as their trauma level rating dictates that it would not be going back and forth very frequently. He stated from staff standpoint, when they look at a hospital, that helicopter use would not be a primary use.

**VICE CHAIR HEUMANN** asked if the applicant would be responsible for mitigating some of the increased traffic by adding decel lanes, widening and things like that.

**MR SWANSON** stated all of the improvements along Alma School and Willis are in place now. He mentioned this is going to be a topic of further discussion tonight but as of right now there are

no further dedications or construction requirements for improvements along Alma School and Willis roads.

**VICE CHAIR HEUMANN** stated the applicant could, if they wanted to, be willing to do something like that or would they have to have a development agreement going into Council.

**MS SCHWAB** stated the time for exactions are at the zoning phase and they are beyond that. However, if the applicant is willing to consider doing traffic improvements they could talk about a negotiation through a development agreement that would need to be approved by Council.

**VICE CHAIR HEUMANN** stated he wanted to make sure that the Commission is dealing with the site layout, design and architecture as our hands are little tied compared to Council as they can only make a recommendation and Council can work on a development agreement. He stated looking at the booklet where the second tower is being added that the most visible from Alma School did not seem to have the same architectural detail as the rest of the building.

**CHAIRMAN WASTCHAK** asked if there were any more questions for MR SWANSON.

**COMMISSIONER EBERLE** stated he would like to understand Building N better. He mentioned there is a rise and dimensions above the roof top and wants to know what that looks like.

**MR SWANSON** referenced to page 14 of the development booklet and showed the mid-rise overlay provides the maximum height of 60 feet. He stated that is the maximum height of space that can be occupied. He referenced the exhibit of the elevation and showed the top of the hospital has roof top parapet. He stated within the midrise policy overlay language, they allow mechanical screening to exceed that maximum height and per code it has to be screen. He mentioned in this case, all of those are mechanical units that are being screened which brings the height up to about 70 feet. He stated on the left side of the elevation is where the elevator tower that allows for the helipad that is on the roof. He mentioned because since those things are not routinely occupied, they are not taken into consideration of the 60 feet allowance and are allowed to exceed that.

**COMMISSIONER EBERLE** asked why the unit is on the roof instead of having a ground pad.

**MR SWANSON** stated when this project was submitted, the helipad was proposed in a landscape area. The concern that staff had was the helicopter traffic coming and spreading the head of the needle by trying to land there. He mentioned they have a 60 foot building on the west side and residential units on the east side, and while there is always the conversation of are they single family or multi family, the approach staff takes is that it is residential regardless. He mentioned having a helicopter pad there not only puts it closer to an occupiable building to the west. but also residents to the east. He stated the reverberation and the noise impact bouncing off of the walls would create a greater impact. He mentioned locating up on the roof allows for a clear line of sight and it was a bit safer. In addition, it pulled it away from the residential.

**COMMISSIONER KIMBLE** stated in regards to the helicopter concern, this is not a high level trauma hospital as Chandler Regional would be. He asked if they knew how much on a weekly or monthly basis how many times the helicopter would be used.

**MR SWANSON** stated representatives from the hospital are here and they will be able to address that. He mentioned Chandler Regional is the highest so they take flights from all over the place and this is not that type of facility but he would leave to the experts to answer that fully.

**COMMISSIONER KLOB** stated the last two sheets in the development packet show the helipad on the ground but in site plans prior to that, it shows the helipad on the roof.

**CHAIRMAN WASTCHAK** stated this is on the very last page of the booklet but MR SWANSON may not have that.

**MR SWANSON** stated his last page shows signage so he may have the wrong development booklet. He mentioned either way the way staff's recommendation is to have the helipad on the roof.

**COMMISSIONER KLOB** stated his concern is that it is a little ambiguous. He mentioned he wanted to make sure they give the applicant direction on whether it's on the roof or on the ground because the development booklet shows both.

**MR SWANSON** stated the development booklet will be updated and consistent before it goes over to Council.

**CHAIRMAN WASTCHAK** stated there is an Exhibit A in the back that is labeled alternative helipad option. He mentioned they are going to have a chance to listen to the applicant as well if they have more questions.

**VICE CHAIR HEUMANN** stated it was mentioned that this is not a Level 1 Trauma center and wanted to know what prevents them from changing to a Level 1 Trauma center down the road.

**MR SWANSON** stated that is a very good question but would leave that to be answered by the representatives here for Banner.

**COMMISSIONER PEKAU** stated Willis Road is a two lane road and wanted to know if there were any plans to expand that road.

**MR SWANSON** stated not at this point in time and it is at its full dedication. He mentioned if the City wanted to widen it, the City would have to go out and acquire more right of way.

**COMMISSIONER PEKAU** asked if there were any plans for an expansion on Alma School between Germann and Pecos.

**MR SWANSON** stated these questions are best directed towards our Public Works & Utilities Director. He stated his understanding is that while the width of Alma School is in place there is the ability to widen it effectively by reducing the width of the medium, south of Willis Road, which is one of the points of discussion. He mentioned that process is within the CIP process and is about 10 year out for design. Council reviews those year by year and can reallocate that money but as of right now, it is scheduled out 10 years.

**COMMISSIONER PEKAU** stated the corner of Alma School and Willis, exiting westbound on Willis there is a left hand turn lane, a middle lane, and a right hand turn lane. He wanted to know if there has been consideration in adding lanes to those who are exiting on Alma School Road.

**MR SWANSON** stated that would require additional right of way dedication. He mentioned it is something they have not looked at as part of this case from an extraction standpoint as that occurs during the rezoning process. He stated it doesn't mean it is not possible but it would be something that the City would have to go out and acquire.

**COMMISSIONER PEKAU** stated the reason he ask is because the applicant is requesting to use Willis Road as an ingress for employee, service and emergency vehicles. He mentioned that is going to increase the traffic considerably.

**MR SWANSON** stated that is true, the traffic will increase there. He mentioned in working with the fire department, it is best to have the entrances to the hospital separated both from an emergency standpoint and general public so traffic patterns do not mix. He stated Chandler Regional is a little different and they have a main spine that comes in off of Frye Road that is wide enough. He mentioned this is designed so that a fire truck and an ambulance and pull in without having the issue of dealing with people pulling in or backing out in the parking lot. He mentioned there are two access points off of Willis Road for employees.

**COMMISSIONER PEKAU** stated service vehicles could also use Willis Road which could be big 18 wheelers routinely coming in and out.

**MR SWANSON** stated that could potentially happen but he is not aware of the typical timelines they would operate.

**CHAIRMAN WASTCHAK** asked if there were any more questions for MR SWANSON. There were none. He turned it over to the applicant.

**ADAM BAUGH, 2525 E ARIZONA BILTMORE CIRCLE** stated this process has created many questions that they have had to go out in search for answers. He mentioned Banner is in the business of building hospitals and he appreciates the feedback received from the neighbors and he hopes to answer their questions. He mentioned he appreciates what the staff has done as they have been patient with them and the neighbors. He wanted to point out that this case is not a rezone case, it is an architecture and site plan case. He mentioned the use is allowed by right and the midrise overlay is allowed. He stated he will hand the presentation over to a Banner representative to explain what Banner's intent is and he will circle back and present a few things related to the feedback and what they have done to address it.

**KIPP EDWARDS** stated Banner Health exists in six states across the country and they have a range of facilities that include: hospitals, clinics, health centers, urgent care, etc. as their goal is to bring care to the communities they serve. He mentioned the project description is a medium size hospital at it is never going to be a Chandler Regional or Good Sam. He stated is could never be that size because it is planned to serve approximately 70-77% of the in-patient care the community would need. The services included are higher end specialties and Level 1 Trauma will never be served here. He mentioned it is an extensive process to do that and requires they meet the number of OR's, numbers of beds, specialists, and they simply do not have the room to fit that in the 18 acre site. In order to do that, they would be looking at a 60 acre site. He stated they are looking to put a hospital on this site because the number of residents are having to travel for their care and referenced an exhibit to show the length of travel for their 80,000 plan members. He referenced another exhibit showing the initial build with the number of beds of 156 beds which adds up to 82000 square feet more than what is already there. He mentioned once that occurs, there is no

room for anything else and any service addition is already included in this build. He stated they try to separate their traffic by sending the emergency traffic in one direction and the public in the other. The main entrance for the public will be through an existing entrance on Alma School Road and another existing entrance on Willis Road. He stated they have worked hard on this site to push the height of the midrise overlay towards the freeway and pushed the hospital as far to the west as they could to create space. He mentioned they have to balance the parking field with the building and getting the right number. He stated their parking is higher than city requirements. He mentioned he has been asked if this is going to be easy to find. He stated their number one rule when creating a medical center is ease of access, they want people to see right away where the emergency room is. He showed where the main entrance is off of Alma School Road and where the parking is provided. He mentioned the architecture is similar to what people have seen on other Banner facilities and they use the Banner block to mark the main entrance. He stated they intend to have that block extend around the addition and add metal paneling. He then turned it over to MR BAUGH.

**MR BAUGH** stated there is consistency with the architecture on the proposal with what is already on site today. He mentioned the key part of this PDP case is trying to match those elements together. He stated they did not change any of the access points. He mentioned whether it was a hospital use or any other use, those same access points would be there. He stated they have the required parking for Phase I and Phase II and they have relocated the helipad to the rooftop. He stated they heard the concerns from Commission back in August and they have had a chance to do more outreach. He mentioned there is the requirement to do one neighborhood meeting, one posting, and one set of mailings. He stated Banner did two neighborhood meetings, two postings, and two sets of mailing which still doesn't appear to have been enough. He mentioned he had a chance to visit with Mr. Wilson and Nancy Ryan to understand the concerns and what they could do. He mentioned part of it is better messaging and education on their part as well as better listening. He believed there was some miscommunication about what a rezoning case and a PDP case is about. There were questions about helicopter uses and the frequency, building heights and they had a chance to do a little bit of outreach regarding those concerns. He mentioned the helicopter for a Trauma 1 center may have multiple helicopter trips in a day, but at the center they may have a couple a month. He mentioned all of these flights would be outbound and no one is bringing patients to this location by helicopter. The helicopter is not stationed permanently and is only brought to take a patient elsewhere. He stated the infrequency of the helicopter is an important matter as it lands for 2 minutes one or twice a month and is not the same thing as a heliport or Level 1 Trauma centers. He stated they also try to fly over transportation corridors, such as freeways instead of neighborhood and that is their preference. He mentioned the helipad was relocated to the rooftop mainly because of the sensitivity to the apartments to the east. They did a noise study that compared the noise generated from a ground level to the roof top. He mentioned there is a noticeable difference of 5 degrees in decibels. He stated from a noise factor it does not change the noise so much for the nearby single family homes but it does have the benefit for the apartments to the east. He stated as a comparison the noise is comparable to a lawn mower 100 feet away from the single family homes. He mentioned as a result the infrequency of a helicopter going two or three times a month at two to three minute intervals is a minor situation compared to a Level 1 Trauma center. He stated the unintended consequence to the helipad on the roof, is that the roof is going to be higher. He mentioned they could have been at a 60 foot height but had to go taller. He mentioned there were concerns from the neighbors that there was going to be a 100 foot tower. He stated there was a 90 foot one shown in submittal and have found a variety of different ways to shorten the height. They found an elevator manufacturer that can bring it down to 80 feet instead of 90 feet. He mentioned the rooftop had to be raised because of moving the helipad. He stated one of the biggest concern is the traffic which appears to already be a concern

regardless of what is going to be developed. He mentioned this seems to be a regional issues, not an issue created by Banner and it is not Banner's job solve. Banner wants operate combatively just as much as the neighbors do. If you look at the 2006 plan, the trips under that plan were 7142 and under the 2012 trip were reduced down to 4900. In the new proposal, the trips are reduced down further to 4500. He mentioned the peak times during shift changes at a hospital are not the normal office changes and they can range from being at 3:00pm, 7:00pm and 11:00pm. He mentioned not only do they have a reduced number of trips, the peak times are generally different. He stated Banner has expressed their willingness to more than what they are required in regards to improvements on Alma School Road. He stated this is not required but they believe it is important for traffic to convey appropriately. He stated there is sufficient right of way there already and will be able to do some restriping and median work as well. He mentioned he does not want to create a myth that they will be able to solve the traffic problem and that it is a much bigger problem than this area on Alma School Road but it is an effort to be responsive to the neighbors' concerns. He wanted to highlight that this is a permitted use allowed by right under the current zoning and is one of the best location for a hospital to be next to a freeway. He stated this is high quality architecture. He mentioned this creates new jobs and healthcare. He stated Banner is a good community partner and he knows there will be a number of comments received from the neighbors tonight and he would like to reserve a couple minutes after to respond.

**CHAIRMAN WASTCHAK** asked if there were any questions for the applicant.

**VICE CHAIR HEUMANN** asked how many beds are going to be in the facility and how many employees.

**MR EDWARDS** stated there will be 96 beds to start with and after build out there will be about 156. The total number of employees including all three shifts, seven days a week will be about 430 but they won't ever be there at one time.

**COMMISSIONER PEKAU** asked if there are going to be standard hours of operations for the helicopter flights.

**MR EDWARDS** stated they would know the time it would take for a flight but not what time of day. He mentioned it could happen at any time as someone could come in the middle of the night with a headache but they actually have a serious neurological issue, they would need to be transported. He mentioned the most common emergency transport is neonatal which has been delivered and they have to get the baby to a center where they can be cared for, so no there is no set hours.

**COMMISSIONER PEKAU** asked how many service vehicles they expect to arrive daily and their size.

**MR EDWARDS** stated between eight and twelve. He stated there are larger ones that will come in with supplies, usually early in the morning and then all the down to a UPS van.

**MR BAUGH** stated one of the reasons they can commit to that number is they consolidate those off-site in the ways they collect different vendors and suppliers.

**MR EDWARDS** stated their supply center is in Chandler and all of the major deliveries are delivered there, broken down, and sent out in smaller batches to all of the hospitals.

**COMMISSIONER PEKAU** stated he lives off of Willis Road and through previous discussions with his neighbors, a lot of questions have come to him about emergency vehicles sounds and lights.

**MR EDWARDS** stated there are different levels of delivery and roughly 5% run with lights and sirens but 95% they do not. He mentioned the majority that would be coming to their medical center would fall on the lower category. He stated if they are delivering a major trauma, they are going to a major trauma center.

**COMMISSIONER PEKAU** asked about how many in bound emergency vehicles they expect every day.

**MR EDWARDS** stated about ten.

**COMMISSIONER PEKAU** stated so there may be one every other day with lights and sirens on then if it is 5%. He asked if they have done any economic impact study.

**MR EDWARDS** stated they have not done one for this specific site, but they have done them for other sites and they have generally been favorable.

**VICE CHAIR HEUMANN** asked if the emergency vehicles are coming from the east or west, are they coming from the freeway and if they have told their providers they have a preferred route because of Willis Road being a two lane road.

**MR EDWARDS** stated it's not a preference they get to express, the ambulance companies are independent but they are typically going to follow the freeway as long as possible. That is why they like this site as it is directly off of a freeway. He mentioned they are going to pick the most direct and easiest route to the hospital.

**VICE CHAIR HEUMANN** stated they have fire station in West Chandler in the middle of a neighborhood and when they come, they are trained to not put lights and sirens on until they get on to Chandler Boulevard. He wanted to know if they had a similar procedure for their emergency vehicles.

**MR EDWARDS** stated they always have their lights on as they come onto the property.

**VICE CHAIR HEUMANN** stated he was not sure if they could work with them to say not to have sirens on while they are on Willis.

**MR EDWARDS** stated they can absolutely try to work on. He mentioned they like to distinguish themselves from other developers as they are moving into the community to live and be there. He mentioned they usually establish relationships with the neighbors and advisory boards so when these issues come up they can work with the ambulance companies as much as they can.

**MR BAUGH** stated what they have heard that on Code 3 it is sometimes more dangerous with the sirens, so only in the extreme events do they even use them on a Code 3.

**VICE CHAIR HEUMANN** stated they mentioned widening Alma School Road and they do not think this is under the jurisdiction of the Commission and they would have to go through Council if they are wanting to agree to do something like that.

**MS SCHWAB** stated that is something they would negotiate with the applicant and take it to Council as it is beyond the jurisdiction of the PDP approval they are being asked to do tonight.

**COMMISSIONER KLOB** asked if there are any plans to expand the existing medical building and connect it the new building by adding floors, height, etc.

**MR EDWARDS** stated no. He mentioned the parking limitations would limit them from going beyond what they have. There is not a logical connection there, because what's immediately adjacent are treatment rooms so there would be a logic in that connection. One clinic module would be the only thing they would add and what they have right now are two clinic modules.

**COMMISSIONER KLOB** stated overall he likes what Banner has done in other facilities in regards to architecture. He stated with future expansions and the mid-rise overlay, there is a lot of articulation and movement in the walls with textures, building heights, etc. He asked if both along the north face and south face of that expansion if they could get some type of articulation or bump out like the wing wall element they have in the front entry. He mentioned to have something that carries that same architecture into the new phase.

**MR EDWARDS** stated they may have it but it could not be showing up well. He referenced an exhibit of the face that borders the freeway. He mentioned the face that extends would somewhat have the same architecture back cannot go too much further out because of patient rooms.

**MR BAUGH** stated he believes **COMMISSIONER KLOB** wants to make sure there is not a flat line going across the northern edge of the future expansion.

**COMMISSIONER KLOB** stated on the northern and southern face of that expansion is just a long flat line and they would like to create some angulation.

**MR EDWARDS** stated they could do that and one of the main things they do is draw the attention to the main entrance which is purposeful to tell the public where to go and they do not want to distract from that. He mentioned they have done things with articulation along the plans.

**MR BAUGH** stated they can work with staff based on the direction given.

**MR EDWARDS** stated if they are talking about future addition, they have not spent as much attention to it as it is pretty distant for them and they have no prescribed timing for it at the moment.

**CHAIRMAN WASTCHAK** stated the one thing that distinguishes the north face is they have the two story component and if there is way to give more articulation so there is some tiering of the elevation on the future phase. He mentioned he wanted to point out that when they approve this, staff is going to follow it so if there is going to be articulation he wants to make sure it is done now even if it is scheduled for ten years down the road. In addition, the part of the building that is facing west, there is stone articulation being brought across the face. He stated it would be nice if that could wrap around the corner, as it is what most people are going to see as they are driving.

**MR EDWARDS** stated they use the planes to create an interest in the building not the corners. He mentioned they are using the plane as it creates a nice effect of the banner block. He mentioned the plane comes out on the back side that gives the same effect and they find that to be an attractive

feature on all of their buildings. He mentioned it looks flat but it actually does articulate when seen in 3D.

**CHAIRMAN WASTCHAK** stated on the bottom that is where they can see a pop out that has been brought around to break that down. He mentioned there was a slide up that was on the different decibels for the helicopters and asked if that could be brought up again. He was looking at the apartments and wanted to know what the 91 DVA is equivalent to when the helipad is on the ground.

**MR BAUGH** stated that is equivalent to a food blender at three feet. He mentioned with this comparison chart, they wanted to give some perspective. He stated when it goes to the roof, it comes down five decibels. He mentioned coming down five is actually half as loud. He mentioned as it relates to the single family homes it is like a vacuum cleaner at three feet.

**CHAIRMAN WASTCHAK** stated in regards to the impact on the apartments, he agrees from a planning standpoint that moving it to the roof will make a significant difference.

**MR BAUGH** stated they measured the noise if you were the last apartment on the edge.

**CHAIRMAN WASTCHAK** stated he get concerned with the canyon of noise there even if it only three or four minutes but he does support having the helipad on the roof. He mentioned those are the only questions he had and wants to open it up to the audience to speak. He stated there are a lot of people here tonight and he appreciates everyone showing up and wants to hear everyone. He mentioned this is a case that a lot of people have an interest in and he has quite a few speaker cards here, several that are not wishing to speak but are opposed and read those into the record.

**MATT GAUTIER, 1082 W MAPLEWOOD ST** speaker card read they are opposed to the item and comments are as follows: existing traffic is already a problem before the Banner Hospital project. Need to understand City's plans for Alma School long term to alleviate the current and future traffic issues.

**TEJAS KHATRI, 2334 E TONTO PL** speaker card read they are opposed to the item and comments are as follows: traffic and waste.

**ROBERT CAULSON, 1226 W ARMSTRONG WY** speaker card read they are opposed to the item and comments are as follows: proposed building too large for parcel, traffic problem, ingress and egress.

**VICKI CARLSON, 1226 W ARMSTRONG WY** speaker card read they are opposed to the item and comments are as follows: traffic coming off freeway is awful, project not suitable to neighborhood – too large for area of land and Willis is a neighborhood street.

**CAROLYN FOSTER, 1154 W MULBERRY DR** speaker card read they are opposed to the item and comments are as follows: traffic increases are a big concern. Banner should put the heliport on the ground and use the money saved to widen Alma School.

**PAM MEYER, 1701 S KASEN DR** speaker card read they are opposed to the item.

**CHRISTA BISTRAN, 1412 S APACHE DR** speaker card read they are opposed to the item.

**ALBERT CHEKANON, 1412 S APACHE DR** speaker card read they are opposed to the item and comments are as follows: ugly misplace greed.

**SHEHLA AZAD, 1432 S APACHE SR** speaker card read they are opposed to the item and comments are as follows: traffic, safety, and noise, issues will affect property values. Danger to school bus commute.

**CHAIRMAN WASTCHAK** stated he has several other speaker cards. He stated he had three cards that do not specify if they are opposed or not but did wish to speak. He mentioned in order to keep this brief, if a previous speaker as already spoken about the same concern by the time you get up here feel free to still come up but rather then saying the same thing over and over again, he would ask to rather have your speaker card read into the record. He mentioned of course if you are wanting to speak, everyone can come and speak. He stated there will be a time limit of three minutes. He turned it over to the first speaker.

**SUSAN MCCORMICK, 1368 W ENFIELD WAY** stated she has been a resident for over 21 years and when she first moved in there Willis Road was not even paved. She mentioned her concern is over the years she has tried to contact the city numerous times about asking for a left hand turn signal off of Willis Road to Alma School. She is concerned about the additional traffic that will be brought in by the hospital. She stated at one of the recent community meetings she did get in touch with Derek Horn and told him about the frustrations she had experienced with trying to get a turn signal and being ensured a traffic study would be done and it never occurred. She mentioned she had followed up with him and reassured her that it would be sent to the new traffic engineers and she received an email on October 10<sup>th</sup> and have yet to hear from the traffic engineer. She stated that is her concern and it may seem like a minor issue but after living there for 21 years she still cannot get a left hand turn signal out of her neighborhood. She is afraid the city is not going to respond and they are talking about 10 years out on things, so she is concerned the city will not move fast enough or at all.

**CHAIRMAN WASTCHAK** asked MR SWANSON if this is something traffic would like to address at this time and why there would not be a signal here.

**MR SWANSON** stated the director is here but he does not think this will be the only comment in regards to traffic so it may be more expedient to wait until everyone as spoken and then have the director come up and address the traffic concerns.

**CHAIRMAN WASTCHAK** stated they will first listen to all of the different concerns.

**MS MCCORMICK** stated she appreciates the opportunity to express the need for a left hand turn signal. She mentioned traffic is afraid to turn left out of the neighborhood so it can two or three times to get out of the neighborhood during rush hour and when the church is in session as well.

**VICE CHAIR HEUMANN** asked if the speaker lived west of Alma School.

**MS MCCORMICK** stated she is two blocks west of Alma School and she comes out on to Willis from her neighborhood and if she wants to get on the 202 and referenced a map. She appreciates there has been accommodations with other turn signals but she has been over in the area for more than 20 year and have yet to see a left hand turn signal.

**COMMISSIONER PEKAU** stated he wanted to empathize with the speaker as he lives on the other side that turns left onto Alma Schools. He mentioned its bi-directional and there needs to be a turn signal.

**CHAIRMAN WASTCHAK** turned it over to the next speaker card.

**JOHN WILSON, 1062 W MAPLEWOOD ST** stated there has been a lot of talk about traffic and wanted to put some numbers in reference. He provided an exhibit that showed Germann Road and Alma School Road with 19,600 average trips per day through that intersection Monday through Friday. He mentioned there are records for Willis Road which is about a half mile down the road but if they can assume those people are going by Willis. He stated if you go down to Arizona Avenue there are 21300 trips per day and has three ways each way and Alma School is only two lanes each way. He stated Arizona Avenue has 50% more lanes than Alma School and traffic is the key issue. He mentioned Willis Road is terrible and wants to emphasize there is a big number problem. He stated given that there is currently 19,600 trips and Banner is proposing 4,556 new trips, there will be a 23% increase in trips per day. He mentioned the intersections between Willis and Alma School and the 202 and Alma School, there is one accident per week that the City of Chandler police respond to and half of those are injury accidents. He stated MR SWANSON has his spreadsheet showing the 28 different accidents that happened in the first 28 weeks of this year. He stated this is going to get more dangerous by 23%. He mentioned in the presentation from Banner the noise limit was at the property line but they just stated it was at the apartment complex wall and wanted clarification. He stated he thinks most people feel like this is a bait and switch. He mentioned back in 2012 a hospital was never mentioned and what they got were the nice artist renderings of medical buildings and now they are being stuck with a hospital with helipad and ambulances and it is not right.

**CHAIRMAN WASTCHAK** turned it over to the next speaker.

**KHAWAR AZAD, 1432 S APACHE DR** stated the outreach that Banner was supposed to do for August 15, 2018, was only done to reach out to the speakers from that meeting. There was no letters, flyers, pamphlets like the one that were sent out by the SRP project and none of that has been done for the continuance time. He mentioned Banner has been invited by the residents twice and they have not sent out information, they have not arranged anything, but were invited to meetings arranged by the citizens. He stated they presented the same material and there has been no discussion, alternative, changes or accommodations discussed at all. He stated Banner gives the impression that it is a done deal and when asked about questions such as traffic the prevalent statement is we agree to disagree. He mentioned they can see the current zoning intent has been pushed to the limit and it has been changing continuously from commercial to mixed, to office, to medical and changing site plan. He wanted to know what the meaning of Planning and Zoning and Council meetings are if the builder says it is a done deal. He asked how the city spreads out hospital facilities compared to what they are supposed to be because the city is supposed to be working from the angle of the citizens and it is his understanding that Planning and Zoning should be saying they need hospitals. He mentioned there has been no city plan to alleviate the traffic concerns and hospital traffic load will only make it worse. He provided maps of other Banner hospitals and stated they build them out to the limit but they do no about residential areas. He submitted a written bullet list of his concerns as well as the Banner maps to the clerk that will be kept on record in the case file.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There was none. He mentioned staff will be able to respond to his concerns regarding notifications and the applicant will address his other concerns.

**MR SWANSON** stated for this case they had the standard neighborhood notification process. That process requires notification of property owners within a 600 foot radius and any neighborhood organization within a ¼ mile. He mentioned they utilize the Maricopa County Assessor's office to produce the property and resident addresses. He stated it was brought to their attention that it was not a broad enough net to catch enough neighbors which they recognize. He mentioned that is a conversation they are having internally to address how they can take the step and move to a more social media or digital platform so they make sure they contact the necessary neighbors. He mentioned one of the good things about this process is that it did get to some neighbors and those neighbors talked to others, etc., which they do not rely on but it does show that the process did work to an extent and lead to conversations. He stated they are looking at how they can change what the process is to increase the notification area.

**COMMISSIONER EBERLE** asked how many people were contacted in the 600 foot radius because that does not seem like a very big space.

**MR SWANSON** stated he does not have the total available. He mentioned they understand that and that's why they are looking into what they could do to improve in the future.

**COMMISSIONER EBERLE** asked if someone could guess as to what that number would be.

**MR SWANSON** stated typically it would a few hundred.

**VICE CHAIR HEUMANN** asked if the HOA's were notified.

**MR SWANSON** stated yes the HOA's are required to be notified.

**VICE CHAIR HEUMANN** stated they changed it to do registered neighborhoods to help the HOA's and they are responsible to get it out the property owners as well.

**COMMISSIONER PEKAU** stated he wanted to know if they are communicating to the HOA members directly or the property managers.

**MR SWANSON** stated it is a situation in which they have the HOA management companies and then board members if they want. He mentioned they reach out the community services department to get added to the list and they have the list updated to mapping data. He mentioned if there is a change in board members, the board member needs to notify in order to get the updated information. He stated the RNO list is not just HOA and it could be any neighborhood registered organization and any individual could get added as an interested party.

**KEVIN MAYO, PLANNING ADMINISTRATOR** stated it entirely up to the neighborhood on who is on the contact list. He mentioned some neighborhoods that only want to be contact through the management company but also to get on that list you do not have to be a board member.

**COMMISSIONER PEKAU** stated that it would be fair to say that the notification process is an imperfect science.

**CHAIRMAN WASTCHAK** turned it over to the next speaker.

**ERIK LEE, 1422 S APACHE DR** thanked the Commissioner's for their questions of city staff and Banner. He thanked city staff for meeting yesterday as well as showing them the development packet tonight which is the first time he has seen it. He mentioned some of the images in there were quite shocking for the scale of the development. He stated he is opposed to this and wants to go back to the point that was raised regarding the poor community outreach. He mentioned they went door to door and surveyed their neighbors as well as they could. He stated no one that answered the door was in support of this project so he believed in their development there is a lack of support. He stated their HOA was not formally notified of this project since he has been a board member, which has been for the duration on 2018. He mentioned the obvious question here is, is there a documented need for this hospital and if there has been a market study conducted that says there is a need for an additional hospital in this region. He mentioned Chandler Regional is a mile away from his house and he had a major medical issue in 2017 and he had to go to Chandler Regional. He stated his wife took him to the ER and he was operated on a Saturday and sent home on Sunday, and he is here to say Chandler Regional works. He mentioned the final issue is regarding traffic and wants to go back to MR WILSON'S numbers which are actually city numbers. He stated when the corners northwest and northeast of Alma School and the 202 are developed, they are going be at least three times the traffic projections that Banner has provided. He thinks they can conservatively say they will have 12,000 extra cars a day on Alma School.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker.

**MICHAEL OSTERMEYER, 1361 S CAMELLIA CT** stated he is approximately 1,000 feet from the property line and was not notified until another HOA went around with flyers and reference poor communication from the city and Banner. He mentioned Banner reached out through another property management. He stated he has been in contact with Banner and they have been helpful in answering his questions. He wanted to mention he is a helicopter pilot and has been doing for over 30 years. He stated that is not the concern he has and it is not Banner's problem but the city's problem and it's the traffic. He mentioned he has lived at his residence for 15 years, has gone through these meeting and have seen the changes and the city has not address the traffic north and southbound on Alma School as well as Willis. He mentioned traffic studies from 2006 were updated in June of 2018 but he does not understand how an accurate study can be done when using data from 2006. He mentioned how a study in June can be accurate when there is no school buses or increase in population down in Sun Lakes. He mentioned Alma School is the only traffic corridor that runs north and south all the way down to Hunt Highway and how can they address that. He mentioned every single day, they have traffic jams in the morning and afternoon with accidents at Willis and Alma School. He stated this is something that needs to be addressed by the city, not by Banner. He mentioned they have the right of way and need to increase the lanes. He stated Willis was not designed for 18 wheelers and since he has been there, they have built a Winco and POD. He mentioned there are 18 wheelers driving down and Willis is squeezed in there which decreases the safety through that area. He mentioned the helicopter noise is no big deal and meets the decibels and Banner did an excellent study. He stated there are questions with the roof and the FAA says there is no difference in safety issues with it being on the roof or on the ground, the only different is going to be cost.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker.

**VICE CHAIR HEUMANN** stated since he is the helicopter expert, the FAA says there is no difference in safety but the sound would be less if the helicopter is on the roof.

**MR OSTERMEYER** stated according to Banner's study, yes. He stated based on his experience that is true.

**CHAIRMAN WASTCHAK** stated as it relates to the helicopter, the sound shows 85 versus 90. He wanted to know if it takes into account a building on both sides and what his experience has been when there is a canyon like that happening and if that amplifies the sound.

**MR OSTERMEYER** stated he would use the San Tan freeway as an example and mentioned he hears more noise coming from the freeway than a helicopter. He stated it can create a canyon effect but there is new technology that they reduce the soundwaves on the ground and that is something that has to be looked at if they decide to go on the ground. If they go on the rooftop they are going to have to look at the weight category. He mentioned the weight category is around 5,200 up 5,700 pounds, so they have to look at the weight.

**CHAIRMAN WASTCHAK** stated there would need to be additional engineering to put the helipad on the roof.

**MR OSTERMEYER** stated yes but there is technology to address the soundwaves. He mentioned the safety zone for the ground pad was ideal and they were looking at a 12:1 ratio. He mentioned EMS operators will tend to fly over the freeway to land on the pad.

**CHAIRMAN WASTCHAK** turned it over to the next speaker.

**NANCY RYAN, 1064 W ENFIELD PL** stated yesterday when they met with staff they said they may not be held to the three minute standard so if there is chance at the end to speak, some previous speakers would like to come back and hit all of their points. She mentioned she has several unresolved concerns and will focus on two design flaws. She stated the inclusion of the helipad/heliport was not included in the approved 2012 plan. There was no mention of a helipad/heliport in Ordinance No. 4383 nor was there a description on the map or site plans for the midrise overlay. She stated Chandler defines a heliport as any area of land or water or structural service which uses or is intended for use of the landing and taking off of helicopters. She mentioned there is a lot of language attached to that and provided the Merriam-Webster definition which stated it is a landing and take-off place for a helicopter. She mentioned the permitted use table for C2 does not allow heliports. She stated they are asking for them to live with this use table for the use of the hospital but are ignoring the fact that it's not there in the C2. She provided a picture of a street sign that is on Willis and Alma School that shows how to turn right because there is a lot of weaving in and out of traffic to try and get to the freeway. She stated there is a similar thing going southbound off of the freeway and people fly across the lanes after exiting. She provide a picture of someone trying to turn and there are those in the center, and it gets very confusing at that intersection. She mentioned because of the issues related to traffic, there should be an update to the traffic analysis. The original report done showed they are going to have F and D going into the Alma School driveway 1. She stated on the original report there was going to be a level of service D in the am with the project and at the pm peak F and S. She stated while these are stale numbers from 2006, the applicant or the city has asked them to update the level of service standards and she thinks they are missing a big part of what is the problem. She mentioned this is something that is done at the design time.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker.

**MS RYAN** stated she had a list of comments that was done online through NextDoor and mentioned a new hospital that is going in on Dobson and Queen Creek. She mentioned they are getting three hospitals.

**CHAIRMAN WASTCHAK** asked for MS RYAN to get that to staff and it will be put on record.

**VICE CHAIR HEUMANN** stated in regards to the Dobson and Queen Creek hospital, it is taking over an old Fresh and Easy but it is more of an Emergency or Urgent Care.

**MS RYAN** stated to summarize the helipad must go and a traffic study needs to be done. She mentioned more communication needs to be done by city on how they can address developments like this.

**CHAIRMAN WASTCHAK** turned it over to the next speaker.

**PETE GONZALEZ, 1083 W MAPLEWOOD ST** stated he did not put whether or not he is opposed because he thinks it is up to the Commission to consider everything. He mentioned he is not opposed to Banner but that they need to really consider everything that is being said today. He mentioned his main concern is traffic and he is not going to pick on an individual or group but on the south east corner of Alma School and Willis there is a church. Fifty two weeks out of the year, try driving Sunday on Alma School. There is police directing traffic and you cannot get out of the neighborhood. In addition, individuals who go to that particular facility park in Banner's facility just north of there now. He mentioned he does not have a problem with but it is just going to add to the congestion. He stated this is something that needs serious consideration from the Commission and Council.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There were none. He turned it over to the next speaker.

**BOB HAHWKE, 1214 W REMINGTON DR** stated he is opposed to the hospital. He mentioned fundamentally what they have is Banner's interests as a corporation compared to the community's interest. He mentioned he is not interested if Banner has to send their patients to Chandler for emergency services or another Banner facility. He stated his concern is that the site was originally zoned for single family residential. He was one of the first residents and has been there since 1998. He mentioned he has seen the original plans for homes and then they were going to put in apartments and then they were going to put in a clinic. He stated he was not opposed to a clinic. He stated there was approval for a clinic but never a hospital. He mentioned he is opposed to this because this is a hospital campus and this was never brought up to the residents. He stated it is the wrong location for a hospital and they have Chandler Regional, they do not need another hospital here. He mentioned the Commission is hearing the community tell them that this is a problem area and it is congested and they do not need another hospital at this location. He mentioned if Banner wants to put something in great, but not in their community. He stated he would also ask them to check the figures about the number of beds. The presentation said up to 188 beds and that is not the answer they gave earlier.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker. There were none. He turned it over the next speaker.

**PAM MEYER, 1701 S KASEN DR** stated a few of her concerns have already been brought up but there are a couple other things that she hopes they will consider. She mentioned when they first got the plans approved, it was for 40 feet, then to 60 feet and now they are at 80 feet. She mentioned the building looks great but it is an eyesore and this is a rooftop community and surrounded by neighborhood. She mentioned this type of building does not belong in this locations. She stated one this that has not been mentioned is that the traffic is going to be 24/7. Right now there are offices that run 7-5 with minimal traffic and they are looking to add 24/7 with a helicopter and ambulances. She stated Banner has misspoke several times, she has gone to all of the meeting they have held and she believed they are underestimating the amount of traffic. They are estimating 80,000 member that underserved and they are saying maybe one or two trips a week with a helicopter and wants to know what that is based on. She mentioned the church traffic affect Willis as well as Alma School. Also on Willis where they are proposing the ambulances drive through, there are school bus stops. So there is going to be emergency vehicles coming down Willis and children waiting for a bus and that is a danger. She mentioned prior MR EDWARDS said they cannot control the sirens and lights, which she believes as they are a third party, but then he says they do not have to use or they are not going to which is even more dangerous. She stated she also had some quotes from Banner at the meeting they had back in August. When people come into an emergency department they are stressed and confused and trying to get there as quickly as possible. She mentioned they do not need that in their neighborhood as they already have enough traffic problems. She stated they also said that people who are coming to visit patients are upset when driving there because there loved one has something wrong with them. She stated a council man stated when they approved this, when he was on the board it was never stated it would be an 80 foot tall hospital, so that may have changed things and it may have never got approved. She mentioned the communication from the city was nothing and if it were not for NextDoor she would have never known about this. She stated she agreed with MR AZAD and that the city should be representing the residents and not the developer, and that is not how she feels. She mentioned MR SWANSON is representing the developer and not the interests of the residents. She stated if you look at the packet he presented there is only one email on the back that is in favor of this project and there has been emails in opposition.

**CHAIRMAN WASTCHAK** asked if there were any questions for the speaker.

**COMMISSIONER KIMBLE** asked how many bus stops are on Willis between Alma School and Arizona Avenue that would impact the ambulance.

**COMMISSIONER PEKAU** stated there is a stop that is right in front of the apartment complex, two pick up spots right off of Alma School and the junior high picks up right off of Willis. He stated there are three pick-ups right along Willis.

**CHAIRMAN WASTCHAK** asked if there were any more questions for the speaker. There were none. He turned it over to the next speaker who left no speaker card and name was inaudible.

**SPEAKER, 2334 E TONTO PL** stated he has not heard anybody who is in favor of this hospital. He mentioned this is more of a process that he would like to know. The Commission is going to take everything under consideration but are they going think about rezoning this or is a hospital going to be there regardless. He stated the architecture and design might change but wanted to know if the hospital is going to be there.

**CHAIRMAN WASTCHAK** stated what is before them tonight is a case that already has zoning approval and it already the approvals for what they are wanting to build. He mentioned there may

be questions on what a heliport or helipad is. He mentioned as a Commission they are here to hear a PDP application which is for design. He stated there has been many questions about traffic and they will try to address some of those questions but a lot what he has been hearing from the opposition is related to the traffic. He stated tonight is not about zoning and they are not taking a vote on whether or not they approve the zoning or whether or not this hospital could go here, that has already been approved. As a Commissioner they are a recommending body and are voting on the design aspect of the project.

**SPEAKER** stated even if the zoning was placed incorrectly to begin with. He stated there was no mention of a hospital or helicopter and it was still approved from one thing to another.

**CHAIRMAN WASTCHAK** stated the question of what was approved originally versus now is a different questions. He mentioned that is something the staff can address but that is not something they are addressing tonight.

**MR SWANSON** stated the site itself was zoned years ago for the commercial office and then rezoned for the Banner medical facility. It was in that time frame when it was rezoned that there was language that the allowed uses that are permitted by right in the table for permitted used under the C2 zoning district. He mentioned from a zoning standpoint, the property allows the use of the hospital by right which means it does not have to go through any zoning process. He mentioned any sort of development that comes in does has to be reviewed under a Preliminary Development Plan that deal specifically with site layout and building architecture. The land use itself is allowed by right.

**SPEAKER** stated under the C2 there is no helicopter.

**MR SWANSON** stated when dealing with a hospital, the helipad is an ancillary use not a primary use. If it was a primary use and they had three or four pads, then that would be something different. He mentioned if it was the primary function of the facility that would be a different discussion.

**SPEAKER** stated his understanding of what MR SWANSON is saying is that if the zoning has medical then they can build anything they want including the hospital with a helicopter.

**MR SWANSON** stated they have to go through the appropriate process for a design standpoint. It is the impact of the design that is being considered tonight.

**CHAIRMAN WASTCHAK** asked if there was anyone else who would like to speak. There was a speaker in the audience wishing to speak again but recording was inaudible. The speaker was given another three minutes.

**MR AZAD** stated he has not seen city data on the Alma School and Willis area. He mentioned when Banner presented to them they said that a helipad is a must and cannot go away. He stated he is a pilot and knows how loud helicopters and they are going to land in the direction of the wind so it is not going to be in a corridor as they mentioned, it is going to be an whatever angle they come in 24/7 with the no night curfew. He stated property values are going to plummet and this is going to show up all over the map. He mentioned they bought houses and have been living here since 1999. He stated what have they done wrong for their property values to go down because someone want to come in and create an abrupt zone change. He stated they are fine with have a 9-5 traffic and clinics, but the hospital is stretching the zoning to its limit. He mentioned above all it says Project A and he is worried about Project B, C, D, E. He asked Banner if they are going to

make a parking deck and there was some talk about a parking deck that was turned down by the city. He mentioned looking at other Banner facilities, every square inch of land is used. He stated if they are going show up with another PDP, it is again going to be a C2. He mentioned Chandler Regional did not have a helipad originally and it was added on later. He stated thing can be added on and since zoned C2 is broad, it can be stretched to further limits, so what would prevent them from going to a Trauma 1. He stated he has not seen the development booklet at all and all of the renderings shown use a fish eye effect that makes the building look further away than it actually is.

**VICE CHAIR HEUMANN** asked staff to clarify if Banner wanted to add another building or parking structure, that would have to come through as a rezone for added density or if it would come through as a PDP.

**MR MAYO** stated it would be an amendment to the PDP. He stated if they wanted to come through to add a parking structure or tower, so long as it was under the 45 foot limits, it would be a PDP.

**VICE CHAIR HEUMANN** stated it would have to come back they couldn't by right go ahead and do anything. He mentioned if it were to be approved tonight and by Council, if they wanted to change anything they would have to come back through Commission.

**MR MAYO** stated that is correct.

**CHAIRMAN WASTCHAK** stated at this point he like the applicant to come up and address the comments and then have traffic to come up as well as the majority of comments are in regards to that.

**MR BAUGH** stated he wanted to address and correct some information. He mentioned he wanted to point out that this is not about rezoning and that decision as already been made and this is about architecture and site layout. He stated when this PAD was approved in 2012, it allows all uses by right in the C2 zoning district which includes a hospital. He provided a copy of the zoning code that defined an accessory use as a subordinate use of a building or land customarily incidental and conducted on the same lot of the principal use. He suggested that if this was a helicopter use only they would be allowed to have this application. He mentioned the helipad is incidental, irregular and infrequent but a necessary component of a hospital just as ambulances, cafeteria, etc. He mentioned there was comments about traffic and that there was 19,000 trips at this intersections, which is incorrect. He stated there is actually 39,417 trips at this interactions of Willis and Alma School Road. He stated the current medical facility creates about 800 trips already and when this is at full build out it will create 9-10% more trips than what is already at the intersection. He mentioned their peak times are different than the area. He mentioned their a.m. peak time are people coming into the hospital, while other traffic is leaving to get onto the traffic. He mentioned he heard some comments about a 2006 traffic and that needed to be updated. He stated there is a difference between a traffic study and a trip generation statement. A trip generation statement is a projection based on the use, square footage and how many cars it would generate. So what they did is compare the trip generation from 2006 to the current proposal. He mentioned those two numbers shows a signification decrease from 7,000 plus to 4,500. He stated if there was the same square footage for a medical office instead of a hospital, there would be more trips and a greater parking necessity because medical office turns over much quicker. He also mentioned a medical office's traffic would be concentrated during the day and it would be a greater detriment if it were developed under the 2012 plan. He stated in regards to community outreach, the requirement is

one neighborhood meeting, one mailing advertisement and one site posting and city staff mails out postcards. He stated they did a neighborhood meeting in June and mailed letters, another meeting in August with mailed letters. He stated they contacted eleven HOA's and among them there is 54 different individuals on that mailing list. He mentioned these lists may not be entirely accurate or updated but it is up to the community associated to update them. In addition, they reached out to the community that managed those HOA's. These contacts were made in June and August as well as post cards sent out in July. He mentioned he met with MR WILSON and MS RYAN and attended a community meeting with about 50 people and gave a two hour presentation. He mentioned after that, they reached out to the individual HOA's and tried calling MR AZAD twice with no return phone call. He stated they had a meeting on October 8<sup>th</sup> with the Carrizal HOA and again presented to those neighbors and the same people who are here today were at those meetings. He stated they tried reaching out to the apartments and the Alma School Place HOA but the HOA was not responding to his letters but MR OSTERMEYER assisted him in getting connected with the management company. He stated they have done more outreach on this case than any other case. He mentioned this process may not be perfect and there is an opportunity to improve but the applicant should not be faulted for doing what they were required by code and more. He mentioned they recognize the traffic problem and have said they would expand it to three lanes down to Maplewood, which is not a requirement. They have reduced their height down to 80 feet and have tried to be responsive to all questions. He mentioned they have been willing to communicate with helicopter operators to figure the best way to route away from the residential areas. They have moved the helipad to the roof. The one thing they cannot change is the hospital. A hospital is allowed here and the necessary components are allowed, permitted, and required. He mentioned they do not have three times the traffic projections in this area. There is a traffic concern but it predates Banner and will exist regardless of what goes in. He mentioned their job is to figure out what is the best way to mitigate that. He stated they never told anyone this is a done deal but they have told people that this is a zoned and entitled right. He reiterated that this is not a zoning case, it is a design case. He also mentioned that when you move a helipad to a roof that cost \$1.2 million to make that change that is over budget, shows Banners willingness to be responsive. He mentioned if there is money to be spent on improving the roads, which may be a better alternative.

**CHAIRMAN WASTCHAK** asked if there were any questions for the applicant.

**COMMISSIONER EBERLE** stated there seems to be a disconnect between the social media aspect of notifications and the mailers. Speaking as a former candidate, he knows the data is always going to be imperfect so even with a fresh list of the neighborhood, there are going to be mistakes and that is always the case. He mentioned that may address the concerns about not receiving notices. He stated he does not think they will reach everyone by social media either because generation use social media differently. He mentioned there also seems to be a trust issue with Banner. He stated Banner as chosen the site to invest millions of dollars and jobs, so that is a consideration for everyone here too. However, it does happen where cases come to Planning and Zoning and they are approved. They say they are going to have a purpose and down the road that purpose drifts off and that's where the mistrust comes in. He mentioned there a neighbors who earnestly embrace the company that want to come near them and then the purpose changes the aspects of their living space. He stated he identifies with that and big corporations gets a black eye. He mentioned he understand that this may not be what the hearing is particularly about but there is some challenges in getting through. He stated he does not think it is as bad on either side as it seems but that they are talking past each other. He mentioned he appreciated the efforts of the applicant and for the neighbors to come out and speak about their concerns.

**VICE CHAIR HEUMANN** stated there was a comment earlier about the need for a hospital. He mentioned he would think that Banner would not invest \$7 million on a property without some kind of study or have an idea. He mentioned Chandler Regional is busting at the seams and adding beds. He mentioned why Banner would build a hospital if it is perceived that there is no need for it.

**MR EDWARDS** stated they do not make a capital decision of this magnitude on perception. He mentioned they have done extensive market research and have determined there is a need. He mentioned this area is under bedded and even Chandler Regional is adding because of it. He mentioned their customers are in this area that they are not able to serve adequately. Their market analysis has been scrutinized at every level of the organization because this is a large investment.

**CHAIRMAN WASTCHAK** stated he wanted to point out that in the stipulations for the staff report, there is a statement of specific performance to the PDP package. He stated his concern is that in the applicant's package there is a statement of general conformance. He mentioned he does not like that it says specifically they are going to generally do what they need to do and would like to see if they are okay making that change in the PDP.

**MR BAUGH** stated they are and clarified the appendix in the plan as they wanted them to see the evolution of plan and that's why it was included. He mentioned with a project of this detail they would agree to the stipulation of specific performance.

**CHAIRMAN WASTCHAK** stated they would like traffic to come up and speak as that is a big concern that has been brought up tonight.

**JOHN KNUDSON, PUBLIC WORKS & UTILITIES DIRECTOR** stated to address the first question from MS MCCORMICK in regards to a left hand turn signal. He mentioned her most recent request was received by Derek Horn last week and has been forwarded to DANA ALVIDREZ the city's traffic engineer who has been on vacation and will be returning Monday. He stated as soon as she has returned, they will address MS MCCORMICK'S request immediately. The left turn situation at Willis and Alma School will certainly have to be reviewed and is going to be addressed anyways because of the hospital. He mentioned in regards to the congestion within the city he has lived in the east valley since 1963 and traffic has continually gotten busier and busier. Chandler is reaching build out and has done a tremendous job in building roads ahead of that build out. He mentioned right now there is a current CIP and in that program they have the current priorities set as Alma School and Queen Creek which bids for construction in January. He mentioned that will widen from McQueen to Gilbert Road. They have Chandler Heights, two phases, Ocotillo Road which will be done in three years. He mentioned beyond that, Lindsay Road. So right now those are the current priorities set by Council. He stated most of that work is assisted with federal funding and it takes time to set the funding up. He mentioned beyond that, they have Alma School Road on that plan but it is about 9 years out and includes two phases. There is a phase from the 202 north to Frye and from the 202 south to Queen Creek where it is planned that the roadway will be widened to three lanes in each direction. He mentioned everyone who has mentioned it tonight, is absolutely correct and it was designed to be widened in the center. He mentioned everything is there and it is fairly easy compared to other projects to widen. He mentioned in the CIP as it is today, it is scheduled about 9 years out. He stated they go to Council yearly to discuss the priorities and he is sure it will be discussed again then and they have the opportunity to have it moved up. He stated in regards to congestion and service levels there is a qualitative measure for congestion on roadways called level of service. He mentioned it has to do with the delay in an intersection and how many lights you may have to sit through or how much

time it take a driver to go any particular directions. He mentioned these traffic studies will estimate the trips from a new development and try to look at its effect to the surrounding intersections. Depending on the generator source, those studies increase in magnitude and area that they cover. So a 2,000 car project might only look at the surrounding or adjacent interchanges, whereas a large generator would have to look at a much more regional span. He mentioned they do agree Alma School is busy and the level of service they talk about if from A to F. A is free flowing, with no congestion and F is a stop. He mentioned Alma School is operating at a C to D range, D more at peak hours. He stated the addition of a third lane would help. He mentioned this proposal is to add the third lane with the intent of opening up better free flow along the project. He stated this could help but would be a band aide for a bigger problem.

**CHAIRMAN WASTCHAK** asked if there were any questions for MR KNUDSON.

**VICE CHAIR HEUMANN** stated Chandler has grown very quickly. He mentioned Commission looks at the design and architecture but Council has the right to look at the CIP and change it and move things up. He mentioned the residents could go to Council and tell then Alma School needs to be a bigger priority. He stated traffic has grown in the city because people want to live here as they have a lot of great jobs and corporations. He wanted to clarify that the best way would be for the residents to go to Council and asked for this to be moved up.

**MR KNUDSON** stated absolutely and they also have the ability to move federal funding. He stated it is just a matter of funding and priority that is reviewed every year and it is always open change.

**MR MAYO** stated the budget process is constant and part of the budget kick off is a budget survey that is sent out to the citizens. He mentioned whatever comments come back they get prioritized and sent out to the correct departments so the respective departments can look at what they need to prioritize when bringing their budgets to Council. He wanted to pass that along to the citizens so that they know they can take advantage of the opportunity to speak to Council. He mentioned it is sent out to them on their utility bill and to keep an eye out as well as going to the city's website.

**VICE CHAIR HEUMANN** stated he wanted to also let the citizens know they can go to the city's website and sign up to be notified via email about hearings and City Council meetings.

**CHAIRMAN WASTCHAK** asked what the likelihood of getting a left hand turn signal is. He is wondering why, if someone has been asking for ten years or so for one, it has not been done and what is taken into consideration.

**MR KNUDSON** stated it is a rigorous process with traffic engineering and they are out doing traffic counts throughout the entire year. He mentioned on the main roads, the counts are done during regular time of year when school is in session. He stated when they do particular traffic counts it is typically Tuesday or Thursday and they are constantly doing these counts. He mentioned what he has learned is that in traffic engineering there is a lot to do with warrants. He mentioned in each type of these warrants there is a different requirement and it is dictated by the counts at the particular locations. He stated he cannot speak to why Willis has not had a turn signal placed there but it could be that it did not meet the warrant requirement.

**CHAIRMAN WASTCHAK** asked if the analysis is done before or after a new development has come in.

**MR KNUDSON** stated there are traffic studies done to evaluate all sorts of things. He mentioned even something as a decel lane, there are warrant requirements. He stated the study would lead up to the design and the design would reflect the study.

**CHAIRMAN WASTCHAK** stated the improvements the applicant as suggested to do will have a positive effect.

**MR KNUDSON** stated it will help but beyond Willis you still go back to two lanes.

**VICE CHAIR HEUMANN** stated this Commission does not have the capability of telling the applicant to build a road and it will be up to Council to create a development agreement or not. He mentioned there is perception from the residents when you have to wait to get out of a neighborhood and stated that in having a new traffic engineer, he hopes they take that perception under consideration instead of just warrant.

**MR KNUDSON** stated they will absolutely take a look at it. He mentioned there are new perspectives and they are working new ways to look at things.

**CHAIRMAN WASTCHAK** stated he appreciates all of the neighbors coming out. He mentioned they have tried to be fair in giving everyone a chance to talk. He wanted to reiterate that a vote tonight is not on zoning and it is on a PDP application and the design that has been submitted. He mentioned the issues with traffic have been heard and he also uses Alma School and he experiences exactly what they are experiencing. He mentioned he thinks there is a bigger problem than Banner coming in here. He mentioned if Banner were not to be approved and another development such as an office were to come in, it would make the problem worse. He stated he thinks Banner is an amenity to the area. He stated the helipad is an ancillary use and he said he would be disappointed if he went to the hospital and his daughter needed a helicopter to be taken somewhere else and there was not one available. He mentioned putting the helipad on the roof minimizes the impact. He stated traffic is concern but they do not have a way to address that with their vote tonight. He suggested neighbors go to Council and ask for it to be moved up in priority. He stated the current zoning in place is in accordance with what the applicant is proposing.

**COMMISSIONER PEKAU** stated this is a difficult case because he lives within a 1/3 of a mile. He stated because of this, he has a conflict of interest at this point and will not be voting. He mentioned with that being said, showing up and speaking tonight matters. He stated if they do not believe that then to go back and look at the previous Council meeting. He stated this crowd handled this situation with civility and respect and he is very appreciative of that. He mentioned all of their concerns did not fall on deaf ears and to show up to the November 8 Council meeting. He stated he believes Banner has gone above and beyond from they were required to do. He mentioned he is severely concerned about the traffic.

**COMMISSIONER KLOB** asked MR SWANSON if this is approved, and wanted to make sure staff works with the applicant about his comment earlier about the final phase of the development.

**MR SWANSON** stated he has written it down and they can do it as a stipulation if Commission is more comfortable with that.

**VICE CHAIR HEUMANN** stated he has a concern about the west and would like to see a stipulation for it to be buttoned up. He mentioned he was concerned about the noise from the helipad and was appreciative of the gentleman who came in and spoke in regards to that. He stated

he has had discussions with Banner and he does not believe the helicopter is going to be an issue on the roof. He mentioned traffic is a major issue but Chandler was one of the fastest growing cities from 1999 to 2006. He stated people want to live here and that has created more traffic. He mentioned it is not whether or not they have capability but more about funding. He mentioned that is why he brought up the CIP and he will be talking to the Mayor and Council as well. He stated Alma School needs to be looked at as a priority. He mentioned questions came up on whether or not this hospital is needed. He stated he does not think Banner would be making this investment if it was not needed and it will bring a lot of jobs. He mentioned what he has heard over and over are the traffic concerns and that is something that Council is going to have to deal with. He mentioned this is not a rezone, the rezoning was approved in 2012 and this will generate less traffic than a medical office. He stated he wanted to go on record as a Commissioner and citizen in saying that traffic is a serious concern and something needs to be.

**MOVED BY VICE CHAIR HEUMANN** seconded by **COMMISSIONER KLOB** to approve Item D. The motion passed 6-0 with **COMMISSIONER PEKAU** abstaining due to conflict of interest.

6. DIRECTORS REPORT

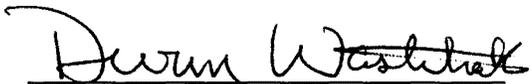
Kevin Mayo, Planning Administrator stated this is MR SWANSON'S last meeting as he has accepted a position with San Tan Valley and thanked him for his incredible twelve years of service.

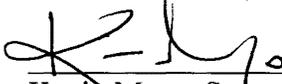
7. CHAIRMAN'S ANNOUNCEMENTS

Chairman Wastchak stated the next regular meeting is November 7, 2018, 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 9:22 p.m.

  
Devan Wastchak, Chairman

  
Kevin Mayo, Secretary

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA, November 7, 2018 held in the City Council Chambers, 88 E. Chicago Street.

1. Chairman Wastchak called the meeting to order at 5:32 p.m.
2. Pledge of Allegiance led by Commissioner Rose.
3. The following Commissioners answered Roll Call:

Chairman Devan Wastchak  
Vice Chairman Rick Heumann  
Commissioner Robert Klob  
Commissioner George Kimble  
Commissioner David Rose  
Commissioner Gregg Pekau  
Commissioner Matt Eberle

Also present:

Mr. Kevin Mayo, Planning Administrator  
Mr. David de la Torre, Planning Manager  
Ms. Susan Fiala, City Planner  
Ms. Lauren Schumann, City Planner  
Ms. Kelly Schwab, City Attorney  
Ms. Cathy Flores, Clerk

4. APPROVAL OF MINUTES  
**MOVED BY VICE CHAIR HEUMANN**, seconded by **COMMISSIONER KIMBLE** to approve the minutes of the October 17, 2018 Planning Commission Hearing. The motion passed 7-0.
5. ACTION AGENDA ITEMS  
**CHAIRMAN WASTCHAK** 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. He stated all Items will be read into the record and voted on in a single motion, other than the Banner Project, Item D.

A. DVR18-0020 CHANDLER FREEWAY CROSSING TRIANGLE PARCEL

**Approved.**

Request Rezoning from Planned Area Development (PAD) for Multi-Family Residential to PAD for Business Park uses with Preliminary Development Plan (PDP) for site plan approval for an approximate 1.29-acre parking lot located at the southwest corner of Ellis Street and Pecos Road.

**Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler Freeway Crossing" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0020, 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. 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Public Works & Utilities Director for arterial street median landscaping.
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.

#### **Preliminary Development Plan**

1. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
2. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler Freeway Crossing" and kept on file in the City of Chandler Planning Division, in File No. DVR18-0020, 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.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
4. The site shall be maintained in a clean and orderly manner.
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.

B.PDP18-0013 CADENCE AT CHANDLER/PLT18-0054 CARINO COMMONS  
COMMERICAL

#### **Approved.**

Request Preliminary Development Plan approval for site layout and building architecture for an assisted living facility, along with Preliminary Plat approval. The approximate 7.49 acre site is located at the northwest corner of Arizona Avenue and Queen Creek Road.

**Preliminary Development Plan**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Cadence at Carino Commons" and kept on file in the City of Chandler Planning Division, in File No. PDP18-0013, 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. Landscaping shall be in compliance with current Commercial Design Standards.
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. The site shall be maintained in a clean and orderly manner.
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.

C. LUP18-0024 HIDDEN HOUSE

**Approved.**

Request Liquor Use Permit approval to sell and serve all types of spirituous liquor as permitted under a Series 12 Restaurant License, indoors and within two new outdoor patios, including live entertainment. The new restaurant is located at 159 W. Commonwealth Avenue.

1. Expansion or modification beyond the approved attachments (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 non-transferable to any other location.
3. The site shall be maintained in a clean and orderly manner.
4. No noise shall be emitted from outdoor speakers or live entertainment on the patio(s) in such a manner in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs adjacent businesses and residential areas.
5. The establishment shall provide a contact phone number of a responsible person (i.e., bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

D. CANCELANATION OF THE NOVEMBER 21, 2018 PLANNING AND ZONING COMMISSION MEETING

**Approved.**

**CHAIRMAN WASTCHAK** asked if there were any questions. There were none.

**MOVED BY VICE CHAIR HEUMANN** seconded by **COMMISSIONER KLOB** to approve the items read in on the consent agenda. The motion passed unanimously 7-0.

6. DIRECTORS REPORT

Kevin Mayo, Planning Administrator stated he wanted to highlight the Planning team that is operating at 50 percent. He mentioned he wanted to thank them for all they are doing.

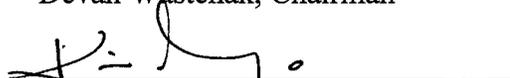
7. CHAIRMAN'S ANNOUNCEMENTS

Chairman Wastchak stated the next regular meeting is December 5, 2018, 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 5:38 p.m.

  
\_\_\_\_\_  
Devan Wastchak, Chairman

  
\_\_\_\_\_  
Kevin Mayo, Secretary